

THE ROLE OF THE INDONESIAN ARMY IN THE HUMANE PREVENTION OF TERRORIST CRIMES (CASE STUDY OF CIREBON REGENCY)

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Abstrak: *The issue of terrorism in Indonesia remains a serious threat that requires a multidimensional approach. Beyond the role of law enforcement agencies, the Indonesian Army (TNI AD) has a strategic position in conducting intelligence-based prevention. Cirebon Regency was chosen as the locus of research because it has a high concentration of current and former terrorists as well as complex socio-religious dynamics. This study aims to examine the Indonesian Army's practices in preventing terrorism and assess their compatibility with the existing positive legal framework. The method used is empirical juridical with a qualitative approach, combining field findings with analysis of legislation and academic literature. The results of the study show that this role is realized through early detection, regional guidance, and community education, with empirical evidence that 83.3% of ex-convicts have successfully reintegrated, although 16.7% still refuse reintegration. There is a gap between Law No. 34 of 2004, Law No. 5 of 2018, and Law No. 17 of 2011 and the practices in the field, which do not yet have adequate technical regulations regarding coordination between the TNI, Polri, and BNPT. The contribution of the Indonesian Army (TNI AD) is considered empirically effective but requires regulatory reformulation so that the involvement of the TNI AD in terrorism prevention is more focused and measurable and remains within the corridor of a democratic state governed by law.*

Key words: *TNI, terrorism, humanism*

I. INTRODUCTION

Terrorism is a form of extraordinary crime that not only threatens human life but also undermines state sovereignty, causes political instability, and weakens the foundations of social and economic life. Terrorist acts in Indonesia, ranging from the Bali bombings to the attacks in the Thamrin area, have shown that terrorist networks are adaptive, transnational, and ideological. This situation confirms that terrorism cannot be dealt with using conventional criminal law instruments alone but requires a comprehensive approach involving various state security actors (Noorhaidi Hasan, 2018).

Within the framework of positive law, the state has established specific regulations through Law Number 15 of 2003 concerning the Eradication of Criminal Acts of Terrorism, which was later revised into Law Number 5 of 2018. These regulatory changes broaden the definition of criminal acts of terrorism and regulate the possible involvement of the Indonesian

National Armed Forces (TNI) in prevention and enforcement efforts. In line with this, Law No. 34 of 2004 on the TNI emphasizes that military operations other than war (OMSP) include the task of countering acts of terrorism. However, implementing regulations detailing the procedures for TNI involvement are still not available, creating a normative gap that affects legal certainty in practice.

In the academic framework, Ali Mahsyar Mursyid emphasizes that the prevention of radicalism and terrorism must begin at its upstream level, namely by addressing structural causes such as education, economy, and socio-religious interactions (Ali Mahsyar Mursyid, 2021). This perspective underlines that preventive strategies cannot rely solely on repressive measures, but must also involve public policies that strengthen societal resilience. Such an approach explains why the involvement of territorial officers, particularly Babinsa, becomes relevant, as their social proximity to local communities enables the implementation of grassroots-based prevention.

This regulatory vacuum has serious implications. The National Police, as a law enforcement institution, has a mandate to carry out repressive measures, while the Army has structural power through territorial intelligence and Babinsa (village supervisory officers) that reach down to the village level. The potential for overlapping authority at the prevention stage, particularly in intelligence activities, is inevitable. This is in line with Barda Nawawi Arief's view, which emphasizes that the effectiveness of criminal law in dealing with extraordinary crimes can only be achieved through legal certainty accompanied by synergistic institutional coordination (Barda Nawawi Arief, 2010).

The context of Cirebon Regency empirically demonstrates the relevance of this issue. Based on field data, there are 35 individuals connected to terrorist networks, consisting of 11 convicted terrorists and 24 ex-convicts, spread across four zones with the highest concentration in the Western Zone. This data places Cirebon as an area prone to infiltration by radical networks in West Java (Field data from Cirebon Regency, 2024). This fact further emphasizes the need for strong and continuous early detection to prevent the development of potential threats.

