COUNTER-TERRORISM STRATEGY BETWEEN INDONESIA AND MALAYSIA: A STUDY ON JEMAAH ISLAMIYYAH THREATS[1]

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ABSTRACT: The main purpose of this study is to compare the counter-terrorism strategies adopted by the Indonesian and Malaysian government against the threats of Jemaah Islamiyah (JI). This study also analyzes the effects of the democratization process in the two countries towards the implementation of counter terrorism strategy. The results indicate that there are some differences in the counter-terrorism approaches applied by the two countries. Malaysia more emphasizes on the preemptive side of the counter terrorism approaches, while Indonesia accentuates on the curative-legalistic aspect. Moreover, the counter-terrorism strategies of the two countries have also been affected by two factors: (i) political factors which occurred in both countries; (3) different counter-terrorism approaches factors. This study proves that the handling of the threats of terrorism, not just employ a security approach alone, but must also utilize other approaches. The existence of democratization factor in the case of Indonesia and Malaysia should be require in the counter-terrorism strategy. The study is significant since it contributes to more systematic understanding on counter terrorism approaches and strategies by two major Muslim-majority countries in the region.

KEYWORDS: *counter-terrorism strategy, the Indonesian and Malaysian government, Jemaah Islamiyah (JI), democratization)*

BACKGROUND OF STUDY

The threat of terrorism that occurred in the last three decades indicates a shift toward a new phase (Rizal Sukma, Jamhari Ma'ruf dan Kamarulnizam Abdullah 2011: 23). Bombing at the World Trade Center, New York, 1983, and at the U.S. Embassy (U.S.) in Africa in 1998, as well as Al-Qaeda attacks on the U.S. on September 11, 2001, has marked the birth of a new phase in terrorism. Some scholars[2] refer to it as '*new terrorism*' (Lesser et al. 1999: 1), '*new types of post-cold war terrorist*' (Hudson 1999: 5), '*a new breed of terrorist*' (Stern 1999: 9), '*a new generation of terrorists*' (Hoffman 2006: 271), '*terror in the mind of God*' (Jurgensmayer 2000), '*the battle for the God*' (Amstrong 2006) and '*the clash of fundamentalism*' (Ali 2002).

The new phase is characterized by a few things: First, changes in their organizational pattern, from the traditional hierarchical structure centered to the networking communities patterns which structurally weak. Second, they are more difficult to identify. Third, more variants demands. Fourth, the ideology of terrorism is now influenced more by religion. Fifth, their targets are more global. Sixth, act of terrorism does not recognize a particular target, which is troublesome to specifically identify the perpetrator (Bergesen and Lizardo 2004: 42). 'New face' of terrorism have asserted their position as the threat of terrorism. The phenomenon of terrorism has called forth models counterterrorism strategy with involving international regime, known as scheme of strategy of the Global War on Terrorism (GWOT), which began on October 11, 2011 (Andrew Tan 2007: 5).

Among the Region which interest to see about the they international response to terrorism is Southeast Asia. This Region have some uniqueness in relation to the above theme. First, the countries in the region already have their problems in dealing with terrorism. Second, generally is undergoing a process of democratization since the 1997 when financial crisis occured, which threatens the political position of the ruling political elite. Such political circumstances have made less terrorism response strategy given the pedestal (Zarina Othman 2006: 176). Third, the majority of the population is Muslim. Meanwhile, an important issue in the global counterterrorism reversionary scheme is the eradication of terrorism which carries the label of religion, such as Al Qaeda. The issue of religious label has become one of the factors that affect the response of the countries in the region (Means 2009).

One year after the declaration of GWOT, the countries of Southeast Asia were surprised by the Bali bombing on October 12, 2002. Tragedy that has killed 204 people from various countries (POLRI 2006), have confirmed that the Southeast Asian region as the second front the GWOT (Andrew Tan, 2007: 5). It was reinforced by the Security Council of the United Nations (UNSC) passed Resolution No. 1267 dated October 24, 2002 which mentions the Jemaah Islamiyah (JI) as a terrorist group which responsible for the 2002 Bali bombing event. JI is also regarded as an "ally of Al-Qaeda" in Southeast Asia. The declaration has given confidence to countries in Southeast Asia that the source of security threats are no longer only from within the country but also from abroad.

Among the countries of Southeast Asia that have a uniqueness to be studied are Indonesia and Malaysia. The majority of the population of both countries are Muslim. Indonesia is the largest Moslem country in the world, when Malaysia is a country that makes Islam as the official religion (Means 2009). The similarity between the religion of the majority of the countries with the JI is an interesting issue to be studied. Moreover, both countries have to deal with JI when they are experiencing democratization (Zarina Othman 2006: 178).

RESEARCH PROBLEM

The issue of terrorism in Indonesia and Malaysia appear at the issue of democratization is being strengthened in both countries. Therefore, the issue of terrorism tends to be rejected by the pro-democracy. It has made the dilemma for pro-democracy groups. They worry that issue of terrorism had been a reason for the government to strengthen the re-use of repressive policies, and become a threat to the survival of democracy. Therefore, the government steps in using or strengthen repressive laws against terrorism is regarded as the government's efforts to curb the strength of the opposition or pro-democracy groups, and restore political life becomes more confined.

Counter-terrorism strategy in both countries are run in the political landscape like that. The result is a series of terrorist bombing at Indonesia.[3] While in Malaysia, did not appear significant bombing. The phenomenon is interesting for comparison. Both the state is used as the main base area JI. In addition, the two countries is also be a place where JI is established, and the majority of top leaders from the both countries.

The series of bomb blasts that continue to occur in Indonesia from 2002 to 2005 has been encouraging governments tend to implement repressive security policy, as has happened in Malaysia who have applied Internal Security Act (ISA) which the "draconian" security policy. However, the security policies that tend to strengthen in Indonesia, which was rejected by the various pro-democracy in Indonesia. The presence of polarization rejection in both countries become interesting phenomenon to be studied. This phenomenon shows the basic problem in security strategies in both countries. Logically, if there is a threat of terrorism against the state, government should strengthen counter-terrorism strategy. But what actually happened was not, because there are strong rejection from pro-democracy groups. Efforts to strengthen the government's counter-terrorism strategy seen as an attempt to impede democratization process which still developed in Indonesia.

