

## **Involvement of Children in Legal Issues for Criminal Acts of Terrorism in Indonesia: Phenomenon and Inflicting Factors**

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### **Abstract**

*This article discusses the involvement of children in legal issues of criminal acts of terrorism in Indonesia, including a discussion of the phenomena and factors that cause them. This research method is this research using empirical legal research (non-doctrinal). Data collection techniques in this study were carried out through interviews and literature studies. This research also uses deductive reasoning method. The results of the study show the importance of paying attention to the potential for indoctrination of radicalism to children. However, this will be difficult to prevent if the perpetrators of indoctrination are the child's own parents. The risk of indoctrination of radicalism is easier to limit and prevent if the perpetrator is another party who is not a parent. Internal factors that occur and come from within the child. In this case, it is due to the mental condition of the child who is not yet an adult as well as the intervention of the parents who were previously the parents who attracted their children to join the terrorism network. Then external factors that come from outside the child. In this case, it is generally caused by environmental factors, the development of technology and information, as well as things that are not derived from the child's internal factors. Children who are in conflict with the law in criminal acts of terrorism should still receive protection for their rights. One of them is by implementing diversion in every stage that children go through in dealing with the law in criminal acts of terrorism and optimizing deradicalization policies based on the concept of restorative justice.*

**Keywords:** *Involvement, Children, Criminal, Terrorism.*

### **1. INTRODUCTION**

Broadly speaking, the terrorist movement is a form of international crime that can endanger state security and sovereignty. It is not just an international crime, but terrorism is a cross-border crime that takes advantage of open borders, free markets, and technological advances (United Nations Secretariat, 2005). Furthermore, terrorism activities should properly be classified into extraordinary crimes (extraordinary crimes) and crimes against humanity (crime against humanity).

This refers to the fact that this crime has fulfilled the elements as an extraordinary crime such as endangering absolute human rights values, terrorist attacks are random, indiscriminate, non-selective, which may happen to innocent people, always contain elements of violence. , has links to organized crime, and even the possible use of advanced technologies such as chemical, biological, and even nuclear weapons. Terrorism is a nonstate actor that exists and continues to be studied in international relations

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activities to this day. Terrorist activities themselves always carry political interests in each of their activities (Lurz & Lurz, 2011).

At the strategic level, the growing terrorism in the world, including in Indonesia, can be explained from two perspectives at once. First, coercive terrorism, or coercive terrorism. That is, the practice of terror carried out by terrorist organizations. This practice is pursued with the aim of gaining or maintaining the support of the civilian population, and destroying their fighting power against terrorism. Second, retaliatory terrorism, or retaliatory terrorism. That is, terrorism based on hatred, carried out by radical groups against broader groups. The main goal is the creation of violence in society (Raza, 2009).

Various acts or acts of terror have actually been carried out by humans throughout history, so it is not easy to generalize and classify from various types and types of acts of terror or terrorism.

So far, terrorism experts have generally considered terrorist acts due to two factors, including the first that terrorism is a movement against the legitimate government and secondly, it is stated that acts of terrorism are acts of violence and terror supported by the State. . Regarding acts of terror against the state or government, this resistance is open. Therefore it is also called political terrorism or revolutionary terrorism. As for acts of terror used to support the state, this is in the form of support for acts of terror and violence aimed at political opponents, including civilians and ordinary citizens. The development of terrorism in Indonesia is also increasingly worrying, because it has begun to involve women and children. This is what will be described in this article which aims to explain the phenomenon of children in conflict with the law in the crime of terrorism in Indonesia and the factors that cause children to be involved in the crime of terrorism.

## **2. METHODS:**

This research uses empirical legal research (non-doctrinal). Empirical legal research is used to find out how far the law works in society. In addition, the purpose of using empirical legal research in writing this dissertation is to find answers by providing and analyzing empirical data and facts related to deradicalization models that are suitable to be applied to children who are in conflict with the law in criminal acts of terrorism in the perspective of restorative justice.

