FALSE ARREST VICTIMS LABELLING CONSTRUCTION OF TERRORISM CASE MISHANDLING IN POSO REGENCY

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Abstract - Terrorism acts could inflict disability or even death to the innocent victims. More on that matter, terrorism acts also come with many collateral damages. This research shows that there are many false arrest especially towards Muslims based on false accusations, vilifications, or groundless premature speculations with no fact and validity whatsoever. Although the victims are being released, but the victims are labelled by others as in the effect of the accidents. Thus terrorist label are attached to the victims that presumed as terrorists. This discourse revealed that Indonesian terrorism cases handling, especially around Poso Regency in Central Sulawesi, are not inline with the official rules and guidelines. In some cases, the suspected terrorist arrests are based on the labelling construction, thus resulting in a false arrest.

Keywords - Terrorism, Labelling

I. INTRODUCTION

The existence of terrorists is very vague and neatly organized with very complicated and dynamic networks. It is not easy to track and understand the trails and target goals. Some people indicated by the authorities as terror actors in several places in Indonesia, allegedly related to the same activity in other areas, even allegedly associated with foreign parties. Assessment of the existence of terrorism and terrorist activity with a vague and multilevel network of organizations, and its' very high mobility, is a phenomenon that can only be understood through the understanding of their mindset and behaviour.

Terrorism can cause social instability, therefore, understanding terrorism based on the radicalism idea is very important to avoid instability in the social environment to achieve peace and environmental justice [1]. Radicalism basicly is a thought or attitude that is characterized by some things that become characteristics such as: the attitude of intolerance and do not want to appreciate the opinions or beliefs of others; the attitude of fanatics or the most self-righteous attitude and thinks others are wrong; the exclusive attitude of distinguishing oneself from the habits of most people; revolutionary attitude, i.e. tends to want to use violence to achieve its goals [2].
In recent years, the idea of radicalism is mitigated through de-radicalization efforts. De-radicalization is a process to change the attitude and the hard perspective becomes soft, tolerant, pluralist, and moderate [3]. According to Golose, de-radicalization is an attempt to neutralize radical ideals by interdisciplinary, political, legal, economical, psychological, religious and socio-cultural approaches to those who are influenced by radical or pro-violence mindset [4]. In short the de-radicalization is a counter-radicalization.
Terminologically, the de-radicalization program of religious understanding means eliminating a radical understanding of Qur'anic verses and hadiths, especially concerning the concept of jihad and war against the infidels. Thus, de-radicalization does not mean giving birth to a new understanding of Islam, but to straighten and restore the understanding of Islam as a peaceful religion [5].

Allegations, accusations, slanders and speculations are often premature, invalid, sometimes irresponsible to the truth, both developed by the United States and those developing in Indonesia that are directed or identical to radical Islamic movements or fundamentalist Islamic movements. The arrest of a number of prominent Islamic movements such as Ja'far Umar Thalib, Habib Rizqie, Ust. Abu Bakar Ba'asyir, Ashar Daeng Salam, Muhtar Dg Lau, Agung Hamid and other Islamic activists as well as the verdict of various Islamic movements such as Jamaah Islamiah and several other Islamic movements considered to be a part of terrorism network, is a news package nuanced by terrorism and Islamic organizations movement. Keon West & Joda Lloyd [6] investigates whether similar negative actions are more likely to be labelled terrorism when practiced by Muslims than if they were committed by non-Muslims. The study found that the label terrorism also mediates the influence of Muslim identity on negative judgments on such behaviour. So the label of terrorism is more likely to be attached to the negative actions that Muslims undertake rather than the negative actions of non-Muslims.

According to Daryanto [7], perception is strongly influenced by stereotypes and prejudices. Both are not something that people brought from birth (innate factors), and also do not come through instinct. As with beliefs and attitudes, stereotypes and prejudices arise because they are learned.
According to Mufid [8], stereotypes may be related to positive or negative things, stereotypes can be right to be wrong, and stereotypes may be related to

individuals or groups. In addition, stereotypes can bring social injustice to the victims, and if this happens, then there will be questions related to ethnicity. Stereotypes sometimes even exceed the question of social justice. This is related to the tendency that links between stereotypes with visible issues such as prejudice on gender, race, and ethnicity.

II. RESEARCH METHODOLOGY

This research uses qualitative method with case study approach. Creswell defines case studies as an exploration of bounded systems or cases [9]. According to Patton [9] the process of preparation of case studies takes place in three stages. The first stage is the collection of raw data about the individual, organization, program, and place of incidence that became the basis of writing the case. The second step compiles or organizes cases that have been obtained through compacting, summarizing data that is still in the form of raw data, classifying and editing and entering it in one manageable and accessible file. The third step is writing the final report of case study in the form of narration.