RESEARCH QUESTIONS

Based on that phenomenon, this study questioned things related to counter-terrorism strategy in Indonesia and Malaysia. Issues will be answered in this paper are:

1. Why JI terrorist acts continue to occur in Indonesia between 2002 to 2010, although the government of Indonesia and Malaysia has implemented a strategy of counter-terrorism?
2. Extent the democratization process in Indonesia and Malaysia affect the implementation of counter-terrorism strategies of the two countries?

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[3] Such as the bombing tragedy Manado, November 2002; McDonald Bomb Tragedy in Makasar, December 5, 2002; Bomb Tragedy on the Mall Cijantung, August 2002; Bomb Tragedy in Jakarta at Wisma Bhayangkari February 3, 2003; Bomb Tragedy in Office of Mayor of Medan, March 31, 2003; Bomb Tragedy on Streets of Wahid Hasyim Jakarta 25 April 2003; Bomb Tragedy on the Air Port, Terminal 2F Soekarno-Hatta 27 April 2003; UN House Bombing tragedy in Jakarta July 15, 2003; Bomb Tragedy at the Parliament Building, Jakarta, July 14, 2003; Bomb Tragedy at the JW. Marriot Hotel, Jakarta, August 5, 2003; Tragedy in Palopo, South Sulawesi, January 10, 2004; Tragedy in Banceuy, Bandung West Java, January 14, 2004; Bomb Tragedy at office of KPU (General Elections Commission), Jakarta, July 26, 2004; Bomb Tragedy at the Australian Embassy, Jakarta, 9 September 2004; Bali bombing tragedy, October 1, 2005. See at Ansyaad Mbai. *Terrorisme dan penanganannya*. Jakarta: Papers of Chair of Combating Terrorism Coordinating Desk (DKPT), Indonesian Coordinating Minister for Politics and Security.

RESEARCH METHODOLOGY

This study used a qualitative approach. A qualitative approach are used because this study requires deepening problems and getting more special answers more, especially about how counter-terrorism strategy in Indonesia and Malaysia implemented. With a qualitative approach, can be explored in depth important information from the source and from the documents. This is not possible if performed quantitative approach.

This study uses primary data such as interviews, government documents and original documents of JI, as well as secondary sources such as theses, books, articles, journals, newspaper clippings, through the library method. All data are analyzed and synthesized descriptively. The method used: First, an intensive interview. This method is used to obtain primary data through interviews with Maj. Gen. (ret.) Ansyaad Mbai (Chairman of the National Agency for Combating Terrorism / BNPT), Dato 'Md. Hussin Nayan (Director General of the SEARCCT, Malaysia). Both of these speakers are people who understand the counter-terrorism policy in Indonesia and Malaysia. While the interview with Abu Bakar Ba'asyir (Leader of JI), and Nasir Abas (Chairman Mantiqi Tsalis of JI) is conducted to explore how the threat of JI and done. In addition, interviews were also conducted with the members in the field of counter-terrorism and those who are engaged in counterterrorism activities in both countries.

Second, the observation. This method is used to obtain data about implementation of counter-terrorism policies in Malaysia and Indonesia. The focus during the year 2005-2010 conducted in Kajang (Selangor, Malaysia), Kuala Lumpur, and several other countries in Malaysia. While in Indonesia, the observations were made in Jakarta; in Nunukan, East Kalimantan; Poso in Central Sulawesi; Solo; and in Bali.

Third, the study of literature (library research). This method is used to obtain secondary sources such as official documents of the Government of Indonesia and the Government of Malaysia, like Indonesia and Malaysia report to the Security Council with regard to the implementation of the Resolution Number 1373 of 2001 during the year 2001-2005; etc.

TERRORISM AND COUNTER-TERRORISM

Actually there is no specific definition that can be used from the concept of terrorism put forward by certain experts and institutions. This is in line with the discussion of the concept of terrorism that often have meanings inaccuracies. That is a terrorist group, is often seen differently depending on which perspective is used. Thus, for a terrorist group may be considered a hero to the other groups. Nevertheless, the concept of terrorism as defined in this study is an act of violence from non-governmental groups that cross national boundaries is done in secret and labeled religion with political objectives.

That concept definition departs from some of the views expressed by experts. Bergesen and Lizardo (2004), for example, argued that terrorism is the premeditated use of violence by

non-governmental groups to obtain political goals, religious and social by using make a fear to public. When another expert rule defines terrorism as a political struggle for a particular individual or group that is confidential or with the intention of causing unrest minority politics of a regime (Corrado 1979). Meanwhile, Muhammad Al Taskhiri (2003) defines terrorism as an act that ignores the humanity and threaten public safety and the use of violence in the name of religion.

United Nations (UN), as envisaged in the UN Security Council Resolution 1373, defines terrorism as any kind of crime directed against the state with the intention of creating a form of acts of terror against certain people or groups of people or the general public. The emphasis of the state can be understood as an international state actors, who can be a member of the United Nations. However, the definition is less accommodating because in reality there is a UN member state, as Israel was accused by certain Islamic groups, as a country that has been committing acts of terrorism against the people of Palestine (Trapp 1994).

Defining terrorism by the Governments of Indonesia and Malaysia more emphasis on business to provide escort on public safety. Indonesian Government in Anti-Terrorism Law No.. 15 of 2003, defines terrorism as follows:

> Any act of a person who intentionally using violence or threats of violence that lead to malignant atmosphere or a fear of widespread or cause mass casualties, by depriving of freedom or eliminate the life and property of others, or cause damage or destruction to objects of vital strategic or environmental or public facility or facilities internationally. Someone in the definition above can be individuals, groups, civilian, military, and police responsible individually, or cooperation.

The Indonesian government definition of terrorism as a form of over seeing the same crime with the criminal action without seeing the causes that affect the acts of terrorism. However, this definition gives the possibility of terrorist acts by parties such as the police or military authorities. The definition also includes the protection of public facilities and property of foreign parties in Indonesia.