In addition to quantitative factors, the socio-religious dynamics in Cirebon provide another dimension. As the center of Islam in West Java with the historical traces of Sunan Gunung Jati, Cirebon is known to have a strong religious base with hundreds of Islamic boarding schools. However, some educational institutions are exclusive in nature and do not fully internalize national values, such as the Islamic boarding school in Sedong District, which is reluctant to hold state ceremonies and some of whose students have been identified as having links to Jamaah Islamiyah. This phenomenon shows that religious aspects can simultaneously serve as a bastion of ideological resilience and a gateway to radicalization.

In this context, the role of the Indonesian Army's territorial intelligence has its own significance. Babinsa, as the frontline of territorial development, interacts directly with the community, enabling them to read social dynamics that are not always accessible to law enforcement officials. The arrest of a member of Jamaah Ansharut Daulah (JAD) named Suki, for example, began with a report from Babinsa, who detected suspicious activity before it was finally followed up by the Indonesian National Police and Densus 88. This confirms that territorial intelligence plays an important role in the early warning system.

Cirebon is considered an appropriate location for research due to several factors: the high number of individuals linked to terrorism, its strategic position on the Pantura route, which is a hub for inter-regional community mobility, and its unique socio-religious complexity. These factors make Cirebon not only a vulnerable area but also a representative social

laboratory for observing the Indonesian Army's terrorism prevention practices (Intelligence report from Babinsa in Cirebon, 2024).

Academic studies developed so far tend to focus their analysis on the role of the Indonesian National Police (Polri) and the National Counterterrorism Agency (BNPT). Meanwhile, the involvement of the Indonesian Army, especially in its territorial intelligence function, is relatively rarely used as the main object of study.

In fact, the structure of the Indonesian Army, which is embedded in society, offers a different approach to building social and ideological resilience (Bruce Hoffman, 2017). This gap opens up space for critical analysis of how territorial intelligence works in preventing terrorism at the local level.

Based on this normative framework and empirical conditions, a fundamental question arises: how is the Indonesian Army's practice carried out in preventing terrorist crimes in Cirebon Regency? This question is the starting point for analysis in this study.

II. RESEARCH METHOD

This study uses an empirical juridical method, which is a legal study that not only examines written norms but also their implementation in practice (Peter Mahmud Marzuki, 2010). The normative approach was carried out by examining relevant laws and regulations, such as Law Number 34 of 2004 concerning the Indonesian National Armed Forces and Law Number 5 of 2018 concerning the Eradication of Criminal Acts of Terrorism.

The research data consists of primary data in the form of the author's field experience and interviews with Indonesian Army (TNI AD) officials and community leaders in Cirebon Regency, and secondary data in the form of legal literature, academic journals, and official documents. The analysis was conducted using descriptive-analytical qualitative methods by connecting legal norms (*das sollen*) and empirical realities (*das sein*) to understand the Indonesian Army's territorial intelligence practices in preventing terrorism.

III. RESULTS AND DISCUSSION

A. Legal Basis for the Role of the Indonesian Army in Preventing Terrorism

The involvement of the Indonesian National Armed Forces (TNI) in counterterrorism has legitimacy within the national legal system. Law No. 34 of 2004 on the Indonesian National Armed Forces stipulates that one of the tasks of military operations other than war (OMSP) is to counter acts of terrorism. This norm provides a legal basis for the TNI, including the Indonesian Army, to carry out preventive functions in the context of national security.

Law Number 5 of 2018 on the Eradication of Criminal Acts of Terrorism further strengthens this role. Article 43I paragraph (1) states that the TNI can be involved in the prevention and prosecution of criminal acts of terrorism. However, the implementation of this norm still faces a legal gap, because the implementing regulations detailing the coordination mechanism between institutions, particularly between the TNI and the Indonesian National Police (Polri), have not been fully formed. As a result, the scope of the TNI's authority in the prevention stage is still limited and depends on practical initiatives in the field.