Subjects in this study are 5 misapprehended suspected terrorists who domiciled in the Village Kalora Poso District. The object in this research is the construction of labelling in the case of handling terrorist acts in Poso District.

Data collection techniques used were observations and in-depth interviews. As Miles and Huberman [10] point out that activities in qualitative data analysis are conducted interactively and continuously to complete, so that the data is saturated. Activities in data analysis are data reduction, data presentation, and conclusion / verification.

III. RESEARCH RESULT AND DISCUSSION

A. Construction of The Meaning behind the Arrest of Terrorist Suspects

The results of the research about the ideological spirit of terrorist groups or the prisoners of terror acts post Poso conflict can be decomposed by understanding the ideology constructed by terrorist groups. The meaning of the ideological value underlying the acts of terrorism is the base of justification for legitimizing various acts of terrorism.

Acts of terrorism and problems that often arise in dealing with various acts of terror is the motive of action that adheres to the religious doctrine or ideology of the perpetrators. In this perspective, terrorism can not be read as a single error in interpreting the doctrine of jihad in the frame of terrorist ideology but it is undeniable that this ideology becomes a serious problem. So the effort of de-radicalization of religion and de-ideologization becomes a necessity. Admittedly, the religious elite and related institutions have not maximally played a role in minimizing misconceptions of religion about jihad and violent behaviour in the name of religion.

Especially in the Poso region, the development of radical ideology is rapid because there is a kind of symbiotic mutualism that occurred since the period of communal conflict. For the Muslims of Poso, the arrival of the jihadists from the outside was warmly welcomed as the jihadists came to strengthen the Muslim ranks of Poso. Moreover, Muslims receive an injection of a new spirit with radical ideology that allows them to fight non-Muslims as part of jihad and death in the jihad means the assurance of heaven.

Understanding and interpreting religious values through religious symbols such as clothing, physical characteristics (beard, turban etc.) which is a sign. Presumably, these traits create stigma as Pescosolido [11] explains that in the 1990s sociology faced a frustrating paradox. The classic work on the theory of stigma and labeling reinforces that sign creates prejudice and discrimination for individuals and family members. Besides, the practice of worship both mahdha' and muamalat added colours to the life of Poso community since joining the network of radical groups outside Poso. More specifically, the understanding of the ideology of the Poso's radical group is the interpretation of Islam kaffah which is to make Islam a totality in everyday life including the enforcement of Islamic law which regulates the qisas and inflames the spirit of jihad in the effort of the Islamic Khalifah.

B. Labelling Constructions Towards Suspected Terrorist

Mulyana [12] states that the nickname process can be so great that the victims of this misinterpretation can not resist its influence. Because of a nickname that is contrary to their own views, their original self-image vanished, replaced by a new image given by others. While Label according to A Handbook for the study of Mental Health is a definition that when given to someone will be the person's identity and explain the person with the type of how he is [13].

Jones [14] argues that if labelling also means victimization, then labelling theory argues that we should ask further, where did these victims come from? Why can the label exist instead of another label? For labelling theory, the answer lies not in the reality of various mental states or levels of intelligence. Rather, in the origins of the perception of this attribute by others. The focus is on why certain labels are placed on a particular person, not on the victim's characteristics of the label. The interesting question for Jones is not How did the person get the label? But why are these people labeled like that, not with another label?.

The labelling theory [15] views the relationship between the person making the label and labelled

persons in this social life area essentially power. As opposed to conventional views, the victim is an underdog that is formed into a criminal, while the offender is a more powerful overdog which oppresses those who do not have a morale is like an endless spiral of criminal aberrations.

Jones [14] adds that another familiar theory we answer answers this question, that the use of these labels ultimately is about the use of power. According to labelling theory, the most destructive label of social life is, when people who are perceived to be distorted - are usually attached to the most powerless and least powerful people in society, the ones who are least able to resist the process.

According to Morissan [16], attribution theory explains how a person summarizes the causes of behavior that self or others do. Morissan [16] adds that in the attribution process, a fundamental attribution error can occur. The error of fundamental attribution is the tendency to blame others for causing an event, a feeling that people are personally guilty of what happens to them.

Clinard and Meier [17], labelling theory incorporates two important components: a particular conceptions or definitions of deviance (the recativist conceptions) and a concern with the consequences of social control efforts (the theory of secondary deviation). In emphasizing the label that society places on a deviant, these theorists shift their interest from the origin of the deviant behaviour to (1) the characteristics of the societal reactions experienced by the labelled individual and (2) the consequences of this label in terms of further deviation by this individual [17]. Which one defines how others view us or, as importantly, how we see ourselves? In Becker's view, the master status is our defining social position. The criminal label can become a master status, overriding all others (Becker 1963 [18]).