After the tragedy of 11 September 2001 in the United States, the Government of Malaysia to revise the Penal Kod Malaysia as a response to the issue of terrorism. In the Penal Kod, terrorism is defined as "*an act that may cause serious bodily harm, serious damage to property, endangering individual's life* (Section 130B). The definition does not give a special meaning to the act of terrorism. However, the agency responsible for designing the strategy of counter-terrorism in Malaysia such as the National Security Council (Majelis Keselamatan Negara) has given a more specific definition. Referral No. MKN through. 18 of 2003 defines terrorism as:

> The use of violence or terrorism ... without the power of law or threat to use violence without power laws or any form of attack by the ubiquitous person, group or country, although any purpose or intent or justification sesebuah directed against the state or the

lay or the treasure lay samaada property, or the property persendirian important perkhidmatan with nothing exacerbate security means peace lay lay or other principles or interests of a country and are intended or designed to induce a sense of trepidation among ordinary people with the purpose of intimidating the layman or sebahagiannya or to force the international pertubuhan doing something or not doing something such actions have included the support for what nevertheless any way, directly or indirectly samaada.[4]

Defining MKN is almost the same as the definition of terrorism given by the Government of Indonesia. However, differences can be seen when MKN not have referral law in conducting counter-terrorism measures. Definition MKN not be inscribed raised about the possibility that terrorism committed by the ruling authorities for the sake of its own as an act of terrorism. However, the definition of terrorism given by the Government of Malaysia and the Government of Indonesia has the equation, i.e. characterizes terrorism as a criminal act.

This study analyzes the JI as a terrorist group that threatens the security of Indonesia and Malaysia during the period of democratization that happened until 2010. JI identified by four main criteria below:

- Using terrorism as a strategy of struggle.
- Political Terrorism labeled religious.
- Cross-border terrorism.
- Terrorism which has links with an international terrorist group.

The use of terrorism as a strategy of struggle are the traits of terrorists. Several studies conducted by Wilkinson (1986), Morris and Hoe (1987), and Corrado (1979) has shown that terrorism as a strategy or tactic. Wilkinson stressed that terrorism is generally used as a strategy or tactic to win a conflict. Generally, the use of terrorism is a tactic that is performed by a group of weak against strong group. Therefore, according to Morris and Hoe (1987: 165), terrorism has become the norm in the struggle. The opinion is supported by Corrado (1979: 175) which states that terrorism is a political struggle for individual rules or specific group that is confidential or minorities with the intent to sue from a regime of political security. The opinion specifically Corrado has brought mean that terrorism is a tactic of the opposition government.

Terrorism as a tactic is must be considered because the JI organization that has a great capacity to make war openly against the government. In addition, the JI is a group that is not permitted and against the law. Such circumstances cause them to act in secret, such as Bali bombing in 2002 and other acts of terrorism. JI is also a terrorist group that is labeled Islamic religion.

According to Muhammad Al Taskhiri (2003: 55), which makes the political terrorism of religion as a cornerstone in their struggle had occurred so long ago now. He said that terrorism is

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[4]   Majlis Keselamatan Negara. Arahan No 18, Pengurusan dan Pengendalian Krisis Keganasan, Jabatan Perdana Menteri, Percetakan Nasional Berhad, Kuala Lumpur, 2003, as quoted from Mohd. Haniff bin Hanuddin, 2006, pages 15-16.

"an act carried out to achive an inhuman and corrupt objective and involving threat to the security of mankind, and violation of the rights of the acknowledgment by religion and mankind". The use of religion in the act of terrorism has given the label of religion to the political struggle of the terrorists. This measure is intended to manipulate their supporters to follow the same religion. Labeled religious terrorism also occur due to incorrect understanding of the religion itself.

Md. Zukir Mat Isa (2005: 76) who's ever examines Al Mau'nah group in Malaysia, said that that terrorist groups do not understand the concept of the real jihad. The study proves that the practice of an ideology within a religion can give birth to terrorism in the name of religion.. According to Zonozy (1990: 145), the ideology used by terrorist groups has been used as the basis of the occurrence of acts of terrorism. Religious doctrines which have been translated into a shallow argument in terrorism. Zonozy's study may explain why JI members such as Imam Samudra interpret jihad by way of bomb blasts in Bali in 2002 (Ocean 2005: 45).

In view of Laqueur (2004: 12), the presence of the members or supporters of terrorist groups labeled religious politics continues to rise in the 20th century than in the 19th century. Such increase is due to the arrogance of U.S. foreign policy in the Middle East that has led to feelings of hatred towards the country. Feelings of hatred toward the U.S. grew stronger when Al Qaeda managed to perform 11 September 2001 attacks in the United States. Support of new members as well as other groups labeled terrorist religion to more and more. There are similarities between the characteristics of the JI with al Qaeda. The difference, JI is a terrorist organization that runs the terrorism activities in Southeast Asia level with respect to the goal that wants to establish an Islamic state in the region. While Al Qaeda is an international terrorist organization that has a close relationship with JI.

Counter-terrorism is defined by experts in accordance with the perspective and experience. Segal (1987: 5), for example, defines counter-terrorism as a strategy to maintain and protect the public from acts of terrorism because it is the most important case in national security. While Morris and Hoe (1987: 14) defines it as the act of covering terrorist acts, the prevention of acts of terrorism and to protect the public safety. These activities should be supported by legislation. Definition Moris and Hoe provide confirmation that terrorism must be carried out by the government with the legalistic approach. Another view expressed by Mockaitis and Rich (2003) who see counter-terrorism as an overall strategy in opposing the threat of terrorism. His actions are not only limited in the event of terrorism, but also how to prevent terrorism. While Martin (2003: 230) defines terrorism as counter-terrorism measures that combine respond repressive response (hard-line response) and persuasive response (soft-line response). Based on the views of the experts, the concept of counter-terrorism used in this study are the overall policies and measures that are used / created / performed by the state in dealing with the threat of terrorism. Implementation of the strategy is done in stages and it is possible to be influenced by various aspects.

Counter-terrorism is defined in emphasis by various scholars. Definition pressure in two groups, namely counter-terrorism as an act of maintaining (defensive action) and counter-terrorism as an act that not only survive but also to attack (defensive-opensive action). Counter terrorism which only emphasizes on maintaining the security measures proposed by Segal (1987) and Collins (2002). According to Segal (1987: 5), counter-terrorism is a strategy to maintain and

protect the public from acts of terrorism because of this matter is an important part of national security. For Collins (2002: 44), counter-terrorism is an act of passive and partial (defensive measures). Both of these definitions have a different meaning in intent "maintain". For Segal, the case that national security is maintained. This is means that counter-terrorism is a part of the draft national security strategy. Collins saw it in a more practical framework. Counter terrorism is an act of terrorism to avenge-occurrence (Collins 2002: 45). Definition Collins understandable because it refers to the experience of the U.S. before the events of 11 September 2001. Additionally, he distinguishes something that is meant by "counterterrorism" and "antiterrorism". The differences may be a factor that explains that counter-terrorism is only terrorism reply.

