

## HUMAN RIGHTS FOR FEMALE TERRORIST OFFENDERS: SUICIDE BOMBERS AND THEIR FAMILIES MEMBERS

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### ABSTRACT

This article shows a new perspective about female terrorist offenders, predominantly female suicide bombers. The method is a literature review with human rights and victim perspectives. The authors argue they are not indeed offenders in the terrorism and terror agenda, and even if they are lone offenders, they also have human rights. They are victims of power relations. How can female terrorist offenders, especially female suicide bombers and their families, get human rights? This article argues human rights ideas for them despite their position in society and legal as offenders or families of offenders. The victim and feminism perspectives use to support this idea. Female terrorist offenders include female suicide bombers who are still alive need protection in their daily lives, such as mental health and health access.

**Keyword:** *human rights, female suicide bombers, female terrorist, feminism, power relation*

### ABSTRAK

Artikel ini menunjukkan perspektif baru tentang perempuan pelaku terorisme terutama perempuan pelaku teror bunuh diri. Metode dalam penulisan menggunakan penelusuran literatur dengan penggunaan perspektif hak asasi manusia dan korban. Penulis menemukan bahwa mereka sebenarnya bukan pelaku sungguhan dalam terorisme maupun agenda teror, andai pun mereka pelaku independen, sebagai manusia mereka tetap punya hak asasi manusia. Mereka adalah korban relasi kuasa. Lantas, bagaimana perempuan pelaku terorisme secara khusus pelaku teror bunuh diri dan keluarganya mendapatkan hak asasi manusia? Artikel ini menggunakan pemikiran hak asasi manusia sebagai ide dan mengesampingkan posisi mereka sebagai pelaku maupun keluarga pelaku. Perspektif korban maupun feminis mendukung ide tersebut. Perempuan teroris termasuk perempuan pelaku teror bunuh diri yang masih hidup membutuhkan perlindungan dalam kehidupannya termasuk kesehatan mental maupun fisik.

**Kata kunci:** *human rights, female suicide bombers, female terrorist, feminism, power relation*

## INTRODUCTION

Terrorism is a systematic (Firmansyah, 2011) and extraordinary crime (Simarmata, 2011) but still happens in this world. Furthermore, terrorism is violence with goals of mass destruction, death, fear, uncertainty, and despair (Mustofa, 2002). Therefore, the action target is a random target with no direct relationship with the perpetrator (Mustofa, 2002). Terrorism has political motivations and non-political interests such as beliefs (Mustofa, 2002). Talking about terrorism it is related to terrorists who combat terror—terrorists as the offender of crime currently not always men but female also. Terrorism and female, especially the issue of female suicide bombers, are evidence of female representation in terrorism (Banks, 2019). Researchers have identified female involvement in conflict since the 1970s (but as protagonists). In fact, during the 1980s, Hezbollah and its team recruited, equipped, and deployed female suicide bombers (Banks, 2019).

Respond to this situation; the standard solution is punishment for the terrorist offender. However, in another perspective, terrorist offenders also have human rights as a human. However, they automatically lose their human rights because they do wrong and get a maximum penalty. In Indonesia, we also can see how terrorist offender gets their rights in some prisons, such as Gunung Sindur Prison. They get some food and drink but still in different treatment based on classification of their grade in terrorism activity and commitment. However, they still get their right as a human. In other words, the fulfilment of their right of prisoners' done by the government. There is a law to regulate their rights with equality before the law. It means there are equal treatment and service to inmates regardless of social, economic, religious, or racial status.