The gap between negative image through labelling process that happened to terrorist prisoners especially in Post-Poso conflict cases with facts found in prison both the fact of communication behaviour of convict and interaction process that has been happening in prison can be explained by referring to labelling theory put forward by Howard Backer. In the perspective of labelling theory emphasizes the importance of seeing people who are considered deviant from the point of view of the deviant individual.

A person who is said to be distorted and he or she acquires the deviant behaviour will, at some degree, experience stigma, and if it is done continuously it will accept or be accustomed to it. This is the case with the radical Muslim group Poso. Their various acts of terror in various cases, both bombings, mutilations and other terror cases are a distortion, especially irregularities in the existing legal system.

However, if viewed from the motives behind the various acts of terrorism committed by the convicted terrorists, then what their demands, even what they strive for is actually is the most fundamental, that is to demand justice also to investigate and prosecute at least the 16 names revealed by Tibo in trial before he was sentenced to death by the court. Another fact that there is a motive of revenge for the Muslims of Poso for the atrocities of Christian groups at the time of the conflict is none other than the unfulfilled sense of justice they desire.

It is unfortunate that the noble purpose of the terrorist convicts who demanded justice has been tarnished by means of terror because according to the convicted terrorists that the legal effort to demand justice they have done did not work out. Therefore, the terrorist convicts conduct various acts of terrorism.

Labelling effects will be much greater in the audience when intensified through the mass media. The mass media narrative that certain groups of people have certain characteristics and exhibit certain behaviors that lead to the interpretation that they are against the government, then internalized by the media audiences and assumed to be a natural reality. Thus, media audiences will construct meaning in the process of receiving messages according to the results of media construction.

The media coverage of terrorism is basically to ensure public access to information and to protect fundamental freedoms and, to prevent violence and combat terrorism in the future [19]. The mass media have so far portrayed radical Muslim groups in Poso as a group that pose threats amid people's lives by means of terror so they are duly condemned as terrorist convicts. It is unfortunate that the media did not attempt to balance the news by seeing or revealing the other side of terrorist convicts as well as their contributions during the time of punishment in prisons.

Stages undertaken by the convicted terrorist as the process of labelling can be categorized in two main stages, master status and deviant career. In the first stage the master status is a label that is worn (attributed) and is usually seen as a characteristic that is more or more important or stands out from other aspects of the person concerned. The label at this stage is to classify a certain group as a radical or fundamental group with a goal to change the system of government in accordance with the Islamic Khilafah.

The negative imaging process occurring at the master status stage has given the effect of public opinion that views this group as a vandalism group even with the facts found that it has been suspected that there is a

linkage of radical groups of Poso with networks of terrorism from Java and even international terrorist networks. Here are the factors affecting the master status process to the reaction of both the community and the reaction of the perpetrators of post-conflict acts of terrorism in Poso. There are four main factors to identify the identity or attributes for the perpetrators of acts of terrorism, that is acts of terror that have been done that is shooting, mutilation, bombing, theft and other acts of terrorism; the perpetrators of terror acts are terrorism convicts who have been proven to commit acts of terrorism; the environment of the perpetrators of terrorism is a crime scene of terrorism acts; post-conflict situations and post-terror acts are situations that occur after the ongoing terror acts when the perpetrators of terror have become convicted of acts of terrorism.

The result of identification of the four factors is then conducted by attribution process that is deeper analysis to be able to know and understand the perpetrators of acts of terrorism. The process of attribution then spawned the exclusive reaction and labeling of the community's reaction to various acts of terrorism that have occurred and give the labeling or labeling to the perpetrators of terrorist acts as terrorists.

The deviant career stage is the stage when the violator rules (deviants) enter or have become deviant in full (outsiders). Irregularities are not an inherent form of acting, but are the gift of ward members who know and witness their actions both directly and indirectly. The process in the deviant career hence the reaction of the community in giving the nickname to the perpetrators of terror as a terrorist group has changed their status in the community that was originally part of the community group then changed as an integral part of the community group and entered the new community as a terrorist group.

The epithets given by the community linked to terrorist groups have become a new community for terrorist actors to further enter the deeper stages of making acts of terror as part of their activities. Various acts of terrorism committed from the nickname as a terrorist group have changed their self-concept and admitted that they are terrorists.

CONCLUSION

The labelling process of the suspected terrorist misapprehension can be constructed by, first, the appearance aspect the suspected terrorist, generally with a bearded figure, black forehead, often in the mosque and better worship practices. Second, the type of clothing used by convicted terrorists, in addition to the official clothing that is used everyday as a convict's clothing, they generally use a robe with trousers that stops above the ankle especially when about to carry out congregational prayers.

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