Data collection techniques in this study were carried out through interviews and literature studies. This study uses the method of deductive reasoning, namely the process of thinking that stems from general things or theories to specific things or reality. In this study, the author first describes the theories that can be used as analytical tools for research, namely the theory of children, the theory of the juvenile criminal justice system, the theory of criminal acts of terrorism, the theory of legal effectiveness, the concept of restorative justice, and the concept of deradicalization. Furthermore, the author will analyze the data that has been obtained from the field regarding the deradicalization model based on restorative justice for children who are in conflict with the law in criminal acts of terrorism in Indonesia.

## **3. RESULTS AND DISCUSSION:**

1. The Phenomenon of Children Facing the Law in Criminal Acts of Terrorism in Indonesia:

Today, the development of terrorism in Indonesia is also increasingly worrying, because it has begun to involve women and children. The involvement of women and children in a series of terror bombs at three churches in Surabaya, East Java, on Sunday, May 13, 2018 shows that there is a change in the pattern of acts of terrorism (Tamawiwiy, 2019). The

involvement of wives and young children in suicide bombings has become a new mode and has further strengthened the role of women and children in acts of terrorism.

An observer of gender and radicalism issues, Lies Marcoes, views the Surabaya bombing phenomenon which involved one family, namely husband, wife and children, proving that the role of women in radical movements is no longer individual, but as the main actors who have the power to even involve their own children as perpetrators. terror and violence. Indeed, seeing women as suicide bombers is not the first time. However, National Police Chief Gen. Tito said this was the first time that a minor had become a suicide bomber.

Terrorism observer from Malikussaleh University, Al Chaidar, said that the direct involvement of children in jihad acts was carried out to 'trick' the security forces. Research conducted by the Institute for Policy of Conflict (IPAC) last year showed that Indonesian women and young children are starting to take part in acts of extremism and radicalism, some of them even wanting to become suicide bombers. The acts of terrorism that occurred in East Java, each of which was carried out by a family and their underage children, made Lies Marcoes view that there had been a major change in the involvement of families in acts of terror. Involving minors, shows a big change in the map of acts of terror. However, the Chairperson of the Indonesian Child Protection Commission (KPAI), Susanto, considers that the direct involvement of minors in jihad actions does not necessarily prove that these minors are indoctrinated by their parents.

Reflecting on these cases, it is necessary to pay attention to the potential for indoctrination of radicalism to children. However, this will be difficult to prevent if the perpetrators of indoctrination are the child's own parents. The risk of indoctrination of radicalism is easier to limit and prevent if the perpetrator is another party who is not a parent. It is very dangerous if the ideology of radicalism enters the family rooms. The crime of terrorism involving children in Indonesia is an alarming phenomenon that threatens the growth and development of children, both in terms of community life, personality, religious understanding, and nationalism.

Based on data from the National Counterterrorism Agency (BNPT), there are as many as 500 parents who are in correctional institutions for being involved in criminal acts of terrorism, 1,800 children of these terrorists are stigmatized and labeled, in the form of exclusion, discrimination, prohibited from socializing, and some are even expelled from school.

## 2. Factors That Cause Children to Be Involved in Criminal Acts of Terrorism in Indonesia:

Crime or crime is a negative act which the community will certainly get a variety of reactions from the community. The reaction in this case can be a formal reaction or an informal reaction. In the formal reaction, it will become a study material for how the criminal law works in society, meaning that in this case the process of working criminal law will be studied when there is a violation of the criminal law. This process runs in accordance with the mechanism of the criminal justice system, namely the process from the Police, the Prosecutor's Office, the Court to the implementation of court decisions in prisons (Penitentiary) (Prasetyo, 2010).