Counterterrorism is defined as an act which not only maintain but also attack the terrorist group, expressed by Mockaitis and Rich (2003: 23), William (2004: 13), Morris and Hoe (1987: 5), and Hiebert (2001: 12) . In view Mockaitis and Rich, counter-terrorism is a comprehensive strategy in opposing the threat of terrorism. His actions are not only limited in the event of terrorism, but also how to prevent terrorism. Therefore, according to William, counter-terrorism is an act of terrorism in resolving the long-term. Mockaitis and Rich and William gave emphasis on the need for a comprehensive response in dealing with acts of terrorism. This view is supported by Morris and Hoe and Hiebert. According to Morris and Hoe (1987: 5), as a response to terrorism, counter terrorism include to identify terrorist acts, the prevention of acts of terrorism and to protect the public safety. These activities should be supported by legislation. Various measures are proposed Morris and the Hoe, according to Hiebert should be a continuous work. Counterterrorism actions also work to rescue, recovery, intelligence, terrorist arrests and prosecute terrorists in court. Various definitions of the counterterrorism efforts concentrate on securing the country, and did not specifically discuss the security of the government. It can be understood as the foundation of their studies aimed at the case of the modern countries that embrace different security concepts with a modern state yet. In addition, the context of the threat of terrorism is also understood as a purely domestic so no opinion emphasized the importance of international cooperation.

Definition of counter-terrorism that can be used as a concept that describes the counter-terrorism in Indonesia and Malaysia is a comprehensive counter-terrorism as actions. This definition is used because of the action of counter terrorism is not just defend against JI, but also as a way to prevent acts of terrorism. This definition also must be used by the Government of Indonesia and the Government of Malaysia for their security policy calls for sustainable stability.

Indonesia considers it important that the handling of international terrorism in its territory. The commitment is in line with the commitment of Indonesia as stated in the Preamble of the 1945 Constitution which Indonesia participated maintaining world peace and security. However, the handling of terrorism policy and action plan carried out in the framework of the social welfare of the Indonesian. Because of this, the handling process actions through legislation that provides benefits for all components. Therefore, according to Romli Atmasasmita, Indonesian style to handle terrorism not over-reacted and there are also weak as if without power. But it was

proactive, assertive and reasonable to be based on three paradigms that are based on the concept of "Equal Distance Concept".[5] Romli states:

> "... the government of Indonesia has set up three paradigms, which are viewed as appropriate in context of the political culture developing at the moment, namely: (1) the protection of the sovereignty of the territories of the unitary state of the Republic of Indonesia; (2) the protection of the rights of its citizens both domestically and overseas, and (3) the protection of the rights of the suspects/defendants of criminal acts of terrorism that have become universal rigths that should not be ignored. The treatment and application of the three paradigms to the legal policies should be appropriate, balanced and contextual, based on the concept of "the equal distance concept".[6]

In the context of the concept, the characteristics of the perpetrators of terrorism and placed as the main target. Meanwhile, a third paradigm which surrounds the main target is the trinity that perform control functions, also performs the function of controlling the movement of the main targets. It's all dynamic, timely and appropriate situations. The third function, also should also be preventive, repressive and rehabilitative.

JEMAAH ISLAMIYYAH: ORGANIZATION, IDEOLOGY AND THREATS

Jemaah Islamiyah (JI) is a designation of Al-Jama'ah Al-Islamiyyah. The name is written in the main document JI group, namely *the General Guidelines for the Jemaah Islamiyah Struggle* (PUPJI). In one document of PUPJI, namely *Nidhom Asasi* mentioned that "it was named Al-Jama'ah Al-Islamiyyah Jama'ah" (Chapter I article 1). Nasir Abas who was once the chairman of JI Mantiqi III (since April 2001 to mid-2003), asserts that unlike JI. The term of Al-Jama'ah Al-Islamiyyah is a congregation or a particular group, while JI is Moslems overall. The name "Al-Jama'ah Al-Islamiyyah" by using the word "Al", in Arabic grammar, gave special meaning. However, "Al-Jama'ah Al-Islamiyyah" is often written into Jemaah Islamiyah or JI. This paper also uses the writing of Jemaah Islamiyah or JI.

JI has two political purposes: First, establish an Islamic state in Southeast Asia, covers Indonesia, Malaysia, Singapore, Brunei, the southern Philippines and southern Thailand. Second, against Syarikat America (USA) by way of destroying all its interests in Southeast Asia (Ocean 2004).

Status of JI debated by various parties, particularly by some Moslem groups in Indonesia and Malaysia (POLRI 2006). The debate on the JI organization happens because prior to such declaration, the public has never heard of the existence of JI organization. Moreover, the position of JI as an organization does not follow existing law. The JI is an organization that is not registered in the Ministry of Home Affairs of the Republic of Indonesia or Malaysia Registration

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[5]   Romli Atmasasmita. 2002. *Masalah Pengaturan Terorisme dan Perspektif Indonesia*. Jakarta: Badan Pembinaan Hukum Nasional, Departemen Kehakiman dan HAM Republik Indonesia. pages 8-9.

[6]   *Ibid*. page. 46-47.

Department. It has affected people's views about the existence of the JI organization. The absence of major prerequisite to be regarded as an organization, has made the position is not considered a form of JI.

JI was formed in January 1993 in the village of Abu Bakar Bashir in Serting, Kampong Ulu, Negeri Sembilan, Malaysia. Abu Bakar Bashir is one of the seven leaders of the Darul Islam (DI) were present at the founding meeting of the JI. Alson attend in that meeting is Mukhlas, Arif Abd. Majid, Mustaqim, Abu Bakr Mahmudah, F. Muchlis B. Abdul Halim Abdullah Anshori (Wan Abdul Hamid bin Wan Mahmud 2006). According to Wan Abdul Hamid bin Mahmud (2006: 22) that in the first meeting it was decided five important matters, namely:

1. Abdullah Sungkar has made the decision to split from DI and set up a new group called JI in Malaysia.
2. Concepts and objectives of the struggle is the same as the DI JI. The approach used was preaching and jihad.
3. JI members will discuss the struggle of the JI guidelines that struggle does not deviate from the original purpose.
4. JI members must complete themselves with the power which includes the physical and mental propaganda, military training or jihad in Afghanistan and southern Philippines.
5. JI should strengthen the fund and (strength) to smooth economic activities to the formation of Jemaah Islamiyah Nusantara Islamic state.

