



Proceeding

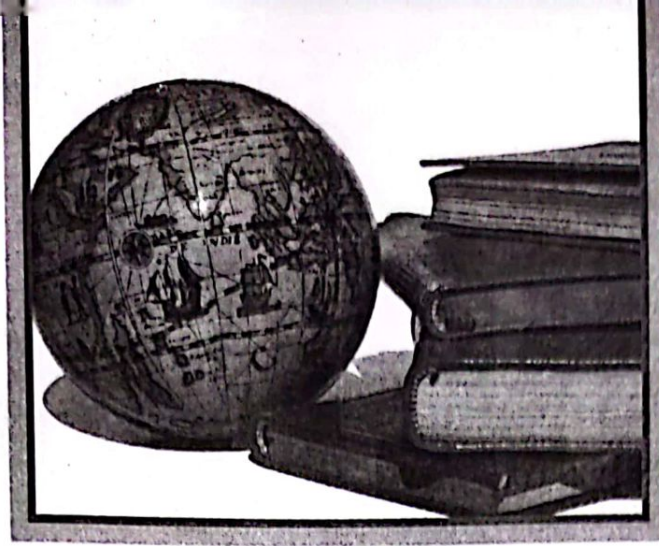
2nd UMY-IIUM

International Joint Seminar

2009



University of Muhammadiyah Yogyakarta
International Islamic University Malaysia



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Proceeding 2nd UMY-IIUM International Joint Seminar,

Malaysia, December 9-10, 2009

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Published by
International Joint Seminar
University of Muhammadiyah Yogyakarta
International Islamic University Malaysia



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ISBN 978-979-19156-3-2



Preface

Assalamu'alaikum wr wb

The publication of this proceeding would not have been possible without the kind co-operation and generous assistance of many people. As a documentation of our late returning visit to IIUM, we hope this proceeding would become a monumental track of our (next) traditional academic exchange between IIUM and UMY.

Under the theme of "Impact of Globalization on the Muslim World: Multi Dimensional Issues" not every topic in the proceeding might be clearly relevance, and this a gap of chance that should inspire us to enrich Islamic studies not merely of religious studies but also as those of social, politics and technology. Our neighborhood as two leading Muslim countries on earth might be set as a guarantee of our day-to-day inquiries to life and nature based on Islam. Talking of good architecture in Islam does not have to be titled as an Islamic way of building a construction for example, but rather be just applying our Islam intrinsic thinking in developing the knowledge of building technology. This is the main clue to develop our academic tradition so that our next exploration to reality could be enriched from time to time.

As a record of our return visit to IIUM, hope this proceeding would not become the end of our relations but the beginning, as the pioneering and nurturing link of our timeless scientific brotherhood. This is just a completion of our first round academic exchange tradition. There should be more and better records of tradition between us. The tradition should intimate our friendship, develop our mutual benefit and create a broader forum of enlightenment to universe.

As cited above, the publication of this proceeding would not have been possible without the kind co-operation and generous assistance of many people. Let us deeply thank to " Prof. Dato' Dr. Syed Arabi Idid (Rektor IIUM), Ir. H.M. Dasron Hamid, MSc (Rektor UMY), assoc Prof. Dr. Hassanuddeen Abd Aziz (Director of IIUM Postgraduate Program), and Dr. Masyhudi Muqorobin as the chairperson of the UMY Organizing Committee whose contributions was very much supporting this event. We are also enormously grateful to all persons and institutions, both in IIUM and UMY, that made this proceeding well done.

Wassalamu'alaikum wr wb

Tulus Warsito

Professor on International Politics

Director of Post Graduate Program of UMY



Preface

From the Dean of the Center for Postgraduate Studies

I am pleased that the Center of Postgraduate Studies and the Postgraduate Student Society of IUI have successfully conducted this International Joint Seminar between International Islamic University, Malaysia and University of Muhammadiyah Yogyakarta, Indonesia. This seminar derives its significance from being the second successful collaborative effort between our universities.

A total of 35 papers from both universities have been presented on "The Impact of Globalisation on the Muslim World: Multidimensional Issues." Many areas have been covered including education, social issues, law, youth, science, economics and politics. We are thankful to the organizers from both universities for their enormous efforts to make these proceedings and this seminar successful.