Moreover, some of them repent and commit as Indonesian citizens. Research shows that prisoners must be given their rights according to the law when they have shown good behaviour (Banks, 2019). Moreover, they also can get remission despite fundamental human rights (Banks, 2019). Before judging terrorists predominantly female terrorists, one thing to remember is that they are not single offenders. They are somehow not a leader. Sometimes, they are victims of power relations and mentally weak, so they decide to do female suicide bombers and other terrorist activities. Another thing to remind is the meaning of terrorist. However, the terrorist is individuals, groups of individuals, organizations, sub-national groups, or state or non-state entities with a chain of command or cell structure who believe in or are influenced, motivated, or

inspired by ideological goals or examples of some of the existing terrorist movements and or their leaders (Banks, 2019). However, 'female' are attached to terrorism activities based on social construction (Sjoberg & Gentry, 2011) play a vital role in the social environment, and this remains an attractive choice for the world of terror, terrorists, and terrorism. Being a female suicide bomber is a high involvement of females in terrorism. In other aspects, females have also acted as facilitators in planning terrorist acts.

In other places, there are perspectives about females involved in terrorism, such as becoming female suicide bombers based on their feminist flow. Some will consider this as gender equality from a liberal perspective. However, some will also consider women victims (if feminists are anti-terrorism). The author believes that the second opinion is that the female suicide bomber does not reflect the progressive attitude of women or gender equality in the revolutionary, religious liberation movement (Sjoberg & Gentry, 2011). How did this happen? How was the female recruited? Online media and communication can increase females' involvement in female suicide bombers. The media also portrays female suicide bombers as rebels, causing a stunning effect on society (Sjoberg & Gentry, 2011).

The media views female terrorists as a sensational issue to increase news ratings and terrorist organizations like it. Media, especially social media, is attractive for terrorist groups to achieve their goals. The use of media is considered profitable by terrorists; however, we can see that every time there is a terror, the media will publish it, and it is like 'free advertising' for terrorist groups. The author says it is 'free advertising' because if the media is tendentious in the news, it can create fear like the hopes of terrorist groups. On the other hand, terrorist groups can also use the media, especially social media, to recruit generations of terrorists, such as female suicide bombers and male and child terrorists.

Furthermore, media coverage will lead to public perceptions of individuals, problems, and events. For example, reporting on terrorism in different mainstream media 'A' and 'B' will lead to different assumptions. In this case, media framing becomes the determinant of public opinion. For example, in January 2002, Wafa Idris became the first female suicide bomber in Palestine. Then, Hamas sent its first female suicide bomber, Reem el Riyashi in 2004. Furthermore, female suicide bombers continued to grow. In a series of cases, on December 13, 2009, a female suicide bomber attacked the police and the CIA building complex in Peshawar, Pakistan, and killed eleven people

(Sjoberg & Gentry, 2011). The woman ran into a police housing complex and detonated the bomb attached to her body. The attack relates to thwarting Pakistan's military offensive against the Taliban. More closely, in Indonesia (our country), there was also a female suicide bomber in 2018 in Surabaya, when a married couple and their four children each detonated a suicide vest and died in attacks on three churches. Puji Kuswati and her two daughters aged 12 and 9 years. Kuswati's husband is from a local terrorist unit with links to the Islamic State in Iraq and Syria or ISIS (Banks, 2019).

These series of events are evidence of the representation of women in the world of terrorism, especially as female suicide bombers. The presence of women in terrorism activities such as ISIS, Al-Qaeda, and other theoretical organizations worldwide is a challenge for professionals, counter-terrorism activists, policymakers, and criminologists (academics) to find solutions to this. The writer currently believes that the female suicide bomber was deliberately created in response to this. In her article, Simone de Beauvoir's view, Alvanou quotes that female suicide bombers are not born but are created (Banks, 2019). According to this perspective, the author makes human rights ideas for female terrorists (including female suicide bombers) if they are still alive and their families. This idea is controversial because society sees them as the offender. So, in this article, the authors will explain how their rights can be implemented without taking out society's rights.