JI's ideology is based on the ideology of Islam, i.e. Salafush Salih. Basically, it is an ideology that calls on Moslems to emulate the behavior of the pious companions of the Prophet Muhammad in the early Islamic awakening in the Middle East. Early emergence of this ideology begins with the movement wanted to purify the implementation of the teachings of Islam (religious deeds) only. This ideology start his movement in the late 19th century in the Hijaz, Saudi Arabia. From the initial thought, this ideology has actually started to Ahmad ibn Taymiyyah Ibn Hanbal (Marty and Appleby 1995).

In further developments, this ideology have fourth tendency. **First**, the tendency of purification of religion, which rejects imitation offered by members of jurisprudence and theology in the traditional understanding of Islam. Sanctification religion aims to restore all religious matters to the Qur'an and Sunnah. **Second**, the tendency to build socio-political thought typical, which saw only the power of God. According to this ideology, Islam is a religion that has a concept of perfection, including in managing community and state. **Third**, the tendency to develop rules that emphasize education on religious moral values, such as *taqwa*, *qonaah* (receiving the gift of God) *syukur*, *zuhud* (being modest in world affairs), patience and trust. **Fourth,** the tendency to build-dimensional thinking that promotes faith and morals, which classifies humans in the category of "enemy" or "brother". This trend does not deny the reality of Islamic culture. The tendency of the Salaf movement based around the Islamic world (Jamhari and Jajang Jahroni 2004).

JI is more emphasis on the flow of the second tendency, which saw power belongs to Allah SWT. With the view of JI assume that all the powers that be in humans in the world are not

valid if not execute the commands of Allah. In view of JI, has lowered Allah Islam as the only religion that accepted by Allah SWT. Therefore, any philosophy or ideology that is practiced in the exercise of power in the world, held to be invalid, so it is not obliged to obey. Salafush understanding of the pious, which distinguishes JI with other salafi movement is that JI saw the virtue of doing jihad warfare as the companions of the Prophet Muhammad as well do it. In this war of jihad, not all agree salafi movement and want to practice (Anon 2008).

Abu Bakar Ba'asyir said that the leaders in the world that does not run the commands of Allah, does not need to be adhered to. According to him, power is not a legitimate, just as a priest prayers that have been canceled. Therefore, measures for the use of violence (military force) is no longer only in countries like that, but there is the pious anyone. In addition, the JI also practice three trends in the flow of the Salafi movement. Rejection of countries like the U.S. and other Western for example, the influence of the ideology of JI to the practice of the Salaf flow that tends to build-dimensional thinking that promotes faith and morals. This explains why JI considers modern civilization as something that is not Islam, because they come from the western world as the accused party must be fought. It also explains his form various cultural practice follow JI culture Middle East (Saudi Arabia). This is because Saudi Arabia is home to a Moslem for the first time, and that's where the Prophet Muhammad and his companions live and live the teachings of Islam.

Threats of JI is the basis of political conduct that does not recognize the existing government, who should be obeyed. Rejection is the reason for JI establish Daulah Islamiyah (Islamic State). JI is also assumed that the power use of force does not belong to the government, but that of the Moslems as people who accepted by Allah. This view has been pushed JI prepare its military forces. Such an attitude JI has caused problems and be a threat to the countries to be targeted. The bombings were carried out by members of JI in Bali in 2002, for example, is an example of a serious threat from JI existence. Not to mention, various bombings, robbery with violence, and other forms of other terrorist acts continue to occur annually.

Broadly speaking, the threat of terrorism JI can be seen in four perspectives: **First**, the threat of ideological perspectives. This threat arises because JI want to implement Islam as an ideology in countries. Attempt to implement Islam as a state ideology is a common problem but bowed in at least two conditions, namely, ideology used does not harm others. That is, ideology is not used to impose their will on others. That argument filed if the state has given the freedom of ideology. Actions harm others conducted by an organization within the context becomes an offense. In addition, the interpretation of the ideology that does not feel right alone. In the modern state system, the recognition of the absolute top of the ideology that is used is a state authority that is usually made through a political agreement. Any interpretation of an ideology by non-governmental organizations are allowed, while not considered to be contrary to the state. Even in Islamic countries though, there are various interpretations of Islamic ideology. Tolerance for differences of interpretation, usually justified as not to threaten the security of the country. In these two conditions, JI is considered to be a threat from a radical ideology.

In Indonesia, Islam is the religious affiliation of the population but Islam is not a religion that is legal applied by the state. Pancasila as the Indonesian ideology used through political agreement. Therefore, it can only be changed through political agreement in parliament. If JI

was about to transform into Islamic ideology Pancasila ideology legally, JI must do so through the parliament. Political mechanism should be through the People's Consultative Assembly (MPR), for the case in Indonesia. The use of terrorism means to change the ideology of Pancasila ideology of Islam in Indonesia is considered as a threat to being perceived as a legitimate way to change the state ideology.

Similarly, in Malaysia. Although Islam serve as the official religion of the Guild, Malaysia is not a country where the state religion in Malaysia requires all people to practice the teachings of Islam (Mohamed Suffian bin Hashim 1987: 343). Therefore, the design of JI who want to make Malaysia an Islamic state as part of the archipelago would become a threat to the Malaysian side.

Second, the perspective of a political threat. JI has used violent means and political terrorism such as bombings and armed robberies to achieve its objectives. These methods is a sign of a bad start to the process of political institutionalization, because it can be elicited responses in the same form in the other group. If the political means of violence as justified, it can threaten the political system, because of various conflicts tend to be resolved outside parliament. JI using the label of Islam can invite other religious groups with labels for political violence in the country.

Third, the perspective of security threats. The means of terrorism, in the form of small though, would still lead to a feeling of security to every citizen. These circumstances, in addition to derail the implementation of the functions of government that should create a sense of security for the people, also tend to be the cause of the emotional action of the families of the victims. As a result, a sense of insecurity experienced by all citizens in the country.

