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RESEARCH ARTICLE

Section: *Sociology and Community Development***Civil society criticism and state response: Democracy issues in Indonesia's counter-terrorism experience**Husnul Isa Harahap ^{1,2}, Maswadi Rauf¹¹Department of Political Science, Universitas Indonesia, Indonesia²Department of Political Science, Universitas Sumatera Utara, Indonesia* Corresponding author: husnul.harahap@usu.ac.id**ABSTRACT**

Terrorist attacks in various countries have triggered a policy of war on terrorism. The Indonesian government has also done the same thing to defeat terrorists and has succeeded in reducing acts of terror. However, this step received criticism from civil society. This study analyzes the scope of the arguments of the criticism and analyzes the state's response to the criticism. In addition, it also analyzes the issues of democracy in Indonesia that emerged in the counterterrorism debate. This study uses qualitative methods, and data sources are collected from books, journals, documents, photos, audio and video recordings, and interview data combined with qualitative analysis methods. This study has three main findings. First, criticism of counterterrorism from Civil Society covering arguments about security issues, professionalism, violations of the law, issues of transparency, accountability and justice, as well as improvements in quality. Second, the state responds to Civil Society criticism through two expressions: (1) accepting some of the criticism from Civil Society to improve counterterrorism institutions and (2) rejecting some criticism from Civil Society because terrorism cases are complicated to resolve. Third, there are five democracy issues related to the counterterrorism debate in Indonesia, including (1) the issue of excessive restrictions on authority, (2) respect for human rights, (3) freedom, (4) equality before the law and justice, and (5) the issue of military involvement.

KEYWORDS: Counterterrorism, state response, civil society, democracy

Research Journal in Advanced Humanities

Volume 6, Issue 2, 2025

ISSN: 2708-5945 (Print)

ISSN: 2708-5953 (Online)

ARTICLE HISTORY

Submitted 11 March 2025

Accepted: 19 April 2025

Published: 15 May 2025

HOW TO CITE

Harahap, H. I., & Rauf, M. (2025). Civil Society Criticism and State Response: Democracy Issues in Indonesia's Counter-Terrorism Experience. *Research Journal in Advanced Humanities*, 6(2). <https://doi.org/10.58256/s7t1aa83>



Published in Nairobi, Kenya by Royallite Global, an imprint of Royallite Publishers Limited

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Introduction

In 2002 (Ansori et al., 2019, p. xiv) Indonesia officially realizes its commitment to eradicate terrorism through policy. This is the state's response to the rampant acts of terrorism in Indonesia (Mbai, 2014, p. 7) which has caused psychological trauma (Sulaiman et al., 2019), loss of life, damage, and disrupting domestic security issues. This step has succeeded in uncovering terrorist networks and arresting many terrorists, or those who have connections with terrorist attacks. The public (domestic and international) supports and appreciates the state's policies because at the same time the threat of terrorism has returned (Mbai, 2014, p. 8).

In fact, counter-terrorism events that have an impact on humanitarian issues as explained by Jerome Slater (Slater, 2006) tend to occur routinely. Likewise, according to Kent Roach (Roach, 2015) counter terrorism is always related to the problem of lack of respect for human rights. Furthermore, the terrorism law also contributes to the same problem, including in Indonesia (Adesta & Priyanto, 2022). Malaysia and Pakistan referring to the UK's Terrorism Act 2000 (Roach, 2015, p. 15) also having the same problem. Thus, referring to Robert Dahl's perspective (Dahl, 1992), counter terrorism has not been fully integrated with democratic values.

In the case of Indonesia, data shows that up to 2018 at least 1726 people had been arrested for terrorism cases (Sani, 2024, p. 171). This includes those who have been processed legally through the courts (imprisoned) as well as those who died (during counter-terrorism operations). Civil society appreciates the counter-terrorism policy as a state commitment to eradicate terrorists. However, civil society also routinely criticizes the policy. This study analyzes the arguments of critics of counter terrorism in Indonesia, and analyzes the state's response to the criticism. This study also explains its relevance to the issues of democracy that were highlighted during the debate.