The theme selected by the organizers is both timely and relevant to the current situation of the ummah. The papers presented, I believe, have been of much benefit to all participants and presenters from both institutions. They have managed to expose, challenge, question and argue information on the topics discussed. Consequently, they have widened our perspective on the various issues.

This seminar is an important contribution to the Malaysian and Indonesian audiences particularly to the Muslim Ummah generally. I hope that the papers presented in this book of proceedings will contribute to the literature on globalization and provide solutions to the challenges and opportunities for Muslims in the era of globalization.

Wassalamualaikum

Assoc. Prof. Dr. Hassanudeen Abd Aziz

Dean

Center of Postgraduate Studies

International Islamic University

9 December 2009



Foreword

Assalamu'alaikum Wr. Wb.

It is our pleasure to have the Second IIUM-UMY International Joint Seminar, conducted at the International Islamic University Malaysia, by the Center for Postgraduate Studies and Postgraduate Student Societies of the IIUM, in cooperation with the Directorate of Postgraduate Program of UMY. The Seminar brings about multidimensional issues related to the impact of globalization on the Muslim world.

Globalization is a sword with two edges for Muslim countries in the world. In one edge, globalization offers opportunity for Islamic countries to collaborate politically, culturally, economically and educationally. The learning opportunity to develop technology and the transfer of knowledge, and skills from more advanced countries are also made possible due to the advent of the globalization.

However, on the other edge of the sword, globalization era presents threats. For one example, in the economic dimension globalization has led to a strong geographical division among countries separating the powerful core industrial nations from peripheral nations. Unfortunately, the core industrial nations are mostly comprised of non-Muslim countries such as United States, Western Europe, and Japan while most of Muslim countries are still in the position of peripheral countries. The consequence of the industrial countries' domination over the world economy is that the economic growth becomes uneven. In other words, contrary to the core industrial countries which become prosperous, the peripheral ones become fall further behind. Additionally, much of the Muslim world is bound to a deeply disturbing economic structure in which it provides natural resources for global market, while at the same time remaining dependent on Western labor, technological know-how, and staple goods. This economic situation is exacerbated by in many parts of the modern Muslim world by crumbling education systems and worn out economies.

Another example is cultural threat. Globalization is often related to the spreading of Westernization and Americanization, projected to spread the Western values around the world. The sources of Western's domination stemming from their military, demography, economy, university, science, media and mass culture leads to a form of a cultural hegemony.

For Muslim countries, the more severe situation occurs when the cultural threat of globalization entails the erosion of Islamic values. Indeed, bombarded by alien Western culture advertised on the arena of globalization, a large number of Muslims lost their integrity of Islamic culture. The unity of the Islamic ways of life is shattered in many Muslims' thought and in their action in all dimensions of life; politic, economy, culture and education.

In my opinion, facing the threats of globalization, Muslim countries cannot take the stance of being reactive, putting the blame on the globalization and considering ourselves as the victims of globalization. In fact, globalization is a natural process of living together in this planet. Hence, a proactive attitude should be employed by Muslim people in the world.

Concerned with facing the challenge of globalization, I believe that academicians in the universities should be in the front line in employing the proactive attitude. This can be done through at least two strategies, namely producing knowledge while engaging with Islamic values and tradition. Why do we pay little attention to the knowledge production? To my point of view, we are left behind by Western countries because we pay little attention to the knowledge production while most of Western countries actively produce and disseminate knowledge. As Bacon said that knowledge is power, Qur'an also says that 'Allah will raise those who believe and those who are given knowledge by degrees'. Knowledge will become the most important intangible assets for us to solve our social problems and to develop our civilization. Knowledge will become the backbone of Muslim countries' development.

Why should we engage with Islamic values and tradition in producing knowledge? Yes, true Muslims should insist on a serious engagement with the full spectrum of Islamic thought and practices. Islamic thought used to be the driving force as well as the moral compass of knowledge production in the Islamic golden age. This is Islamic thought that gives the spiritual dimension to our knowledge production. I am sure that we share an agreement that Qur'an and hadiths are the ultimate sources which will encourage and guide us to seek, produce and disseminate knowledge.