Fourth, the perspective of a typical threat. JI threat typical vegetative ideology is a threat. Vegetative JI ideology mean that JI has a philosophy of "the lost one is born a thousand". The vegetative ideology explains the cause of death JI figures like Dr. Azhari, Muklas, Amrozi and Imam Samudra, do not make JI lose followers or members who are willing to replace the JI members who had died or went to prison. With political vegetative growth in the number of JI members happen like amoeba (a single-celled animal) that is vegetatively. This model describes a system that allows the recruitment of members, which stems from one that it becomes a lot through the formation of small groups in stages. Members will seek as many other members through group recitation. All members of the group do the same thing with the leadership at the top level. Nasir Abas stated that the recruitment process is not limited to, levels in one group do not recognize each other with levels in other groups. Political developments such organization is called vegetative politics.

Politics vegetative be dangerous because it is used to remove candidates terrorists. Model development potential terrorists are militant doctrine met with JI militants also. JI doctrine in question is to understand the meaning of jihad as an act of war. Politics vegetative be strengthening mental models JI members of the organization's internal angles. While government policies that do not respond to the injustice of U.S. foreign policy terhadao Islamic world, external factors that strengthen the JI doctrine. Politics vegetative JI will continue to grow when the perception of JI members to the actions of Western countries that are considered unjust to

the people of Palestine or the Middle East. These circumstances will make the JI become a political opposition that quest against groups perceived by the JI as a "global oppressors". This is the main base of JI in doing acts of terrorism.

TANSIQ BAINAL JAMA'AH JI & ISIS

One of the efforts to achieve the goal of JI is through a strategy of "Tansiq Bainal Jama'ah" or called "TBJ". With this strategy, JIcan be aligned with similar organizations invarious parts of the world. At the international level, the JI strategy has successfully collaborated with AlQaeda. Therefore, the U.N Security Council, by the Resolution Number 1267, has put JI as one of the among international terrorist organizations. Indonesian government has enacted Law Number 9 Year of 2013, Law Against Financing Terrorism, which *inter alia* stipulates that the JI and JAT as banned organizations. At the level of Southeast Asia, JI has successfully collaborated with the MILF in the Philippines, PULO in Thailand, and KMM in Malaysia.

Recently there is a new terrorist organization known as the Islamic State of Iraq and Syrians (ISIS). This organization has become a new phenomenon, more dangerous than Al Qaeda. In my opinion, there is some relationship between ISIS and JI through JI strategies, as mentioned above. Moreover, according to reliable sources, the existence of ISIS in Indonesia has brought about two groups of JI, namely, the proISIS become the "Jamaah Ansharut Sharia" or JAS, and the Jamaah Ansharut Tawheed (JAT).

COMPARISON IN INDONESIA AND MALAYSIA: INFLUENCE OF DEMOCRATIZATION TO COUNTER-TERRORISM STRATEGY

Efforts to overcome terrorism's threats in Indonesia and Malaysia, I describe the democratic life of Indonesia and Malaysia in relation with counter-terrorism strategies. The Indonesian government-legalistic curativestrategy, in which the implementation of counter-terrorism is only concentrated on the handling of terrorism that has occurred (curative actions). Handling can only be done if there are laws that can be used. An example is the handling of the 2002 Bali bombing, in which only the government can punish the bombers who have committed acts of terrorism with the existing rules, embodied in the Criminal Justice Act (Criminal Code). At that time, JI members, even leaders such as Abu Bakar Ba'asyir is not punishable by lawas Act No.15 of the criminal acts of terrorism can not be applied to the perpetrators of the 2002 Bali bombing.

On the contrary, the effort of the Malaysian government undertakes the pre-emptive strategy, which is supported by repressive law of ISA 1960. However, this law has been repealed by the Security Offences (Special Measures) Act 2012. With the ISA, Malaysia can arrest JI members before they commit the act of bombing. The strategy differences explain why there are differences in the results obtained by the two countries. Indonesia can not over see the occurrence of acts of terrorism but was able to bring to justice the perpetrators of terrorism, when Malaysia can escort to the absence of terrorism. This gives explain why the JI terrorist acts continue to occur in Indonesia between 2002 and 2010, although the government of Indonesia and Malaysia have implemented counter-terrorism strategy.

Differences counter-terrorism strategy in both countries affected by political changes that have occurred since the year 1998 has changed the structure and the political elite, which has slowed down the steps towards strengthening the legislation and institutional capacity building counter-terrorism in Indonesia. Malaysia also experienced relative political change but it did not change the structure and legitimacy of the political elite. Malaysia, therefore, seeks to use the existing counter-terrorism strategy continuously. For Malaysia, these factors do not affect the implementation of pre-emptive strategy, while in Indonesia affect the formation of curative-legalistic strategy, and make it difficult for the Indonesian government to develop a strategy.

Nevertheless, there are some similarities in the counter-terrorism strategy Indonesia and Malaysia. **First**, both countries use various strategies simultaneously approach, namely political, legal, economic and military. In addition, the use of the diversity of approaches that strategy to be comprehensive, thorough, consistent at the national, regional and international. The agreement was supported by the United Nations Global Counter Terrorism Strategy on (UNGCTS) through Resolution No. 60/288 in 2006 by the UN General Assembly. UNGCTS mark for the first time kepakatan all UN member states to approach the same strategies and tactics in the fight against terrorism. UNGCTS also asserted that terrorism can not and should not be attributed to religion, civilization, citizenship, and any ethnic groups (Ministry of Foreign Affairs 2010: 2-3). **Second**, the two governments also strengthen the support of foreign countries through bilateral, regional and international. Similarities in the counter-terrorism strategy Indonesia and Malaysia are influenced by several factors. First, the threat of terrorism is the same, namely JI, which can be categorized as a new phase of terrorism threat (Sukma, Makruf and Abdullah 2011: 23), which will not only be able to be faced with one approach. Second, both countries experienced political pressure from within the country experienced during the process of democratization that has occurred since 1998. These political pressures and structural changes threaten the position of the political elite in both countries at the time. Therefore, international cooperation actions are seen as a way to get the government political support amid a lack of support from within the country. However, such action is actually seen by certain Islamic groups, including JI, as an act that justifies the existence of a conspiracy to weaken the Islamic groups in the country. The process of democratization has taken place in both countries despite different impact. But in general, these effects can be seen from the three-step strategy, namely the strengthening of legislation, institutional capacity building and implementation of policies, both in Indonesia and in Malaysia.