Literature Review

Strong state capacity is needed to overcome and even anticipate these acts of terror. Moreover, according to Bilveer Singh (Mbai, 2014, pp. 1–6) a new formula (new strategy) is needed to deal with the changing threat of terrorism in Indonesia. Terrorist groups have adapted to the circumstances (Riyanta, 2022) (Tan, 2024). Terrorist attacks also target suspected attack locations (Wahyudi, 2022) or the unexpected (Maulana, 2021). John Keane (Keane, 2004) also reminded that a shield is needed for democratic security in the face of terrorist attacks. This condition clarifies the relevance of discussions about state capacity by Francis Fukuyama (Fukuyama, 2005), Eric Nordlinger, Christopher W Morris (Morris, 2012) or Julie Ida Chernov Hwang (Hwang, 2009).

The problem is that strong state capacity is a sensitive issue in a democratic country. And what happens after strengthening state capacity is also unpredictable (really problematic). So there needs to be an adjustment between strengthening state capacity and democracy. But combining the two (to be harmonious) is not easy. Moreover, according to April Carter in her theory (authority and democracy) wrote that the element of violence is often useful as a logical supplement to government authority (Carter 1979, 93). Therefore, Sammi Cohen (2008) reminds us that the characteristic of a democratic country in countering terrorism is that it guarantees accountability (Cohen, 2008, p. 3). Robert Dahl (Dahl, 1992) also has more or less the same view (although he does not directly discuss terrorism).

According to Morris (Morris, 2012, p. 459), coercion is an effective way to enforce state capacity. However, unlike Brunei Darussalam (Lee & Bibi Ms, 2023) or Singapura (Evi, 2019) (which is the safest country in Southeast Asia), the problem of counter terrorism in Indonesia is more complicated (Haripin et al., 2020). As a democratic country, there is a civil society that monitors counter-terrorism policies in Indonesia. This is not a new characteristic of civil society, but it is a normal thing because (in Indonesia) civil society is often considered as "main protector of democracy" (Marta et al., 2020, p. 122).

Method

This study uses a qualitative approach. The objects examined are the views of civil society and the state and several cases related to counter-terrorism policies in Indonesia (which are in the period 2009-2020). The data for this study were collected from books, journals, documents, photos, audio and video recordings, and interview data. The study data relies heavily on library sources as the main data source, while the interview data in this study is not the main data. These data were processed using the qualitative analysis method.

Results: Civil Society and State Response

Counter terrorism is a policy that is generally implemented in various countries in the world after the era of global terrorism. Even in democratic countries, it is no exception. Likewise in Indonesia. However, what makes it interesting is because the policy actually produces debate between civil society and the state. Especially in various democratic countries, criticism of counter terrorism is basically a consequence and reflection of the increasing threat to democratic values. It is clear that everyone agrees that terrorism must be immediately eradicated by the state.

This is because ideally counter terrorism is a very positive program for democracy itself (because terrorism

has threatened democracy). However, civil society sees something else that is not appropriate. Criticism is voiced by civil society because the program also has the opposite effect. So, in other words, civil society has strong arguments in criticizing the handling of terrorism (based on democratic values). That is why the initial part of this study presents the arguments of civil society. The next part will discuss the state's response, as well as explain the democratic issues that were strengthened during the debate.

Counter-Terrorism Criticism

The story of counter terrorism in Indonesia began when the government decided to mobilize state security resources to detain terrorists (dead or alive), under the anti-terrorism law (after several bomb blasts by terrorists). During that time the country has lost its sense of hesitation when taking action against terrorists. This is because the public strongly supports the country's steps against terrorists. Thus, international political opinion does not really mind the large number of deaths during the counter-terrorism process carried out in Indonesia. In fact, several countries are actively providing training, financial, and resource support. The aid that has been received is more than US\$200 million (Allard & Kapoor, 2016) from several democratic countries (to strengthen the Indonesian special force counter-terrorism squad).