In addition, Law Number 17 of 2011 concerning State Intelligence emphasizes that TNI intelligence is included in the state intelligence apparatus. Thus, the territorial intelligence of the Indonesian Army (TNI AD) has a legitimate role in early detection, prevention, and deterrence of threats that could potentially disrupt national security. This position is in line with the territorial development doctrine (Binter), in which Babinsa is positioned as the spearhead in building social interaction with the community to support the early warning system.

Experts also emphasize the importance of regulatory clarity. According to Arief (2010), the effectiveness of criminal law in dealing with extraordinary crimes can only be achieved

through legal certainty and synergistic institutional coordination. Hoffman (2017) even emphasizes that the prevention of modern terrorism cannot rely solely on a repressive approach but requires intelligence capabilities that can operate at the community level. This is relevant to the context of the Indonesian Army, which has a territorial structure embedded in the community.

Thus, the available legal basis provides legitimacy for the Indonesian Army's involvement in terrorism prevention. However, the absence of technical rules regarding inter-agency coordination indicates the need to reformulate regulations so that this role has legal certainty and runs harmoniously with the authority of the Indonesian National Police.

B. Indonesian Army Practices in Preventing Terrorism in Cirebon Regency

Territorial intelligence practices in Cirebon Regency are carried out by Babinsa through an integrated work pattern between early detection, regional development, and community education functions. Babinsa's position, which is embedded in village life, gives them direct access to social information, including dynamics that have the potential to give rise to terrorism threats. In practice, territorial intelligence is not only concerned with data collection, but also with building community trust so that the information obtained can be followed up effectively. This is in line with Article 5 of Law Number 17 of 2011 concerning State Intelligence, which places intelligence at the forefront of the national security early warning system.

One concrete example of this function can be seen in the field mapping of individuals connected to terrorist networks. As of 2024, there were 35 individuals, consisting of 11 active terrorists and 24 ex-terrorists, spread across various areas of Cirebon Regency. The distribution was not even, but concentrated in certain areas such as the Western Zone, which had the largest number of individuals.

Table 1. Distribution of Terrorists and Former Terrorists in Cirebon Regency (2024)

Zone	Subdistrict	Napiter	Eks-Napiter	Total
East	Babakan, Ciledug, Lemahabang, Karangsembung, Mundu	3	5	8
Central	Plered, Tengahtani, Dukupuntang, Sumber, Talun	2	6	8
North	Gunung Jati, Kapetakan	3	2	5
West	Jamblang, Susukan, Plumbon, Arjawinangun, Klangenan	3	11	14
TOTAL	-	11	24	35

This distribution shows the areas that should be prioritized for monitoring. Babinsa uses this information to direct the intensity of social communication with the community, as well as to determine territorial development measures.

However, this kind of spatial mapping is not enough. Babinsa also assesses the extent to which ex-terrorists have successfully reintegrated into society, because social reintegration is an important part of preventing recidivism.

Table 2. Social Reintegration Status of Former Terrorist Convicts in Cirebon Regency (2024)

Social Reintegration Status	Number of Individuals	Percentage
Green	20	83,3%
Red	4	16,7%
TOTAL	24	

The data shows that the majority of ex-terrorists with green status (83.3%) have been accepted back into society, although there are still individuals with red status (16.7%) who remain closed off and show signs of radicalism. This group poses a latent threat that needs to be monitored continuously. This situation reinforces Barda Nawawi Arief's view that crime prevention must be pursued through an integrated strategy that combines penal and non-penal measures, with a particular emphasis on social development as a long-term instrument. Without the support of a healthy social environment, ex-terrorists are at risk of rejoining their old networks.