In Indonesia, the reform that took place in Indonesia in 1998 has changed the position of the political elite of the New Order regime mindset style to new style regime which accommodating towards democratization reforms. At the same time, the position of the ruling political elite is weak. Two conditions such elite slow strengthening of legislation that will be used to deal with the threat of terrorism. The phenomenon is interesting to note where the threat of terrorism JI emerged during the ongoing democratization. At that time, Indonesia has lost its anti-terrorism laws that were previously used by the New Order regime to counter any threat of terrorism, including JI. Therefore, at the time of democratization, the threat of terrorism can not be dealt with effectively and the maximum in the absence of laws that could be applied. Vacancy anti-terrorism legislation itself is the impact of democratization in Indonesia. Emergency Revocation Act (SOB / Pnps No. 1 of 1963) that is something that can be understood as previously considered life threatening democracy in Indonesia. The law has been used to

capture the New Order regime, imprisoning, forcibly removes even those of different views of the government. In addition, the period of democratization in Indonesia has made all the repressive legislation difficult to be approved by the political elite. Concerns the political elite to the emergence of repressive legislation has hindered the passage of the necessary legislation to deal with the emerging threat of terrorism. Vice Chairman of the Indonesian House of Representatives (DPR RI), AM The fatwa stated:

> "The pressure that Indonesia passed repressive laws, which was built on the paradigm preempt action, in fact, have agreed rejected the Indonesian nation. We are grateful, with an awareness that in the middle of Indonesia's democratization efforts are still babies, political anti-terrorism laws are built on the doctrine of preemptive would just kill the baby of our democracy and return Indonesia to the dark days subversive Act first, where so many figures that critical voice on hold and unjustly imprisoned (AM Fatwa 2006: 10).

The period was also marked by the emergence of democratic political elites are very reformists in the absence of the dominant political party. These circumstances lead to difficult decisions in parliament. As a state based on law, the government's response in the face of the threat of terrorism must be based on legislation approved by parliament. Difficult decisions in parliament has hampered the government's response in dealing with the threat of terrorism. While in Malaysia, the reform process in Malaysia has created a political dynamic but it did not change the position of the main political actors and not change the legitimacy of the political elite. Therefore, Malaysia seeks to use the existing counter-terrorism strategy. Democratization is happening in Malaysia does not change the political regime that has been in power since before the reform. This has led to not be affected from the democratization process of the implementation of counter-terrorism strategy from the beginning has been that Malaysia has a strong impression as a strategy that can reduce the elements of terrorism. The Malaysian political elite have the same perception and experience in dealing with terrorist groups. The Malaysian political elite also refused even felt he had no political ties so that the issue of terrorism remains a political problem to be solved by the security forces. The position of a strong Malaysian political elite has put the process of democratization in the internal political issue, so it does not affect the process of strengthening the necessary legislation to deal with the threat of counter-terrorism. In addition, the process of democratization which is controlled by the same political elite with the same political regime has been easier for institutional strengthening counter-terrorism in Malaysia. The strong position of political elites recognized by the Malaysian government Fadilah Nadwa Fikri, an advocate of Lawyer For Liberty (LFL). He stated that although the Malaysian practice of democracy following the model of Westminster on the doctrine of separation of powers, in reality it does not happen. "The Constitution clearly shows there is a separation of powers among the executive, legislation and judicial. He was not the case in Malaysia."

In terms of counter-terrorism capacity building institutions, it can be analyzed that in Indonesia, the democratization reforms that started since 1998 has amended the 1945 Constitution which has an impact on the weakening of the position of the entire government including the state security apparatus. Conditions political structure thereby slowing the

development of institutional capacity of counter terrorism. Period of democratization in Indonesia has been characterized by the amendment, which led to changes in the position of the government becomes weaker than the power of parliament. This force map changes have made the government dependent on the legislative power to strengthen laws that could be applied to deal with the threat of terrorism. The weakening of the power of the government has also strengthened parliamentary oversight of government actions in dealing with the threat of terrorism. Parliamentary oversight is part of the function of counterweight to government power is actually reasonable. But the effect of democratization has been made parliamentary oversight of government becomes redundant. So do they hinder the government to implement effective counter-terrorism strategy. Democratization process of amending the 1945 Constitution which has had an impact on changes in the structure of the state security apparatus, both in terms of position or role. Prior to democratization, political position of National Police (POLRI) is under Indonseia Armed Forces (ABRI) where the order came from the commander of the Armed Forces who selalunya held by representatives of the army. Therefore, handling the threat of terrorism during the New Order regime handled jointly through institutional Armed Forces. The period of democratization has removed the institutional position of the Armed Forces and National Police separates from the military. Police were given the task of addressing security issues, and the Indonesian National Army (TNI) was given the task of dealing with defense. Because of the threat of terrorism is seen as a security issue so handling is done by the police. In this context it appears that there is weakening strength in handling the threat of terrorism that occurred during democratization. Democratization processes have also eliminated the position of the National Intelligence Coordinating Agency (BAKIN). During the New Order, the agency acts to coordinate all intelligence agencies in Indonesia. The lifting body has made a weaker coordinating intelligence agencies in the State Intelligence Agency (BIN), the Strategic Intelligence Agency (BAIS) TNI, and in the Police, Attorney General's Office, and in various other government institutions. Weak coordination function has resulted in less terditeksinya various actions undertaken peletupan bomb by terrorist groups. Therefore, the government soon realized the impact of democratization on the changes in the political structure by way of issuing a Presidential Instruction (Inpres) No. 4 of 2002 on the harmonization across the intelligence agencies under the POLRI.

The democratization process has also been slowing down anti-terrorism institutional establishment, such as Detachment 88 Anti Terror, the National Anti-terrorism Agency (BNPT), and the revised Law on Intelligence, Law on State Secrets, which until now pending in parliament partly because of concerns over the sustainability of democratization.

In Malaysia, the process of democratization that happened does not change the political structure so as not to cause a reduction in the strength of the entire government including state security institutions that implement counterterrorism strategies. Reform does not change the position of the ISA 1960 as the legal basis draconian law. Conditions political structures that make Malaysia such a basic forwarding strategies and policies that already exist and are effective in counteracting the elements of terrorism. It is important to note in the context of Malaysia is that the process of democratization does not change the political structure in Malaysia. The position of a strong government and anti-terrorism security apparatus has been able to strengthen existing measures implementing counter-terrorism strategy. Even with a political structure that is supported by strong political elite has

strengthened legislation such as ISA, 1960, Anti-Money Laundering AACT (AMLA) of 2003, and others, become better able to deal with the international dimensions of terrorism. Even Malaysia setting up new structures in counter-terrorism, namely South East Asian Research Center for Counter Terrorism (SEARCCT) under the Ministry of Foreign Affairs of Malaysia.