There is almost no concern that counter-terrorism squad will fail to eradicate terrorism. But after that, criticism of this institution is considered mandatory (civil society) because there are problems caused by counter terrorism operations. Chairman of the Presidium of the Indonesian Police Watch (IPW) is Neta S. Pane criticize with the argument that counter terrorism has an impact on several problems, including human rights issues, transparency issues (including budget) and accountability (Prambadi, 2013a). According to him, execution to death (Pandu, 2014, p. 88) should be avoided in counter-terrorism operations in Indonesia.

Neta S. Pane also explained that - in some cases - counter-terrorism is considered a frightening operation for the community. The terrorist raid in Ciputat (South Tangerang) in late 2013 is one example of a controversial counter-terrorism operation. Praised but also criticized for many infelicities. Human rights activist who is the Executive Coordinator of Kontras (The Commission for the Disappeared and Victims of Violence), Haris Azhar, also criticized with arguments on transparency issues, human rights issues, counter-terrorism procedures in Indonesia. According to him, in the case of the raid (which killed 6 suspected terrorists) in Ciputat, South Tangerang, there were many things that were not in sync between the explanation in the mass media and the findings at the location of the incident. Likewise, other events such as the raid on suspected terrorists in Solo in 2012 (Kristianto, 2012). This also includes the arrest and interrogation of Sapari (49) and Mugi Hartanto (38) in Tulungagung, East Java (then released because it was not proven that they were involved in terrorism) (Wasono, 2013). So, there is a fact that counter terrorism operations leave a negative trail.

The General Chairman of Central Executive Muhammadiyah 2010-2015 Prof. Din Syamsuddin (who is also the Chairman of the World Peace Forum) also criticized the counter-terrorism policy. For example, around March 2013, his criticism was related to Human Rights Violations (after seeing a viral video). According to him, counter terrorism must be in accordance with the law and in a way that does not violate human rights (Ruslan (ed.), 2013) (Idhom, 2013). Of course, this criticism (from Neta S. Pane, Haris Azhar and Din Syamsuddin) is not the first. In 2009, criticism was also delivered by Ridha Saleh (Deputy Chairman of the National Human Rights Commission) and Bambang Widodo Umar (police observer).

Ridha Saleh criticized counter terrorism in Indonesia because it was considered counterproductive (Waluyo, 2009, p. 200). Likewise, Bambang Widodo Umar who considers counter terrorism needs to be evaluated to be more effective (Waluyo, 2009, p. 201). This criticism arose because the counter terrorism operation killed the target. In addition, it caused new problems, namely social problems and legal problems, as well as politics. The social problem that emerged was the stigmatization of the victim's family. For example, in the case of Tumanggung (2009), the Muhjahri family is considered to be a protector of terrorists (Waluyo, 2009, p. 183). According to Sulaiman (Sulaiman et al., 2019) Islamic boarding schools (in some cases) also experienced stigma related to the bomb explosion incident in Indonesia.

Criticism from civil society grew again in 2016 when Siyono died after being arrested by the counter-terrorism squad. Din Syamsudin (again) expressed his criticism that the counter-terrorism squad was working unprofessionally. Din Syamsudin emphasized that (civil society organization) Muhammadiyah always condemns terrorism and supports the state's steps to counter-terrorism. But ideally counter-terrorism should not harm justice as the goal of law enforcement (Khoemaeni, 2016). Amnesty International also criticized by explaining that counter terrorism in Indonesia needs to be improved. This is based on the argument that counter terrorism practices are very often heard to violate human rights but this information is always not recognized (Himawan, 2016). Other Muhammadiyah figures also made criticisms with more or less the same arguments (R. A. Simanjuntak, 2016).