While the study of informal reactions or reactions of the general public to crimes is related not only to crimes that have been regulated in criminal law (violations of which cause formal reactions) which can lead to acts of "jumping on their own" by the community, also reactions to crimes that have not been regulated in the criminal code. legislation. That is, the community considers the act to be evil but the act has not been regulated by criminal law. Thus the public reaction to this crime turned out to show a "significant" relationship between the community's reaction and the occurrence of the crime. Like the synthesis which states that "the greater the public's reaction to crime, the

smaller the occurrence of crime", and vice versa, "the smaller the public's reaction to crime, the more crime will flourish.

The perpetrator of a crime is someone who has committed a criminal act, in this case it is often also referred to as a "criminal". Understanding of the perpetrators of this crime which then becomes a process in terms of finding the cause and effect of a person becoming a criminal. To answer the question of what makes a person a criminal act or about why someone commits a criminal act, even though it is very clear that the act is not justified and violates the provisions of the applicable laws and regulations, then an explanation of the cause of a criminal act can occur in The field of criminology is often referred to as "positivist criminology", because it demands the development of the study of crime, positivists consider many reasons that make people commit crimes and a person is not free in his life, but is bound by a number of factors when he acts that are considered to deviate from the rules of life.

The eradication of terrorism cannot be carried out partially and individually, but requires the involvement of institutional components or the international community, it also does not escape the need for intensive cooperation support between countries, because as mentioned above that the crime of terrorism is a transnational crime. The definition of terrorism according to the 1939 United Nations Convention is all forms of crime directed at the state with the intention of creating a form of terror against certain people or groups of people or the wider community. Meanwhile, according to the Black Law Dictionary, terrorism is defined as the use or threat of violence to intimidate or cause panic, esp. as a means of affecting political conduct (Taylor, 2011). Thus, it can be said that terrorism is an act that causes panic only because to achieve certain goals carried out by a group of people who commit acts of terrorism.

Terrorism itself was firmly stated by Bush, that "September 11th attacks were not just attacks against Amerika but against civilized nations of the world and humanity. The statement explained that the September 11 attacks were not only against America but also against civilized countries in the world and crimes against humanity. Further explained by Bush, that Bush "if anyone slew a person it would be as if the slew the whole people and anyone save a life, it would be as if the save the life of the whole people (Alatas, 2003).

The crime of terrorism has deeply disturbed the public, both the national community and the international community. With his unique way of committing the crime, making the crime of terrorism included in a special type of crime. Jan Remelink perceives special criminal law as a special act or offense or *delicta propria* is a crime that is only possible for those who meet certain qualifications or have certain qualities (Remmelink, 2003).

When we talk about terrorism, it is necessary to know that there are several important elements, including First, terrorism is an act carried out with violence or threats of violence. Second, the violence is against the law. Third, acts of violence are directed at a person or group or to property or public facilities. Fourth, the main address of the act of terror is to change the ideology and political direction of a country (Satria, 2014).

One of the interesting facts in the crime of terrorism is that these acts are not only dominated by men, but also involve women in them. Generally these women are the wives of men who are identified as terrorists. However, in Mohd Adhe Bhakti's analysis, Researcher at the Center for the Study of Radicalism and Deradicalization. However, in this case women in terrorism crimes are still not the main actors, but are limited to providing assistance to their husbands who are terrorists or friends of their husbands who are wanted by law enforcement officers.

Debby Affianty, FISIP lecturer at Syarif Hidayatullah State Islamic University Jakarta, said that women's involvement in terrorism was patterned in three different forms (Affianty, 2017). First, as a loyal follower and companion. The role of women in terrorist groups is still largely at the stage of domestication of women, in the sense that they are

not the main actors, but act as wives, loyal followers, and mothers of potential terrorists. This happens to groups that use Islam as their brand, such as ISIS. In contrast to terrorist groups such as in Chechnya and Algeria where women are very ideological, women and girls in ISIS have very little knowledge of Islam. Even in the context of Indonesia, a number of women among them are still not fluent in reading the Koran.