CONCLUSION

This study has been discussing the threat of terrorism JI, Indonesia and Malaysia and how to handle it and how to influence the democratization of the counter-terrorism strategy. In terms of the threat, even though terrorism JI regional dimension and is part of the Al Qaeda network, the threat is seen in the perspective of Indonesia and Malaysia. Therefore, the threat of terrorism JI is not only seen as a domestic issue as a group of terrorists who never form in the first two countries, but also seen as a regional issue. Borrowing the term Rizal Sukma et al, JI has demonstrated shape changes toward a new phase of a terrorist group in the world.

In terms of strategy, counter-terrorism by the government of Indonesia and Malaysia are not seen in the perspective of security, but also in the perspective of other factors that come form it. Therefore, an analysis of the two strategies in various countries seen during the approach taken to deal with JI. The factors that influence is a factor of democratization seen that happen since 1998 so the future occurrence of various bombing by JI.

JI terrorist threat emerged when Indonesia and Malaysia experienced a process of democratization since the 1997 financial crisis. Crisis that has threatened the political position of the ruling political elite of the time. For Indonesia, democratization has become a major issue, and it becomes a powerful variable influencing the political structure changes significantly. In Malaysia, the democratization process has also occurred in the same period in Indonesia. Democratization has made kedinamikaan politics in Malaysia. The results of this study indicate that there are some differences between the two counterterrorism strategy-two countries. Malaysia's counterterrorism strategy emphasizes the aspects of pre-emptive, while in Indonesia emphasizes curative aspect-legalistic. The strategy differences explain why the JI terrorist acts continue to occur in Indonesia between 2002 and 2010, although the government of Indonesia and Malaysia have implemented counter-terrorism strategy.

The results of this study showed that the process of democratization has been slow system strengthening legislation, as well as inhibiting the development and strengthening of institutional capacity in Indonesia. While in Malaysia, the process of democratization does not affect the implementation of counter-terrorism strategy that already exist, so various bomb threats can be handled in Malaysia.

This study also shows that the government of Indonesia and Malaysia have the capacity to handle the JI threat despite using different counter-terrorism strategy with different results: Indonesia is less able to oversee the acts of terrorism but was able to punis the perpetrators of terrorism, when Malaysia can escort to the absence of terrorism. Differences counter-terrorism strategy in both countries are affected by the political changes that occurred in Indonesia since 1998 has changed the structure and the political elite, which has been slow steps towards strengthening laws and regulations; as well as institutional capacity building and strengthening

of counter-terrorism. Malaysia also experienced relative political dynamic but it did not change the structure and legitimacy of the political elite. Malaysia, therefore, seeks to use the existing counter-terrorism strategy continuously. The factors affecting the formation of counter-terrorism strategy approach in Malaysia that emphasizes the aspects of pre-emptive while in Indonesia, more emphasis on curative-legalistic. Curative-legalistic strategy is counter-terrorism strategy that only concentrate on the handling of the terrorism that has occurred (curative actions). Handling is only possible if there are laws that can be applied. While the Malaysian government's pre-emptive strategy supported by preventive law like the ISA 1960. With this strategy, the government can make arrests Malaysian JI members before they commit the act of bombing. Although the strategy of pre-emptive create the impression of an iron nail, it is seen successfully prevented bombings in Malaysia.

Implementation of a pre-emptive strategy in Malaysia has been strengthening compared to current strategies used to deal with the Malaysian Communist Party (PKM). Strengthening the institutional strategy is the introduction SEARCCT think tanks such as the institution acting in support of strengthening the concept of strategy in the government of Malaysia, at the same time, it acts as a clearing house for the Malaysian government in response to aspects of internationalization in problems of terrorism. While the implementation of curative-legalistic strategy in Indonesia is a counter-terrorism strategy that weakened compared strategies used during the New Order government of Indonesia first. Prevention system in the absence of these strategies enables the creation of vulnerability gap (window of vulnerability) for the terrorists in conducting actions. Therefore, this strategy as a gap-free entry of terrorists in Southeast Asia. The existence of a window of vulnerability to make Indonesia as "the sitting duck" as the U.S. before the terrorist events of 11 September 2001. Strategies Indonesia and Malaysia have some similarities. **First**, both countries adopted various counter-terrorism strategy approach all at once, both Indonesia and Malaysia using orchestral strategy in the face of JI. **Second**, both countries strongly emphasize international cooperation in the development and strengthening of counter-terrorism strategy. SEARCCT existence in Malaysia, and Detachment 88 Anti Terror is the result of cooperation with the international community in the counter-terrorism capacity building institutions in both countries. In addition, cooperation with the international community is also seen in the strengthening of the system of laws and regulations through the ratification of several international conventions, such as the international convention for the suppression of the financing of terrorism (1999) and the international convention for the suppression of terrorism bombings (1997).

Indonesian government's counterterrorism strategy to face the threat of terrorism JI experienced a "discontinuity model" with previous experience of Indonesia (discontinuity models). While the Malaysian government's counterterrorism strategy is the opposite, which is experiencing "interconnectedness model" with previous experience when dealing with terrorism PKM (continuity model). These differences occur because of the influence of several factors as mentioned above. Moreover, in terms of history, there are major differences, namely the interconnectedness bahawa JI has no history with past terrorist group in Malaysia, and JI do not perform various actions bombings in Malaysia. Meanwhile, in Indonesia, JI has historical interconnectedness with terrorist groups of the past, namely Darul Islam.

The existence of democratization factors have affected differently in the two countries. Therefore, the Malaysian government not only reinforce pre-emptive approach from the existing counter-terrorism strategy, but also managed to strengthen the strategy. As for Indonesia, these factors have a significant influence on the changes in the structure and position of the political elite in Indonesia. As a result, strengthening legislation system is running slowly, and counter-terrorism capacity building institutions hampered. The existence of these factors has been difficult for the government of Indonesia to the development of the strategy of counter-terrorism, as it is still happening.

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