Counter-terrorism squad action searching the house (which is also a kindergarten) of suspected terrorist Siyono in Klaten Regency, Central Java, on March 10, 2016 (Prima, 2016) also criticized. Haris Abu Ulya

(terrorism observer) regrets the operation because it has a negative impact on the psychology of children (Fajar, 2016). On a different occasion, Susanto (Indonesian Child Protection Commission or KPAI) also criticized this. At that time, the Counter-terrorism squad came using five cars (Imam, 2016) and the search (by the Counter-terrorism squad with weapons in hand) was almost carried out when the children were studying there (Pranoto, 2016).

In line with concerns over the negative side of the counter-terrorism policy in Indonesia, on July 15 2016, Komnas HAM formed an independent team, namely the Independent Counter-Terrorism Evaluation Team, which has 13 members from various backgrounds. This team includes: “M. Busyro Muqoddas, Bambang Widodo Umar, Salahuddin Wahid, Trisno Raharjo, Ray Rangkuti, Dahnil Anzar Simanjuntak, Haris Azhar, Siane Indriani, Hafid Abbas, Manager Nasution, Franz Magnis-Suseno, Magdalena Sitorus, dan Todung Mulya Lubis” (Dzulfiqar, 2016). Franz Magnis Suzeno who is part of this Team explained that counter terrorism must respect human rights. This Team is expected to monitor counter terrorism. And one of its findings is that inconsistency and accuracy of information on counter terrorism operations still occur (Humas Komnas HAM, 2016). One year later, a coalition of civil society (140 figures and 34 organizations) made a statement rejecting military involvement in counter-terrorism (Widyanto, 2017).

In 2020, Amnesty International Indonesia Executive Director Usman Hamid criticized state policy for disbanding civil society organizations without a judicial mechanism (Velarosdela, 2021). According to him, the dissolution of the organization without a judicial mechanism is contrary to international legal standards and raises civil liberties issues (Arbi, 2021). This is a civil society criticism after 6 state institutions (including the National Counterterrorism Agency) (BNPT) (“Naskah Lengkap SKB 6 Menteri Tentang Pembubaran FPI,” 2020) signed a decree to disband the Islamic Defenders Front organization (FPI). Three years earlier, the same criticism was also expressed by Amnesty International.

Civil society expressions from 2009 to 2020 illustrate how counter terrorism have not completely moved on from issues that were previously criticized by civil society. Even old issues often come up in different counter terrorism cases (Ihsanuddin, 2016). This accumulation of civil society criticism confirms that counter terrorism does not necessarily comply with democratic rules. Further analysis explains that the problems discussed are actually an accumulation of problems from previous years. So in general it can be said that the main arguments of civil society criticizing counter terrorism are related to issues of security, professionalism, violations of the law, issues of transparency, accountability and justice, as well as improving in quality.

State Response vs Democracy Issues

The counter-terrorism phase enters a new phase when the state has a strong capacity. This phase is marked by the success of uncovering the terrorist network. At the same time, another challenge arises. Strengthening criticism by civil society. However, the state only focuses on counter-terrorism (although according to civil society the method is controversial). So, the state's response to civil society criticism is by affirming that the counter-terrorism policy (and the existence of the counter-terrorism squad) is an urgent policy to eradicate dangerous terrorism in Indonesia. The state also explains that the terrorist network in Indonesia is still very strong. Even the attacks are difficult to predict.