## **METHODS**

This article is a literature review of scientific papers, books, and reports with a qualitative approach. Furthermore, qualitative research is point inductive reasoning with a starting point based on social reality in a society without a particular theory (Ronnet & Russel, 2020; Tartaro, 2021). Furthermore, the authors criticized the punishment and increased equality before the law about females involved in terrorism, female suicide bombers, and their families. Use feminism perspective, power relations concepts, human rights to gather conceptual about human rights for them. Standpoint feminism is one of the methods to view a problem in a patriarchal culture, especially in social construction. This method is unique because it can give space for statements and different knowledge to understand women's oppression in every aspect of life. This article used standpoint feminism to analyze the literature review. Therefore, explore the content with relation perspective as part of power, positionality, and related research.

## RESULT AND DISCUSSION

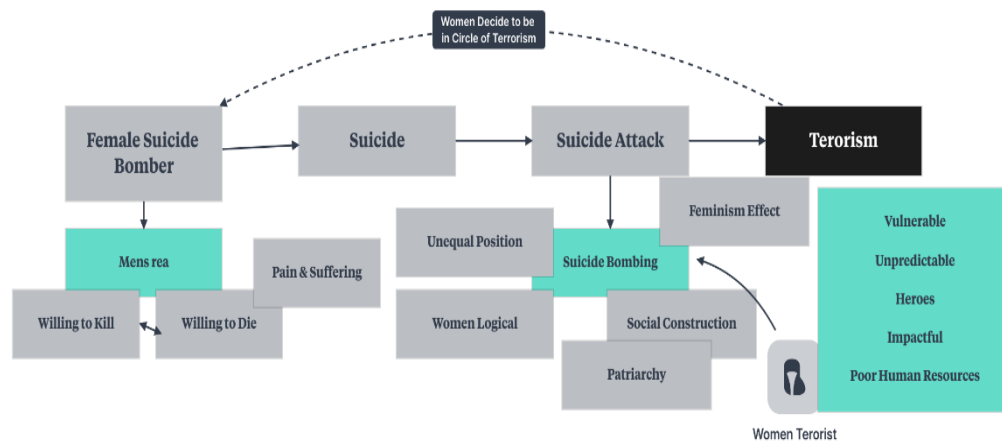
### 1. Power Relation, Feminism, Female Terrorist (Suicide Bombers)

The power relation is an element that is influenced by the perpetrator's power over the victim's helplessness. Foucault argues that power is not owned and practiced in an environment where many positions are strategically related (Foucault, 1982). Which is in a relationship between individuals, therefore knowledge of himself and others can simultaneously create power and power to spread without being localized and seep into the entire social fabric. For Foucault, power is never fixed and stable or owned by only one person or specific groups (Foucault, 1982). So, power is not held permanently by anyone or any class used for their interests directly and in one direction only but by other individuals or groups who are weak or not in power. So, power relation is the name that one connects to a difficult strategical situation in a particular society (Tong, 2018).

Then, feminism is empathetic warfighting could revitalize jus in Bello (to) present a different idea of seeing and creating war-making and targeting choices that concentrate on the safety and well-being of personal growths. Focusing on personal human safety will encourage just war's effectiveness, expand its connection to modern combat, and reduce its false concept and gender inclination. Somehow, in the feminist perspective, women have the freedom to do anything. So, radical women's liberation groups are made, such as the Women's International Terrorist Conspiracy from Hell (WITCH), the Redstockings, the Feminists, and the New York Radical Feminists (Tong, 2018). Although, in this article, the author focuses on feminism in the Indonesian context to help females overcome their mental health and position so as not involved in terrorism agenda like became a female suicide bomber.

Based on Durkheim's perspective, a situation explains it as a social fact, not just an individual's psychological deviation but the product of specific social conditions (Alvanou, 2006). The author agrees on some of this perspective and believes there are psychological aspects because of social construction that make females combat terrorism agenda. The main idea is a social construction because of power relations, but there is a circle of psychological factors based on how society, law, and others threaten females. So, it symbolizes irrational violence because the female suicide bombers were raised in a cultural environment that determines their role as mothers and is obedient. In other

words, his position is unequal in a patriarchal society (Alvanou, 2006). Max Weber identified the concept of patriarchy as a political system that upholds the dominant role of men (fathers) in the context of the nuclear family, extended family, and broader society (public sphere) such as economic patterns. Thus, there is social oppression and economic dependence on men, the state, and the environment (A., 2000).