Finally, let me express my happiness. I am happy and proud because today we have made an important step in cultivating the spirit of producing and sharing knowledge through our Joint Seminar - University of Muhammadiyah Yogyakarta and International Islamic University of Malaysia. I believe that this is a great step to give more contribution to the knowledge development and sharing not only for two universities but also to the Muslim world. In terms of our collaboration, this program signifies our good will to develop sound academic collaboration, now and in the future.

I also want to express my appreciation and gratitude to all committees who have worked hard to ensure that this program runs smoothly.

I hope that the Second UMY-IIUM International Joint Seminar 2009 will have the success it deserves.

Thank you,

Wassalaamu'alaikum wr.wb

Ir. Dasron Hamid

Rector, University of Muhammadiyah Yogyakarta



Foreword

السلام عليكم ورحمة الله وبركاته

We are glad to have the opportunity to host The International Joint Seminar on "The Impact of Globalisation on the Muslim Ummah: Multidimensional Issues" between International Islamic University Malaysia and University of Muhammadiyah, Indonesia. Apart from sharing knowledge on the issues selected, this seminar has helped to strengthen the spirit of ukhuwwah between the two universities.

I would like to thank all distinguished participants, particularly presenters from both universities, for sharing with us their studies of important issues affecting the Muslim ummah today. I would also like to thank the organising committee for making this joint effort a success.

For one whole day, 35 papers from both universities have been presented in four parallel sessions. These presentations and deliberations have produced new insights for the Muslim world today. We hope that all participants have gained much benefit throughout the seminar by actively participating and contributing to the main theme chosen for this seminar, which is very relevant to all of us today. I believe that joint efforts and collaboration between our two universities are important in our efforts to understand, prepare ourselves for and counter face the impact of globalisation on the ummah.

I wish this collaborative effort will continue in the future for the benefit of our universities specifically and the ummah generally.

Prof. Dato' Sri Dr. Syed Arabi Idid
Rector
International Islamic University

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IS THE NGRUKI A SCHOOL OF TERRORISM?

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Abstract This research aimed at explaining religious understanding of the Ngruki stigmatized by the Western media as school of terrorism, especially about Jihad and Relation between Muslim and Non Muslim. Jihad according to the Ngruki is serious effort to hold a brief for Islam when libeled, hold own when maltreated, and serious effort to return sovereignty of Allah that was hijacked by tyrannical man, So that Islamic law is applicable on earth. Jihad is done to face man devil block enforcement of Islamic law. Jihad also to face *thagut*, the leaders making not based regulation of Islamic law. Their action must be prevented. If hey refuse stopping their action, they must be fought until stop it. Jihad as war against unbeliever shall only be done in conflict area, when Muslims is attacked by unbelievers. Unbelievers that not bother Islam and Muslims may not be attacked, but must be hated because of their infidelity. This is as form of *bara'* to unbelievers. Muslim and unbeliever can help each other in human life during unbeliever don't bother Islam and Muslim The Ngruki doesn't justify destruction of public facilities and attacking unbelievers that not get across Muslims The Ngruki doesn't justify action of terror in safe area, outside conflict area.

Introduction

Terrorism issue has become global issue since the United States led war against terrorism after September 11, 2001 attacks that destroyed the twin towers of the World Trade Center (WTC) and some of the Pentagon building, the United States. After doing research and investigation, the United States came to the conclusion that the perpetrators of the blasts were Al Qaeda network that in fact is one of the Islamic groups. The United States and its allies then launched an attack to Al Qaeda who lived in Afghanistan that resulted in the overthrow of the Taliban regime, protector of Al Qaeda.

After the successful overthrow of the Taliban, the United States and its allies then invaded Iraq to overthrow Saddam Husain with reason of having mass discharge weapons endangering world peacefulness. Having toppled Saddam, Iraq was not proven to have weapons of mass destruction as the suspicion of the United States.

The war against terrorism led by the United States in reality is a war against Islamic groups that they classify as radical Islamic groups or Islamic fundamentalists. This was proved because the targets of war against terrorism are all Muslims who they suspect.