It is in this context that territorial guidance (Binter) and community education play an important role. Babinsa not only monitors individuals, but also actively builds relationships with religious leaders, village officials, and community organizations. In some exclusive Islamic boarding schools, for example in the Sedong area, there is a rejection of state symbols. Babinsa responds to this not with a repressive approach, but with persuasive communication to ensure that differences of opinion do not develop into ideological threats. This strategy is in line with Abdul Wahid's idea that the eradication of terrorism must take into account the socio-religious dimension so as not to cause resistance in the community (Abdurrahman Wahid, 2004).

This practice is also in line with Soerjono Soekanto's thinking on the effectiveness of law, which is greatly influenced by the factors of officials, society, and legal culture (Soerjono Soekanto, 1983). The success of Babinsa in building public trust shows how a conducive legal culture can support the effectiveness of intelligence work. In addition, the legitimacy of this practice is reinforced by Article 7 paragraph (2) of Law Number 34 of 2004 concerning the TNI, which confirms the TNI's duty to assist the government in dealing with non-military threats, including terrorism.

Thus, territorial intelligence practices in Cirebon are not merely information gathering activities, but also part of a social strategy that combines early detection, guidance, and community education. This pattern distinguishes the role of Babinsa from other law enforcement agencies because it places them as strategic nodes that bridge national security interests with the social needs of the community.

C. Synergy between the Indonesian National Armed Forces, the Indonesian National Police, the National Counterterrorism Agency, and the Community

Preventing terrorism in Indonesia cannot be done by one institution alone, but requires multi-agency coordination. Within the legal framework, Law No. 5 of 2018 emphasizes that counterterrorism is a state policy that is implemented in coordination between the Indonesian National Armed Forces (TNI), the Indonesian National Police (Polri), and the National Counterterrorism Agency (BNPT). This shows that institutional synergy is an important pillar in preventing overlapping authorities while increasing the effectiveness of prevention.

In Cirebon Regency, the synergy between the Indonesian Army and the Indonesian National Police is evident in the early detection and follow-up mechanisms. Babinsa, as the spearhead of territorial intelligence, submits reports on suspicious activities to the local police. These reports are then verified and, if necessary, escalated to law enforcement operations by Densus 88 (Intelligence report from Babinsa Cirebon, 2024). This pattern of work allows the

Indonesian Army to function as the eyes and ears of the state at the grassroots level, while the Indonesian National Police retains its repressive authority.

The National Counterterrorism Agency (BNPT) complements this synergy through deradicalization and counter-radicalization programs. For example, individuals who have completed their sentences (ex-terrorists) are often monitored and mentored jointly by the TNI, Polri, BNPT, and community leaders. This collaborative monitoring model is carried out in a non-repressive manner, so that a hard security approach can be combined with a soft, socially-based strategy (National Counterterrorism Agency (BNPT), 2020).

Synergy is also expanded by involving civil society, especially religious leaders and Islamic boarding school leaders. In the context of Cirebon, Babinsa (village supervisory officers) together with local religious leaders have established a communication forum to strengthen religious moderation and erode exclusive ideologies in some Islamic boarding schools. This culturally-based synergy shows that terrorism prevention does not only rely on law enforcement and the authorities, but also on social resilience rooted in the community.

However, it should be noted that this synergy still faces obstacles in the form of overlapping authorities and the absence of detailed national standard operating procedures (SOPs). This has the potential to cause coordination gaps, especially in the prevention stage in the field (Barda Nawawi Arief, 2010). Therefore, strengthening the legal and institutional framework is necessary so that the synergy between the TNI, Polri, BNPT, and the community is not only ad hoc but also institutionalized.

Multi-actor synergy in terrorism prevention is in line with the multi-door approach theory in combating transnational crime, whereby security strategies are not only carried out through repressive channels, but also through social, economic, and cultural channels (Mohammad Karim, 2019). In the context of criminal law, Bassiouni emphasizes that extraordinary crimes require extraordinary measures with an interdisciplinary and cross-institutional approach. Thus, the involvement of the TNI, Polri, BNPT, and civil society in Cirebon is a concrete reflection of the application of this theory (M. Cherif Bassiouni, 2008).