Second, propaganda experts and recruitment agencies. These women are indeed not allowed to fight, but apart from functioning as wives and mothers of terrorists, they also play a role in cyberspace as propaganda experts, preachers and recruiters for ISIS. By relying on the jargon of caliphate sisterhood, as described by Debbie, women within ISIS apply a recruitment pattern that relies on friendship and kinship relationships.

The emergence of terrorism in Indonesia, just like in other places, where it can be influenced by preconditions of terrorism which are conditions that naturally allow for the emergence of terrorism movements in the long term and precipitants of terrorism which are phenomena that can specifically encourage or trigger the occurrence of terrorism. acts of terrorism. The trigger can be caused by four causal factors, including the following: (1) Structural Causing Factors, (2) Accelerator Causing Factors, (3) Motivational Causing Factors, (4) Trigger Causing Factors. Which of these factors can continuously influence the emergence and development of terrorism (Bjørge, 2004).

First, the structural causes pay attention to things that can have a frustrating impact in the form of relative deprivation, such as past history related to acts of terrorism, acceleration of modernization, rapid development of globalization. If we refer to history, then Indonesia as a country that was born through an effort for independence that has the potential to carry out opposition which can end up being a relative deprivation driven by the phenomenon of globalization which is considered to affect the fundamental values of human groups. The deprivation that had to develop then became extreme, so that smaller movements emerged to form a State outside the government of the Republic of Indonesia as happened in Aceh through the Free Aceh Movement (GAM) and in Papua with the Free Papua Movement, and in many places in Indonesia. Indonesia, which is generally considered to have similarities in terms of political strategy supported by groups such as DI (Ganor, 2013).

Second, factors that cause accelerators, where this involves catalyzing the development of terrorism focused on things that can encourage dormancy of existing potential structurally into a movement of opposition in the form of terrorism due to technological and information developments as well as weak state control over its territory that can be exploited by certain groups to develop the potential to become a terrorist movement. State control has a strategic role in inhibiting acceleration. In addition, the mass media played a major role in accelerating the terror effort. Terror propaganda through the media is essential in the new form of terrorism which emphasizes the scope of terror. Even though it is not directly affected by the physical impact, the psychological impact is still felt.

Thirdly, motivational factors can also have an influence on the development of terrorism from the individual order. Motivational motivation can trigger a number of individuals to join and associate to form a particular forum or group. Terrorist groups in general are a group of individuals who broadly have the same background, feel the same conditions, and then try to use reasons that are considered rational within the group of members to create political influence (Crenshaw, 1981).

At a certain point, there appears an attempt to present the object as a reason and justification for taking action which is then responded by the State with greater power and creates chaos and retaliates with violence so as to create violence that is out of control.

Fourth, the triggering factor, which is one of the important elements in the causal factor in Bjørge's typology. These causal factors take advantage of certain momentum or

phenomena that can activate the potential for terrorism into participation. This momentum varies in several forms such as provocative, political chaos as well.

If Scheltema's opinion above is related to criminal acts of terrorism involving children in it, then the element of legal certainty is very much needed, where this element must be able to encourage the state to make law as a foothold and guide in handling terrorism crimes, especially those involving children. In implementation, Horbert L. Packer in his book *The Limits of The Criminal Sanction*, reveals that there are two models in the criminal justice process, namely (Panjaitan & Simorangkir, 1995):

- a. Crime control model, namely the crime control model which in this case the form of approach used is a view of the perpetrator of the crime as an object in the examination of the case. The character of the crime control model is the efficiency in the work of the case examination process, namely fast arrests and quick trials and the use of the presumption of innocence.
- b. Due process model, namely the right protection model in the form of an approach that views the perpetrator of the crime as a subject in the examination of the case. What is characteristic of the due process model is the protection of the rights of the suspect and to determine a person's guilt one must go through a fair and impartial trial.