**Figure 1 How Female Became Terrorist (Suicide Bombers)**

**Source: Modified by authors, 2021**

Based on figure 1, we can know that women decide in the circle of terrorism like female suicide bombers have a 'dualism' perspective. Sometimes there are two willing women female suicide bombers. The first is willing to kill, but the other is willing to die. They have pain and suffering before deciding or being designated by others to do female suicide bombers. In this case, we also can see female suicide bombers and female terrorists as a designated victims. Other people construct them. So, we can see their suicide attack or suicide bombing result from the unequal position.

In Indonesia and many countries, patriarchy and social construction are still the problems that oppress women. There are reasons for women's logic and feminism effect to become female suicide bombers or terrorists. At least, we can say that female suicide bombers and female terrorists as vulnerable, unpredictable, somehow labeled as heroes for others, impactful, and poor human resources. Vulnerable because they are women in a patriarchal culture. Unpredictable because it can come from many factors in their life. The rewards as heroes are worth for female suicide bombers or female terrorists. Because it is a long time, they are designated as vulnerable people, but when doing terrorism, they are designated as heroes. They live in false consciousness for others.

Impactful, of course, because terrorist organizations always see the impact of the terror. High impact with low cost is preferred. Then poor human resources, like they cannot pay back other people to do suicide bombers.

We can say that female suicide bomber and female involved in terrorism is related to patriarchal culture because most women who combat terrorism have a husband as a terrorist (Gatot Goei, S.H. et al., 2019). So, they are not independent. They are victims. There is indicate they abuse to do suicide bombers or another terrorism agenda. These females possess remained held for assistance in a terrorist event but ought no ideological loyalty to the action (González et al., 2014). Instead, for an individual purpose, females cooperated with the radicals to act the evil (González et al., 2014).

Moreover, in a patriarchal culture, men are considered more powerful than women. There is a structure that defines the role of men as the sole, central, and all-powerful ruler. Patriarchal culture gives birth to normative values and judgments on the biological basis between men and women, which regulate the division of labor, privileges, and opportunities between men and women. Patriarchal beliefs are in many cases transmitted and maintained through various forms of cultural and religious fundamentalism, which rigidly defines what is acceptable and what is unacceptable to society in terms of beliefs and gender roles (Onwutuebe, 2019). Females must obey their husbands and commit to doing terrorism.

Based on research in two cases, females in terrorism play an active role in terrorism activities as assistants to their husbands who are members of the network and not combatants. Traditional gender values can influence this because females are objects of domestication and do not stand out or have a significant role in terrorism. The recruitment of radicalization of women is also mostly done through marriage. There is female combat terrorism such as Dian Yuli Novi, the defendant's wife of the crime of terrorism, Nur Solihin (Gatot Goei, S.H. et al., 2019). Defendant Dian Yuli was married to Nur Solihin to be trained and assigned to be a suicide bomber planned to be carried out at the state palace. After that, the Surabaya Bombing in 2017 also involved women as combatants. Thus, now the role of women is not limited to assistance but also executors (Gatot Goei, S.H. et al., 2019).

Therefore, research also shows that parts that principally attack females, such as female legislative empowerment, female entrance to study, and professional chances for females, may make females weaker to recruitment as suicide bombers by terrorist groups

(Jahanbani et al., 2019). Terrorist organizations argue that females are more destructive than men. Hence, a female is a good option (Jahanbani et al., 2019). The effect of female suicide bombers and female activities on terrorists seems sensational in this world. So, female terrorist and female suicide bomber is not just history but reality in this world. Research shows that this heightened lethality among female suicide bombers in contrast to their male analogs has led numerous terrorist institutions to expand more females (Fullmer et al., 2019). It is argued that marital status and gender role could frame female terrorists and female suicide bombers (Soules, 2019).