In addition, the collaboration model implemented in Cirebon can be understood through Putnam's social capital theory, which emphasizes the importance of trust networks, norms, and social networks in maintaining community resilience (Robert Putnam, 2000). The presence of Babinsa, who are close to the community, Polri, who have law enforcement legitimacy, and influential religious leaders, together create a stronger ecosystem for terrorism prevention.

From this perspective, the synergy in Cirebon is not only seen as a formal division of authority between institutions, but also as a practice of strengthening community resilience. This confirms that terrorism prevention requires more than just a hard security approach; it also requires strengthening the soft power dimension through social communication, religious education, and community empowerment.

D. Constraints and Challenges in Implementation dan Tantangan Implementasi

Although the Indonesian Army's territorial intelligence practices in Cirebon Regency have proven effective in early detection, a number of obstacles remain in their implementation. First, there is a normative gap (legal gap) because the implementing regulations regarding the involvement of the TNI in counterterrorism have not been fully formulated. This raises doubts about the limits of Babinsa's authority when they encounter indications of radicalization or terrorist activity in the field.

Second, there is an overlap of authority with the police, especially in the field of intelligence. The Indonesian National Police, through Densus 88 and Intelkam, has the legal authority to follow up on information, while the Indonesian Army is in a preventive position.

In practice, the difference in orientation between military intelligence (which is confidential and territorial) and police intelligence (which is law enforcement-oriented) sometimes creates gaps in coordination gaps.

Third, there are human resource and budget constraints. Babinsa must carry out various other territorial tasks in addition to terrorism prevention, so their capacity to conduct intensive monitoring is often limited. This is exacerbated by limited operational budget allocations, which make social intelligence activities more dependent on the initiative of individual Babinsa (Internal data from Kodim Cirebon, 2024).

Fourth, there are socio-religious vulnerability factors. Cirebon, as a center for the spread of Islam with hundreds of Islamic boarding schools, has diverse religious dynamics. Some Islamic boarding schools are exclusive and reject state symbols, making them difficult for state officials to reach. In this context, an overly harsh approach has the potential to trigger resistance, while a soft approach requires time and patience.

From a legal theory perspective, this condition can be explained through Roscoe Pound's concept of law in books vs. law in action. According to Pound, the effectiveness of law is not only determined by normative texts but also by its implementation in social practice (Roscoe Pound, 1910). In Cirebon, although the legal basis for the involvement of the TNI in counterterrorism is available, its implementation faces obstacles due to institutional, coordination, and social factors.

Thus, the obstacles and challenges in implementing the role of the Indonesian Army in Cirebon are not only technical issues but also consequences of the gap between legal norms and social reality. To overcome this, it is necessary to formulate more detailed regulations regarding coordination between the TNI and Polri, increase the capacity of Babinsa, and adopt a social approach that is sensitive to the religious diversity of the community.

IV. CONCLUSION

Terrorism prevention practices in Cirebon Regency show that the Indonesian Army's territorial intelligence through Babinsa plays a strategic role in early detection, regional development, and community education. The social proximity of Babinsa makes them an important node in identifying potential radicalization early on, although law enforcement follow-up remains in the hands of the Indonesian National Police and the National Counterterrorism Agency (BNPT).

Normatively, the legal basis for TNI involvement is already available through the TNI Law, the State Intelligence Law, and the Terrorism Law, but it has not been accompanied by technical regulations governing coordination mechanisms, Babinsa authority, and early detection procedures. This gap creates a rule of law gap, where prevention efforts in the field are effective but without adequate legal certainty. Therefore, reformulating regulations is urgent so that the involvement of the Indonesian Army in terrorism prevention can be effective while remaining within the corridor of law, democracy, and respect for human rights.

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