Every child has dignity that deserves to be upheld and every child born must get their rights without the child asking. This is in accordance with the provisions contained in the Convention on the Rights of the Child, which was ratified by the Indonesian government through Presidential Decree No. 36/1990 which states the general principles of child protection, namely non-discrimination, the best interests of the child, survival and growth and development, and respect for participation. children (Saraswaty, 2009).

Children who are the successors of the nation, should live in families and communities that are certainly safe for them, in this case often referred to as a child-friendly environment. Children need a safe and comfortable environment for their growth and development. So that in the future, he can become a quality successor of the nation as well. However, in modern times where technology and industry 4.0 have entered Indonesia, it is not uncommon for positive things to be obtained, but the negative impacts that arise are also not easily dismissed. With the negative impacts that run linearly with the emergence of crimes that are increasingly easy to cut, making children also vulnerable to these negative impacts.

According to Law Number 11 of 2012 concerning the Juvenile Criminal Justice System, what is meant by children in conflict with the law are children in conflict with the law, children who are victims of criminal acts, and children who are witnesses of criminal acts. This provision is stated in Article 1 Number 2, based on this definition, it can be stated that there are three categories of children in conflict with the law, namely (Analiyansyah & Rahmatillah, 2015):

1. Children in conflict with the law, the meaning is children as perpetrators of criminal acts.
2. Children who are victims of criminal acts, namely children who experience physical, mental, and/or economic losses caused by criminal acts.
3. Children who are witnesses to criminal acts, namely children who can provide information for the purposes of investigation, prosecution, and examination in court about a criminal case that is heard, seen, and/or experienced by himself.

The category of children as perpetrators of criminal acts of course has its own age provisions. Those who are included in the class of children and are able to account for their actions before the law are those who are 12 (twelve) years old, but not yet 18 (eighteen) years old who are suspected of committing a crime. Thus, children aged 12 years, even though they have committed a crime, they cannot be categorized as children

who are in conflict with the law and are able to account for their actions (although still the child must be avoided from the legal process). Therefore, it is outside this provision. Likewise, people who are over 18 (eighteen) years old will no longer be classified in the category of children, but are considered adults, and general provisions of criminal law (in the Criminal Code) apply as well as adults.

Because in this case the main focus of terrorism criminal cases is carried out or involves children as the perpetrators, then of course the regulation and legal action must still be guided by special criminal laws, including the Law on the Juvenile Criminal Justice System and the applicable Child Protection Act. in Indonesia. Thus, in terms of handling it when involving children in the law enforcement process, of course using a special way as well. Where whether the child has reached the age that is capable of being held criminally responsible or not and must be returned to the parents.

Discussing criminal liability, it cannot be separated from the discussion of a criminal act. Although in some cases, in an act or criminal act, not all of them can be held criminally responsible by the perpetrator of the crime. Based on the previous statement, Sudarto also has the same thought, that a person's punishment is not enough if that person has committed an act that is against the law or is against the law. So even though the act fulfills the formulation of the offense in the law and is not justified (an objective breach of a panel provision), it does not yet meet the requirements for criminal imposition.

In terms of punishment, there is still a requirement that the person who does not commit the act has a guilt or guilt (subjective guilt). In other words, the person must be accountable for his actions or if viewed from the point of view of his actions, his actions can only be held accountable to that person (Sudarto, 1987). It should be understood and realized that the causal factors in the crime of terrorism are very multidimensional. Therefore, a multidimensional series of prevention is needed (Nitibaskara, 2002).

The involvement of children in criminal acts of terrorism is a problem faced by countries in the world, including in Indonesia. As one of the facts that occurred in 2016 through the East Jakarta Court Decision with Case Number 22/PID.SUS-

ANAK/2016/PN.JAK.TIM, where the decision revealed cases of involvement of children as perpetrators of criminal acts of terrorism (making children face-to-face). with the law) and has been sentenced to imprisonment for 2 (two) years (Mahyani, 2019). Children who are in conflict with the law in criminal acts of terrorism are certainly not merely the perpetrators in the crime, but they are victims of offenses which should be protected, not prosecuted or imprisoned. Children who are in conflict with the law in this case as perpetrators of criminal acts of terrorism have in fact been regulated in Protocol II of the 1949 Geneva Conventions, but as mentioned above, children are still often made vulnerable "victims".