For the state, criticism of counter-terrorism operations has both positive and negative sides. So that criticism is not always accepted as input. No exception for criticism accompanied by suggestions or advice. For example, there is an idea to create a counter-terrorism monitoring institution. The goal is to monitor counter-terrorism policies so that they are pro-human rights protection. In addition, this institution is also authorized to audit (counter-terrorism squad institution). Including conducting audits on its budget (Akbar (red.), 2016). This idea is an inseparable part of the criticism of terrorist operations which are considered unmeasured, arbitrary, lacking respect for the law and human rights and therefore irresponsible (Al-Banjariy & Suryadi, 2018, p. 186). However, these criticisms and ideas have been rejected (Ihsanuddin & Movanita, 2016b, p. 88). The state refutes the main argument of the civil society's criticism and considers it not entirely true. According to the Chief of Police Muhammad Tito Karnavian, a new supervisory institution is not needed (to supervise the counter-terrorism squad) because so far there have been institutions that supervise counter terrorism, namely Propam, Irwasum, Kompolnas, parliament/DPR and Komnas HAM (Al-Banjariy & Suryadi, 2018, p. 203).

In general, there are two arguments (the state) for rejecting criticism of counter-terrorism operations. First, for the state, counter-terrorism operations are not as bad as they are thought (by civil society) because as many as 900 suspected terrorists were arrested alive and 121 died (Al-Banjariy & Suryadi, 2018, p. 202) until 2016. This means that the state claims to have tried persuasive methods. Second, there is a (big) challenge of counter terrorism that is much more complex than ordinary criminal cases. Because terrorists are networked, tend to fight the police, are armed, ready to attack and ready to die when arrested (Ihsanuddin & Movanita, 2016a). This argument is strengthened by the fact that more than 26 police officers have died during the counter-terrorism operation (Al-Banjariy & Suryadi, 2018, p. 202). Counter terrorism operations are a state

policy to prevent (increasing) victims of terrorist attacks. So what the state does is good for the safety of the community so that they do not become victims of terrorism.

The state policy and its arguments are in accordance with Roach's explanation (Roach, 2015) that the state asserts its capacity to carry out its functions as a state. And for the state, strengthening state capacity is much more important. Rather than weakening (its capacity) by creating a new supervisory institution. However, there is still a positive response from the state to receive criticism (civil society) of counter-terrorism operations in Indonesia. The counter-terrorism squad institution has taken several steps to improve internally. For example, strengthening internal supervision, creating SOPs that must be followed when carrying out counter-terrorism operations, cooperating with Komnas HAM to provide training on human rights. This is done so that counter-terrorism operations can minimize human rights violations (Al-Banjariy & Suryadi, 2018, p. 203). So, it can be said that civil society is concerned about counter-terrorism issues, but the state's response is to focus on (the end result of) the counter-terrorism policy (security).

The debate on counter terrorism in Indonesia by civil society and the state illustrates the differences in views on the core issue of how to counter terrorism. Civil society focuses on the process but the state focuses on the results. However, as a democratic country, the debate ultimately explains the impact of counter terrorism on democracy. The issues of democracy in the debate (counter terrorism in Indonesia) include: First, the issue of limiting excessive authority (supervision and accountability). Supervision in the implementation of counter terrorism policies in Indonesia is still far from ideal. There is a legal problem of "direct execution without a trial process" (Waluyo, 2009, p. 208). For example, there was an incident where a suspected terrorist fugitive (Can) was shot (killed). Can was a DPO in 2013 for a violence case (Gunawan, 2013) that was upgraded to a terrorism case in 2016 (Burase, 2016). Shot while sleeping is the statement of Nurseha (the mother of suspected terrorist Can) who witnessed the incident on February 15 2016 (Nur, 2016). Arbitrary arrests have also become a public concern. For example, the arrest of Nur Syawaludin and Ayom Penggalih on December 29, 2015. This was accompanied by inappropriate treatment even though they were later released (without explanation), because they were not involved in terrorism (Abrori, 2015) (Dhani, 2016).