Indonesia, thirteen days after the WTC explosion and Pentagon, precisely September 24, 2001, signed the International Convention for the Suppression of Financing of Terrorism. Despite the signing of this convention, and have received help anti-terror funding of U.S. \$ 50 million from the United States in August 2002, Indonesia was still hesitant to welcome the war against terrorism. Only after the explosion of two bombs in Bali on October 12, 2002, that doubts "vanished." Post- Bali bomb, the government issued Government's Regulation in Lieu of Law (Perpu) Number 1 and number 2 of 2002 to roll acts of terrorism, including the Bali bombers. The hard work of the police with two regulations (and later passed into Law No. 15 and 16 of 2003) was successfully uncover terrorist networks in Indonesia. The Bali bombers suspected by the policeman, have a motive "to kill many foreigners as possible " The police investigation eventually reached the same conclusion with that is alleged by United States and Australia: that the perpetrators were "Jamaah Islamiyah" which is a network of Al Qaeda branch of Southeast Asia. (Fatwa, 2006).

Perpetrators of the bombings in Bali, Kuningan, and Marriott, all were hard-line Islamic groups. The alive bombers admitted that what they did is as a form of jihad against the United States and its allies. They tried to destroy any facilities in various parts of the world owned by the United States and its allies.

The discovery of the perpetrators of terror that are generally hard-line Islamic groups tarnished the image of Islam as a peaceful religion. Furthermore, the act of terror committed by a handful of Muslims dragged the name of Islamic Boarding School Al-Mukmin Ngruki to the negative stigma. The Ngruki by the Western media has been stigmatized as a fundamentalist Islamic groups and School of terrorism. This is because some suspected terrorists have been arrested or who died in bomb attacks in Indonesia recently studied in the Ngruki. The late Abdullah Sungkar, co-founder of the Ngruki, was accused by the West as chairman of Jamaah Islamiyah, a terrorist network in Southeast Asia. Abu Bakar Ba'ashir, one of the Ngruki was accused as the spiritual head of Jamaah Islamiyah (JI), the successor of Abdullah Sungkar.

Labeling an Islamic educational institution such as the Ngruki as school of terrorism should be based on a study of religious understanding taught in these institutions. In this context, the religious understanding can be studied is about relationship between Muslims and non-Muslims and jihad. An interesting question to ask is whether the Islamic Boarding School Al-Mukmin Ngruki teach the jihad in the form of acts of terror as some terrorist did. If it does not, it is not worth the Islamic educational institutions such as the Islamic Boarding School Al-Mukmin Ngruki is labeled as school of terrorism. The parties that provided negative stigma to the Islamic Boarding School Al-Mukmin Ngruki, as researcher known, didn't study the religious understanding taught in this institution. Therefore, the researchers interested in studying religious understanding of Islamic Boarding School Al-Mukmin Ngruki, especially about relationship between Muslims and non-Muslims and jihad. This research was done by studying the books taught in the Ngruki, interviewing with the Ngruki's alumnus and teachers, and participial observation to activities of teaching

Theory Study

The principle of relation between Muslim with non-Muslim

According to Sabiq (1983), the principle of relation between Muslim with non Muslim is knowing and helping each other and doing kindness and fairness. The principle of knowing each other that support helping each other is explained at (Q.S. Al-Hujurat : 13):

يَا أَيُّهَا النَّاسُ إِنَّا خَلَقْنَاكُمْ مِنْ ذَكَرٍ وَأُنْثَىٰ وَجَعَلْنَاكُمْ شُعُوبًا وَقَبَائِلَ لِتَعَارَفُوا إِنَّ أَكْرَمَكُمْ عِنْدَ اللَّهِ أَتْقَاكُمْ إِنَّ اللَّهَ عَلِيمٌ خَبِيرٌ

The principle of doing kindness and fairness is mentioned at (Q.S. Al-Mumtahanah : 8-9).

لَا يَتَّخِذُ اللَّهُ عَنِ الَّذِينَ لَمْ يُقَاتِلُوا فِي الدِّينِ وَلَمْ يُخْرِجُوا مِنْ دِيَارِهِمْ أَنْ تَبْرُوهُمْ وَيُنْفِطِرُوا إِلَيْهِمْ إِنَّ اللَّهَ يُحِبُّ الْمُقْسِبِينَ (8) إِنَّمَا يَتَّخِذُ اللَّهُ عَنِ الَّذِينَ قَاتَلُوا فِي الدِّينِ وَأَخْرَجُوا مِنْ دِيَارِهِمْ وَظَاهَرُوا عَلَىٰ إِخْرَاجِكُمْ أَنْ تَوْلَوْهُمْ وَهُمْ يَتَوَلَّوْهُمْ قَاوِلِيكَ هُمُ الظَّالِمُونَ (9)