## **2. Human Rights for Female Terrorist (Suicide Bombers) and Their Families**

Female terrorists, female suicide bombers, and their families are also victims of discrimination. Under the International Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), discrimination is: "Any distinction, exclusion or restriction made based on sex, which has the effect or purpose of reducing or abolish the recognition, enjoyment or exercise of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field by women regardless of their marital status, based on equality between men and women. Woman. They do not get the right to speak louder about their rights and how they became a terrorist. The rights to express their opinion are below that of male terrorists. In this case, they are also a victim of crime. Discrimination against female terrorists is a crime. They do the crime, but at the same time, they are also a victim of crime. The authors use the victim's perspective based on criminology views in this case. Criminology views crime as a pattern of social behavior or harmful action, so it is not limited to crimes in juridical law (Mustofa, 2021). The party who is harmed by the crime is called the victim (victim).

Furthermore, studying crime victims is the subject of criminological research related to the phenomenon of crime (Mustofa, 2015, 2021). Everyone can be a victim of crime with different levels of vulnerability. However, women are among the most vulnerable victims of crime (Davies, 2018; Mustofa, 2021). According to the victim of Hans von Hentig, women are also considered helpless because they are physically weaker than men (Brotto et al., 2017). Furthermore, women who are perpetrators of terrorism can also be studied using a feminist criminology perspective. However, it must be balanced with intersectionality to understand the issue objectively. Intersectionality is needed to balance crime, justice, and gender issues, especially women (Burgess-Proctor,



2006).

Based on that perspective, the authors argue human rights for female terrorists, female suicide bombers, and their families. Human rights in this article are based on Indonesia's context. So, it is not taken for granted from the Universal Declaration of Human Rights (UDHR). In Indonesia, human rights are guaranteed based on the 1945 Constitution of the Republic of Indonesia Articles 28A to 28J. Some of these instruments same as UDHR but still consist in the Indonesian context. As a nation with various social associations, including a broad field, Indonesia's human rights practice is distinct, as it would be challenging to design a steady practice of human rights through regulation (Juwana, 2006). The author argues that female terrorist offenders such as female suicide bombers have a space to get human rights in Indonesia. The author believes the rule of law also provides human rights for offenders in this perspective. However, some rights sway be fighting with each other (Banks, 2019). When the author gives ideas about human rights for female terrorists , such as female suicide bombers and their families, it will be debatable for others, especially victims of terrorism. Somehow, it is not easy to talk about human rights, but they still have rights. In the event of counterterrorism, we can see that to present it contextually, the freedom of protection might conflict with the right not to be discriminated against in ethnic profiling (Pertiwi, 2017).

The research argues that our nation is a sacrifice of terrorism and a refuge for terrorists (Ju, 2012). However, author in this perspective, our country can oppress the country for female terrorists (female suicide bombers) and their families. Why? Because they see them as offenders but not a victim of crime. Despite doing wrong things, there is legal protection. Moreover, for this, proper protection needs to be supported by judicial certainty (Agara et al., 2021). Female terrorists, if they are still alive despite their punishment, need mental support and health in their life before execution. Like children and parents, their families also need protection from discrimination in this society. We must remember that some female terrorist is not single offender. They became a terrorist in the middle of pain and suffering. The willingness to die is the same as the willingness to kill. So, in terms of female terrorism, we must see it comprehensively. Remember, there are connections among single actors, between somebody and organizations, and connecting organizations committed to terrorism (Goldsmith, 2016). Research shows a relationship between terrorist channels and the settings they live and

conduct (Goldsmith, 2016).