This situation confirms that the existence of strong institutions is one of the factors that strengthens the problems for democracy (Alkatiri, 2016, pp. 63–65). However, the counter-terrorism squad actually has internal regulations regarding human rights principles (*Peraturan Kapolri No 8 Tahun 2009 tentang Implementasi Prinsip dan Standar Hak Asasi Manusia dalam Penyelenggaraan Tugas Kepolisian Negara Republik Indonesia*, 2009). Indonesia also has a Human Rights Law 1999 (*Undang-Undang Nomor 39 Tahun 1999 tentang Hak Asasi Manusia*, 1999). However, legislative institutions and civil society have difficulty monitoring counter terrorism in Indonesia (which is problematic). According to KontraS (Commission for the Disappeared and Victims of Violence), the absence of effective supervision and accountability is the reason why violations of democratic values occur repeatedly (in counter terrorism programs).

Second, the issue of respect for human rights. The issue of human rights is very sensitive in countries around the world. Likewise in Indonesia. KontraS (Commission for the Disappeared and Victims of Violence) notes explain that counter terrorism often contributes to four major human rights issues. The problems is: (1) Excessive use of force (death of suspect, sense of security lost); (2) Shooting innocents civilians; (3) Torture and other inhumane treatment; (4) Forced arrest and detention, as well as mistaken arrest (Tim KontraS, 2017). In addition, in 2011-2013 Commission for the Disappeared and Victims of Violence released its investigative data describing violent incident. In 2011 there were 27 incidents, in 2012 there were 37 violent incidents and in 2013 there were 29 violent incidents. (Tim KontraS, 2017). Civil society is also surprised by the data on suspected terrorists who died. In the first semester of 2016, there were 121 people (Ihsanuddin & Movanita, 2016a).

Third, the issue of freedom (individual and organizational). This issue is found in several cases. For example, the arrest incident (tanggal 22 Juli 2013) toward two residents of Tulungagung, East Java (Sudarmojo, 2013). Sapari (49) and Mugi Hartanto (38) were also interrogated. After three days both were released because they were not terrorists (Wasono, 2013). Another example is the house search (suspected terrorist Siyono) by the counter-terrorism squad which caused fear among kindergarten students in Klaten. At that time the children hid and cried. because the counter-terrorism squad was fully armed and came during school hours. (Prima, 2016).

Regarding the issue of freedom of association, in 2020 the prohibition of organizations became one of the issues that was still related to the counter-terrorism program and the problem of democracy. The state banned the Islamic Defenders Front (FPI) organization (Achmad & Galih, 2020) by eliminating the court examination (Nurita, 2020). In addition, the government previously disbanded the Hizbut Tahrir Indonesia (HTI) organization in 2017. But this policy is controversial. The government explained that the ban on FPI was related to terrorism cases (Astungkoro et al., 2020) (Farisa & Galih, 2020) (Achmad & Galih, 2020) (Adyatama (Rep.), 2020). However, according to terrorism observers Sidney Jones (Institute for Policy Analysis of Conflict) the accusation (about FPI) seems inaccurate (Yunus, 2021).

From the state's perspective, disbanding HTI makes sense, because its ideology leads to terrorist activism (Anggraini, 2018) (Karnavian, 2017). Namun yang menarik, menurut Irfan Fauzi dan Meidi Kosandi (2022), However, according to Irfan Fauzi and Meidi Kosandi, the ban on civil society organizations is related to organizational politics in Indonesia. There is a weakening and strengthening of ideology and it is undeniable that there is a government political interest. (Fauzi & Kosandi, 2022) (Warburton, 2021). The regulation or decision to dissolve civil society organizations without a court process (due process of law) is a characteristic of an authoritarian regime (Fadli, 2022, p. xvi). This method is also called the illiberal way of conquering Islamist groups (Gammon, 2021, p. 156). Some others call it illiberalism against illiberalism. (Mudhoffir, 2021, p. 186) or it can also be said to be inconsistent with democratic legal principles (Araf, 2022, p. 337) (Robert, 2022, p. xxiii).