The involvement of children in criminal acts of terrorism, in terms of current handling, is still far from optimal. Nowadays, law enforcement officers only see children who are in conflict with the law (in this case are criminals) in terrorism crimes, they are still considered the same as children who commit crimes or other crimes. It is true that terrorism is tantamount to acts that deviate from the applicable rules and are included in the category of crimes and criminal acts. However, it should be underlined once again, that the crime of terrorism is an extraordinary crime. Which should in law enforcement require special handling and attention by law enforcement officers and cannot solely be equated with criminal acts or other crimes that have also been regulated in the laws and regulations in force in Indonesia.

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

- a. The mental condition of the child which can be said to be unstable (not yet stable), so that it cannot clearly reject the advice of adult perpetrators of terrorism;

- b. The negligent condition of the "opponents" of terrorism who are exploited by the use of children as perpetrators of terror; and
- c. The condition of the perpetrator who knows exactly that the children will not be able to take full responsibility for their actions.

If we examine more deeply, regarding the causes of criminal acts, in general a search will be carried out on several factors, including biological, psychological, and socioeconomic factors. Children are involved as active perpetrators as well as victims who cause other casualties. Criminal acts of terrorism which are extraordinary crimes are generally only committed by adult perpetrators. The bombing that occurred was already a murder for the children who also blew themselves up. Children should still be able to play, go to school, joke with their peers, explore themselves until they reach adulthood. The main factor that causes children to commit acts of terrorism is because of the role of parents who instill radical understanding in children. In addition, environmental patterns are increasingly not showing mutual care and respect for others, where these children have actually become victims of their parents and their environment.

The factors that cause terrorism in general can be categorized into: perpetrators of terrorism, terrorism motive factors, causal factors behind terror motives, victims and targets of terror. In the case of the Surabaya bombings, when viewed from the perspective of the perpetrators of terrorism; it can be seen that the perpetrators of terrorism have a "role" as father, but this definition has not been able to describe the crime of terrorism itself. In the case of the main perpetrator of the crime is the parent, then the parent seems to act alone. Facts on the ground, in fact, then the second and third bombings occurred again which showed an organized pattern in the Surabaya bombing pattern which certainly involved children.

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

- a. 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 is not yet an adult and the intervention of the parents who were previously the parents who attracted their children to join the terrorism network. a. Child Mental Factor

The limit of a person can still be categorized as a child according to Article 1 Number 1 of Law Number 23 of 2002 concerning Child Protection, that a child is someone who is not yet 18 (eighteen) years old, including children who are still in the womb. Children are the seeds and future of this nation's successor. Children are human beings who are still pure and clean, still immature in determining every decision they will take, so that the role of adults in this case is parents who are able to lead in a good direction.

But not the least, because it is the innocence of children that makes adults target them to commit acts that are not morally, religiously, and legally justified. Adults, in this case, who are the main actors of deviant children are parents, always assuming that why they do such an unlawful act with children, because children are easy targets and the assumption that a child is not legal able and able to be held accountable (Panjaitan & Simorangkir, 1995).

Thus, the innocence and mental and emotional instability of a child becomes a guideline and benchmark in providing protection for children. Not only the state through its tools, but parents or other parties are also obliged to participate in providing protection for children's growth and development. The protection referred to in this case is the protection of children by providing the right moral education, providing access to news that is correct and in accordance with the age of the children, limiting children from hoaxes or news that has a tendency to cause hatred in a party. b. Parental Role Factors

In this factor, it is actually not purely caused by the child, but the role of the parent, which becomes a causal relationship with the factors that exist within the child. In general, in cases of criminal acts of terrorism that make children the perpetrators of these acts, the position of parents often argues with the intention of justifying the actions they have done to children. However, we need to know together that children are still mentally and emotionally unstable, so that in deciding whether something is right or wrong, they still have difficulty. The existence of such circumstances makes children involved in and dealing with the law in criminal acts of terrorism often under the control of their parents.