The consequence of this relation requires reciprocate of benefits of fellow being. This rapport meaning isn't included in the context of prohibition to braid the relation of *wala'* with unbeliever. The concerned prohibition to braid the relation of *wala'* with unbeliever is prohibition to make agreement and compromise with them to fight against Muslims and prohibition of willing with their infidelity. Compromise with them to fight against Muslims is very dangerous for Islam and weakens strength of *ummah*. Willing with infidelity is action of infidelity prohibited by Islam. Braid *wala'* in meaning of peace, good interaction, good societal, helping each other in kindness and piety, exactly these are called upon Islam.

The principle of peaceful relation doesn't change unless non Muslim breaks it by launching hostility and smoothening war to the Muslims. In this condition, the disconnection becomes the problem of religion and obligation of Islam. In this case Muslims may not braid the relation of *wala'* with unbeliever getting across Islam and Muslims.

If the relation of peace is a principle, hence according to Islamic teaching, warfare is allowed only at two situations, namely:

1. Holding own, good name, possession, and homeland when attacked by enemies.
2. Maintaining mission in Allah's way. This is based on Allah's word at (Al-Baqarah (2) : 190-193). The sentences mean as follows:
 - a) Command to fight people start hostility and intemperate to block their hostility.
 - b) People who doesn't start hostility, is not confirmed to fight them beforehand, because it is intemperance.
 - c) Prohibition of intemperance is *muhkam*. This prohibition is valid forever, can be removed. This is because hostility is brutality that Allah dislikes it.
 - d) War that be confirmed is that aimed to prevent incidence of libel to the Muslims. So that they are free to do religious service to Allah and to uphold His religion and to maintain peaceful and welfare from all hostilities.

Concept of Jihad

Definition of jihad

Etymologically, jihad is the form of *masdar* from *jaahada yujaahidu mujaahadatan wa jihaadan* meaning "struggling with the best ability, making serious efforts, mobilizing all ways and means, and battling in the way of Allah." (Ibnu Manzur). Terminologically, according to Indonesia Ulama Assembly (2005), jihad is all serious efforts at all times to take care and heighten Allah's religion (li i'laai kalimatillah). Based on this definition hence jihad includes all activities to take care of and heighten Allah's religion.

Kinds of jihad

According To Ibnu Qayyim al-Jauziyah, there are 4 kinds of jihad, that is:

Jihad against one's (evil) desires (*jihad an-nafs*) is of four kinds:

Striving to learn Islamic teachings.

Striving to make oneself act in accordance with what one has learned.

Striving to call others to Islam, teaching those who do not know about it.

Striving to bear patiently the difficulties involved in calling people to Allah and the insults of people, bearing all that for the sake of Allah.

Jihad against Satan (*jihad ash-shaytan*) is of two types:

Warding off the doubts that Satan stirs up to undermine faith.

Striving against Satan to ward off the corrupt desires he provokes. The first jihad is followed by certainty of faith, and the second is followed by patience.

Jihad against the munafiqin (hypocrites) and *kuffar* (unbelievers) is of four kinds: with the heart, the tongue, one's wealth and oneself. Jihad against the unbelievers is more along the lines of physical fighting, whereas jihad against the hypocrites is more along the lines of using words and ideas.

Jihad against the leaders of oppression and heresy is of three kinds: jihad with one's hand (i.e., physical jihad, fighting) if one is able. If that is not possible, then it should be with one's tongue (i.e., by speaking out). If that is not possible, then it should be with one's heart (i.e., by hating the evil and feeling that it is wrong).