So, it is essential to see female terrorists (including female suicide bombers) as humans and threaten humanity. Punishment is ok, but human rights perspectives include offender rights, must implement. There are Nelson Mandela Rules and rules of law to commit by stakeholders when punishing them. So, humanity is one thing to remember despite punishment. Threat with one percent compassion despite 99% punishment even they are the offender. Humanity is essential for implementing human rights (Kymlicka, 2018). However, the author pushed the implementation of human rights in this session; it does not mean accepting terrorism agenda or their act. It is wrong things and still be wrong things to doing terrorism or becoming terrorist. However, activities terror already used to fight the regime since ancient Greece had an era of power or authority in human civilization (Kymlicka, 2018). We can see acts of international terrorism by ISIS/IS followers and supporters in Indonesia since the end of 2015 (Kymlicka, 2018). Experts also agree on this with the thought that some individuals in liberal states use their freedom as an opportunity (planning) for radical actions aimed at changing and destroying with violence, including terrorism (Kymlicka, 2018). Terror organizations are intelligent people, so they choose women.

Representation of women in terrorism is cheap, easy, and very profitable. Why is that? The element of sensationalism and impact becomes essential for acts of terrorism. The public's reaction to different male and female actors is an opportunity to enter “advertising” fear of terror, terrorism, and terrorism. The terrorist group always ignores or disrespects democracy, humanity, and sovereignty. In other words, they justify achieving the goal (Mustofa, 2002). Of course, ease of access in the strategy is a consideration than the cheapness of women's resources. The lure does not only have to be money; heaven and the sense of worth of women offered by terrorist organizations can be attractive offers for confident women.

Moreover, if he had lived in an oppression all this time and wanted to experience freedom, then maybe depression would be his life, so the desire to commit terror will be an opportunity to commit suicide. The practice of human rights for female terrorists and suicide bombers is not easy in practice. However, it is still a good option, especially in Indonesia, which guarantees human rights. When female terrorists threaten humanity, it can reduce terrorist organizations' willingness to use females as their victims to do terrorism activities. This issue is crucial because females also need protection as humans

in Indonesia. Labeling and social construction that female is vulnerable became high when they combat terrorism. Therefore, society judges them as the offender. They are hidden victims. They act like offenders but victims of power relations and patriarchal culture. Somehow, they did not know what they did because of mental health problems and force from other stakeholders.

Terrorism is now described by developing organizations' management of death aggression and female suicide bombers (Jahanbani et al., 2019). However, despite power relations and patriarchal culture, few structural factors encourage females to become suicide bombers at the aggregate level. However, the more thing to do is get their right after prison. To fulfill their rights, law officers also get opportunities for their motivation to become terrorist because female is unique. Perception individual motivations are essential but do not provide the whole picture. However, ensure their rights to access health and mental health are provided. It is also necessary to think about when female terrorists menstruate because it is one of their rights to get menstrual goods. For their families, legal protection for discrimination, especially if she has children, is mandatory because it is particular for child rights despite human rights. If they have parents, mental health to know that her daughter became a terrorist or female suicide bomber is crucial things to do.

Finally, this article has limitations because the author did not interview female terrorists; when the author goes to Gunung Sindur prison, there is no female terrorist. Based on the report, there are three female terrorists now in prison (but the author) who did not get access to them. Then, there are seven female terrorists in Indonesia. It is still searching the data. However, this article is eager to provide how human rights can also be implemented for female terrorists, whatever their past, present, and future roles. Humanity is more than punishment.

## CONCLUSION

Terrorism is a decisive view on the normalization of acts of injury (although not consistently) or other terrors in a secure manner to achieve particular political struggles (objectives). Furthermore, terrorism is designed to have a broad psychological impact beyond the direct and non-directed victims (Howard & Hoffman, 2012). In this article, while the authors view terrorism as a crime because it takes out other rights and breaks the law, at the same time, the authors argue that some terrorist-like female terrorist who

combats suicide bombers and other terrorist activities are victims of power relation, patriarchy, and mental abuse from their husbands or environment. This finding can impact further research and social policy for terrorists. Moreover, it can engage the government and other stakeholders to implement human rights based on law and movement for terrorist offenders, predominantly females. They are not single offenders. So, protection in their mental health and fundamental human rights is good to provide by the government if they are still alive. Then, their families, especially parents and children, need protection from discrimination to continue their life easily in Indonesia.

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