Fourth, the issue of legal equality and justice. The news of the death of Siyono (suspected terrorist) in March 11, 2016). Exactly three days before he was arrested (March 8, 2016) by counter-terrorism squad (Densus 88) near his house in Pogung Village, Cawas District, Klaten Regency, Central Java (Fadjri (ed.), 2016). Civil society criticized the incident. Civil society criticized the incident and pushed for criminal law to be enforced in the case (Sapiie, 2016) (Atriana, 2016). An independent autopsy has been performed and revealed that Siyono died due to one (of five) broken ribs piercing his heart (L. Simanjuntak, 2016). This case also disturbed the public (the civil society) because the Siyono family was persuaded (intensely) not to take legal action. In that context, they were given Rp 100 million (US\$7,619), but refused (Sapiie, 2016) (Movanita, 2016).

The Siyono case has been processed as a case of ethical violation (discipline) (Salim, 2016). However, According to civil society, the ethics hearing (against 2 personnel of the counter-terrorism squad) did not provide fair sanctions (Erdianto, 2016). The Siyono family eventually took legal action to seek justice (Movanita, 2017). Siyono's family reported this case to the police (so that it could be processed under criminal law) (Arimurti (ed.), 2016), but the case was not processed (Hadi, 2019).

Another issue is the involvement of the military in counter terrorism (Haripin et al., 2023, pp. 2015–2022). Military involvement in Indonesia is not like in Marawi (2017) in the Philippines (Smith & Bajo, 2024), but it remains a democratic issue in Indonesia. All the important issues that have been explained (excessive limitation of authority, the issue of respect for human rights, the issue of freedom (individual and organizational), and the issue of equality of law and justice, and military involvement) in this study illustrate that the debate on counter-terrorism in Indonesia is related to the issue of democracy. Meanwhile, the state's response remains focused on counter-terrorism which produces security as a result of the weakening of terrorist groups. Thus, it is seen that there is a gap between the views of civil society that want democracy not to be ignored, facing the views of the state that has not been able to fully accommodate this.

Discussion: Ignoring Democracy for National Security

Strengthening state capacity as viewed by Francis Fukuyama (Fukuyama, 2005), Eric Nordlinger, Christopher W Morris (Morris, 2012) or Julie Ida Chernov Hwang (Hwang, 2009) has been achieved in counter terrorism in Indonesia. The problem is that strengthening state capacity does not automatically become a shield that protects democracy as John Keane (Keane, 2004) once explained. Counter terrorism that has an impact on reducing terror cases is real evidence of strengthening state capacity.

Counter terrorism that has an impact on reducing terror cases is real evidence of strengthening state capacity. However, the subsequent problem with democracy is also an undeniable reality. Counter terrorism data in Indonesia shows positive results, where many cases have been successfully resolved. However, these positive trend has not actually strengthened democracy as illustrated Robert Dahl (Dahl, 1992, p. 51) and Lipson (Lipson, 1964). At some point the state has asserted its position on the contradiction between security and democracy. The state's position is on the side of security. This can be seen from the statement of Muhammad Tito Karnavian as the Head of the National Counterterrorism Agency (BNPT). According to Tito Karnavian, reducing civil liberties is one solution to overcome terrorism. In fact, according to him, it is very necessary to be stated in the counter-terrorism law. Especially in the section on arrests and detention (Kuwado, 2016).

The assertion of the state's position (between the conflict between security and democracy) illustrates that counter-terrorism criticism is mostly ignored by the state. Home Minister Tjahjo Kumolo has also said that stability and security are more important than Human Rights (HAM) (Rahadian, 2018a) (Riso, 2018). The state's view is contrary to civil society's recommendation to evaluate counter terrorism or disband the counter-terrorism squad (Prambadi, 2013b) (Prambadi, 2013a). However, this criticism has been justified to be ignored by the state due to the series of bombing incidents in 2018 and beyond.