Based on above dissociation, hence, one of forms of jihad is giving all abilities in fighting unbelievers. In Islamic law, jihad fights against unbelievers with two kinds: *jihad thalabi* or *hujum* (offensive jihad), and *jihad difa'i* (defensive jihad). The concerned *jihad thalabi* that is that the Muslim before attack unbelievers giving three choices to them: embrace Islamic religion, pay *jizyah* or war. *Jihad thalabi* is not confirmed except under leadership of imam or leader agreed by Muslims about his leadership. Jihad *difa'i* (defensive jihad) is jihad fights against the unbelievers attacking Muslims or the country of Muslims, hence mandatory to the Muslim to defend or bear arms against them. (Dzulqarnain, 2000)

Law of Jihad

According to religious advices of Sheikh Muhammad Saleh Al-Munajjid (2003), a lecturer and author from Saudi Arabia, *Jihad an-nafs* (jihad fights against one's (evil) desires) and *jihad asy-Syaytan* (jihad fights against devil) are *fardhu 'ain* (individual obligation) to every Muslim which accountable. Jihad fights against hypocrite or unbelievers and agent of heresy and immorality is *fardhu kifayah* (collective obligation) for Muslim public. Physical jihad of fighting against infidel people become *fardhu 'ain* for every capable Muslim in four cases, namely:

When a. Muslim stays in battlefield.

When enemy attack region of Muslims.

When Government mobilizes people for battle, hence People are obliged to obey him.

When someone is required and no others which ready to do it besides himself.

Who may and may not be murdered in war

Enemy which may be murdered in war is whoever involves in war by idea, administration, especially by physical. People who keep off in war is not permitted to be murdered, like woman, children, lunatic, oldster, sick man, disabled person, priest in his monastery, resident in house, farmer in farm unless they involve in war by idea, administration, support of property. This is based on history that Rabi'ah bin Rafi ' discovered Duraid bin Shimah at Hunain war, then she killed him although Duraid at above 100 years old who can not be taken except his opinion. Then this case comes up with Rasulullah SAW and he didn't disobey it. (Zuhaili,2004) In a war, Rasulullah got news about a woman was killed, then he inveigh the murder and said: مَا كَانَتْ هَذِهِ لِيُقَاتِلَ (this woman doesn't battle) and said: لَا يُقْتَلَنَّ امْرَأَةٌ وَلَا عَسِيفٌ (don't kill woman and laborer/worker). (H.R Abu Daud dari Rabah bin Rabi', number 2295). In *hadis* above, Rasulullah SAW explained that 'illah of why woman may not be murdered is because woman keeps off in war. Thereby, prohibition to kill in this coverage of *hadis* can be implemented at all of persons keep off in war. If woman involved in war hence she may be murdered.

Terrorism

Definition of terrorism

The term "terrorism" comes from the French word *terrorism*, which is based on the Latin language verbs *terrere* (to frighten) and *detertere* (to frighten from). It dates to 1795 when it was used to describe the actions of the Jacobin Club in their rule of post-Revolutionary France, the so-called "Reign of Terror". Jacobins are rumored to have coined the term "terrorists" to refer to themselves. Acts described as Jacobin Club "terrorism" were mostly cases of arrest or execution of opponents as a means of coercing compliance in the general public.

More precise definitions of terrorism tend to be relativist, because views toward particular acts of political violence are often only subjective, and rarely show satisfactory objectivity. For example, according to the United States Department of Defense, terrorism is: "the calculated use of unlawful violence or threat of unlawful violence to inculcate fear; intended to coerce or to intimidate governments or societies in the pursuit of goals that are generally political, religious, or ideological." This definition is problematic because it relies on unclear terms which are left to interpretation — terms such as "unlawful violence," "intended to coerce or intimidate," "the pursuit of goals..." all can easily be applied to violent actions by state actors, though the above definition suggests such can be "lawful." The words "terrorism" and "terror" originally referred to methods employed by factions and regimes to control populations through violent reprisals and fear. (Wikipedia)

Indonesia Ulama Assembly of (MUI) in his fatwa No. 3 of 2004 on Terrorism on 05 Dhu al-Hijjah 1426 AH / January 24, 2004, states that terrorism is "a crime against humanity and civilization which poses a serious threat to the sovereignty of states, dangers to security, world peace and harm to the public welfare. Terrorism is a form of organized crime with a good (well organized), are trans-national and classified as an extraordinary crime (extra-ordinary crime) that do not discriminate the target.

According to Government's Regulation in Lieu of Law (Perpu) No. 1 of 2002 (Act No. 13 of 2003), the criminal act of terrorism that contains elements of crimes, violence or threats of violence,

victims of accidents, including damage to and destruction of vital and strategic objects or environmental or public facilities or international facilities.