Parents who have previously been exposed and have even entered the radical category, of course invite and start indoctrinating their children about radical ideas. Parents give quite extreme and dangerous views to their children through utterances that sound hateful towards other people, even their own country, which of course is not justified by anything, including laws and regulations.

b. External factors, namely factors that come from outside the child. In this case, it is generally caused by environmental factors, the development of technology and information, as well as things that are not derived from the child's internal factors. a. Environmental factor

Delinquency in children or actions that make children deviate from the rules that should be, it cannot be denied that environmental factors also contribute to delinquency in these children. An environment that is not child-friendly, not friendly for children's growth and development, of course makes children grow and develop not in accordance with children their age. Children will grow up in a society that cares, besides that harmonious community movements in every smallest unit, namely the family, until later in the level of neighborhood associations, community units, and even greater will provide a narrowing of space for terrorist movement networks. b. Media Factor

The role of social media today has great potential in the expansion of radicalism in Indonesia. Moreover, social media is a place for all parties to get the latest and updated information in all parts of the world. The ability of children today to operate social media makes radical information or content that should not be accessed easily accessible to children. Terrorism and the media indirectly have a symbiotic relationship of mutualism. Why is that? This happens because the media need news material that is able to attract the attention of the wider community. Likewise with terrorists, where they take advantage of advances in technology and media in terms of publicity so that people still see and believe in the existence of these terrorists.

Active and passive use of media for terrorism is used to polarize public opinion and as a medium for delivering messages and threats that can cause fear to the wider community. In addition, the role of the media for these terrorist actors is to try to attract new members to the terrorist movement by prioritizing recruitment for young people by arousing the children's disappointment with the government's performance, so that children who incidentally are still unstable in terms of emotions and the determination of good and bad things can enter into the terrorism network.

Huey & Witmer (2016) stated that the role of women in pro-terrorist groups was initially invisible, but thanks to social media, they increasingly appear to play an active role. In this case, there are at least two roles they play. First, as a place for women to find out about terrorist groups and their ideologies, connect with fellow sympathizers or with war recruits. These women can recruit potential followers, disseminate propaganda, and mobilize sympathizers, including minors and the parents of the child who is the object of recruitment.

Second, social media reveals the various activities of women involved in pro-terrorist group networks. Third, regarding fighters/bombers, in which terrorist groups are increasingly using women, especially white ones, because of Western government

stereotypes about terrorist actors from Muslim countries. Terrorist groups are currently looking for women and children who have fair skin, light colored hair and eyes that are neither slanted nor do they characterize stereotypes of Muslim women. Non-Arab and non-South Asian women have a “great advantage, especially to sneak into a particular country and carry out attacks” (Taskarina, 2019).

Children who are in conflict with the law in criminal acts of terrorism are not actually perpetrators, but are victims of the persuasion and influence of many parties. So that children who are in conflict with the law in criminal acts of terrorism should still get protection for their rights. One of them is by implementing diversion in every stage that children go through in dealing with the law in terrorism crimes and optimizing deradicalization policies based on the concept of restorative justice in dealing with children in conflict with the law in terrorism crimes.

#### **4. CONCLUSION:**

Internal factors that occur and come from within the child. In this case, it is due to the mental condition of the child who is not yet an adult and the intervention of the parents who were previously the parents who attracted their children to join the terrorism network. Then external factors that come from outside the child. In this case, it is generally caused by environmental factors, the development of technology and information, as well as things that are not derived from the child's internal factors.

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