After assuming civil society criticism was irrelevant, the state was proactive in further strengthening its capacity. such as: (1) increasing the number of counter-terrorism squad personnel; (2) increasing the counter-terrorism budget; (3) revising the counter-terrorism law which strengthens the authority of the state. In 2017 the number of counter-terrorism agency personnel had grown to 1,300 officers (Barton, 2018a) (Soeriaatmadja,

2017). The budget increase is done every year. In 2010 it amounted to more than Rp. 20 billion (Resty, 2010) and in 2011 it was around Rp. 60 billion. In 2015 the budget was more than Rp. 150 billion. (Aminah, 2016) and after entering 2016 it amounted to more than 1 trillion (Alvin, 2016, p. 88) (Sofwan, 2016). Meanwhile, a new counter terrorism law was passed on May 25, 2018 (Rahadian, 2018b).

Criticism and recommendations for the dissolution of the counter-terrorism squad are inevitable in a democratic country. However, the state's reaction to strengthen state capacity is also inevitable due to terrorist incidents. So that the idea of a counter-terrorism policy that ignores respect for human rights or civil liberties (as part of democratic values) is truly a part of the counter-terrorism policy in Indonesia. The character of a strong country is a real thought such as Hobbes (Hobbes, 1996) (Fukuyama, 2005) (Nordlinger et al., 1988) April Carter (1979), for security or stability.

The state seems to have a core philosophy that democracy has a basic value system that is inadequate to support the state's steps to create rapid or effective security. From the Roach's (Roach, 2015) perspective criticism of counter-terrorism policies will always be ignored by the state. According to Roach (Roach 2015, 2) some of the state capacity enhancers in counter terrorism are, the extent of power given to state apparatus (police and intelligence) to investigate terrorism. In addition, there is authority to limit (or violate) human rights. The executive can also act without explicit legislative authorization. There is also the issue of privacy and confidentiality rights as a consequence of intelligence involvement. Finally, the involvement of the military in counter-terrorism and the difficulty of holding the government accountable for the appropriateness or efficacy of counter-terrorism activities.

The country has great self-confidence because it is fully supported by various democratic countries to overcome the problem of terrorism in Indonesia (Barton, 2018b). However, according to Greg Barton (Barton, 2018b) credibility of the troops and the moral authority of counter-terrorism institutions (even the state) will wither, if they justify the existence of human rights violations in their operations. Criticism of counter-terrorism reflects what is explained in several studies on terrorism. Especially about the dilemma of democracy (Cohen 2008). However, for Cohen, the main characteristic of a democratic state in countering terrorism is related to the existence of accountability (Cohen 2008, 3). For Robert A. Dahl (1992) Lipson (1964) this accountability is strengthened by supervision.

Counter terrorism in Indonesia is exactly as described by Roach (2015), where the state carries out its main task, namely creating security for citizens, carrying out war against terrorist groups and preventing terror. The state tries to provide justice for victims of terror by fighting against terror. On the other hand (as a result of this action) various problems have become routine and are also seen as problems of violation of Human Rights, law and justice (freedom). The state's justification is because counter terrorism is too complicated to do if the state's capacity is weak. This situation illustrates that throughout Indonesia's experience in dealing with terrorism, the state has strengthened its steps away from democratic values where civil society criticism is ignored in order to achieve security results from the threat of terrorism.

Conclusion

The study explains the state policy to address the problem of terrorism, and how civil society reacts to the policy which is inseparable from the issue of democracy. Although it has received broad public support, counter terrorism is not free from criticism. There are several scopes of arguments from criticism of counter terrorism by civil society in Indonesia. Among them are issues of security, professionalism, violations of the law, issues of transparency, accountability and justice, and improvements in its quality. The state's response to the criticism is twofold. First, accepting some criticism for the improvement of the counter terrorism institution; Second, rejecting some criticism because terrorism cases in Indonesia are complex and can only be defeated when the state's capacity is strong. The issues of democracy in the counter terrorism debate in Indonesia include: the issue of excessive authority (supervision and accountability), respect for human rights, freedom (individuals and organizations), equality of law and justice, and the issue of military involvement. The general description of counter terrorism in Indonesia confirms that counter terrorism has political implications for democracy.

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