Key- criteria

Official definitions determine counter-terrorism policy and are often developed to serve it. Most official definitions outline the following key criteria: target, objective, motive, perpetrator, and legitimacy or legality of the act.

Violence

According to Walter Laqueur of the Center for Strategic and International Studies, "The only general characteristic [of terrorism] generally agreed upon is that terrorism involves violence and the threat of violence". However, the criterion of violence alone does not produce a useful definition, as it includes many acts not usually considered terrorism: war, riot, organized crime, or even a simple assault. Whether property destruction is considered violent is also a common debate, especially with regard to the actions of the Earth Liberation Front and Animal Liberation Front.

Target

It is commonly held that the distinctive nature of terrorism lies in its deliberate and specific selection of civilians as direct targets. This definition would exclude acts of war and attacks on military targets.

Objective

As the name implies, terrorism is understood as an attempt to provoke fear and intimidation in the main target audience, which may be a government, a whole society, or a group within a society. Terrorist acts are therefore designed and may be deliberately timed to attract wide publicity and cause public shock, outrage, and fear. The intention may be to provoke disproportionate reactions from governments.

Motive

Terror acts may be intended to achieve political or religious goals, which include the spread of fear and mayhem. The terrorist who acts as a mercenary, or gun-for-hire, may also be acting for personal gain: for example, see Abu Nidal. A gang of bank robbers who kill a bank manager, blow up his vault, and escape with the contents would not be classed as terrorists, but if they were to execute the same assault with the intention of causing a crisis in public confidence in the banking system, followed by a run on the banks, and a subsequent destabilization of the economy, then the gang would be classed as terrorists. This definition excludes organized crime.

Perpetrator

Most definitions of terrorism do not include legitimate governments as terrorist actors, unless acting clandestinely and in the absence of a state of war. Acts of war, including war crimes and crimes against humanity are regarded as distinct from terrorism, as are overt government repression of its own civilians, the Holocaust, and the atomic bombings of Hiroshima and Nagasaki. However, it does not rule out "state-sponsored terrorism", in which a government supports terrorist activity in another state, though this might instead be regarded as low-intensity warfare between sovereign states. Those who disagree with these definitions may use the term "state terror" to describe the actions of official groups such as the Gestapo, the KGB and the Stasi of East Germany against dissidents or ethnic minorities among their own citizens.

Legality

Many official state definitions include that the act must be unlawful. Guerrilla warfare is sometimes confused with terrorism, in that a relatively small force attempts to achieve large goals by using organized acts of directed violence against a larger force. But in contrast to terrorism, these acts are almost always against military targets, and civilian targets are minimized in an attempt to increase public support. For this reason, guerrilla tactics are

generally considered military strategy rather than terrorism, although both terrorism and guerrilla warfare could be considered forms of asymmetric warfare

Official definitions determine counter-terrorism policy and are often developed to serve it. Most official definitions outline the following key criteria: target, objective, motive, perpetrator, and legitimacy or legality of the act.

Result and Solution

The History Of Islamic Boarding School Al Al Mukmin Ngruki

The history Of Islamic Boarding School Al Mukmin Ngruki began from teaching activity after Dhuhur praying in great mosque of Surakarta. Hereinafter the *muballighs* developed a form of teaching activity by building *Madrasah Diniyah* (religious school) at Gading Kidul street 72 A in Surakarta. The Development of this *Madrasah* was enough fast because it was supported by mass media, RADIS (Radio Dakwah Islam). The Dynamics of this *madrasah* was gladdening, hereinafter, inspired the idea of the *muballighs* to garrison the students in the form of education institute of islamic boarding school. Finally, on March, 10 1972 The Institute of Education of Islamic Boarding School Al Mukmin at Gading Kidul street 72 A in Surakarta, under management of Islamic foundation for education and upbringing of orphan/Yayasan Pendidikan Islam and Asuhan Yatim Al-Mukmin (YPIA) with act of notary Number 130 b 1967, has been established.

At that time the total students garrisoned were 30 students included 10 students from upbringing of YPIA. The pioneer and the founder at that time were Abdullah Sungkar, Abu Bakar Ba'asyir, Abdullah Baraja', Yoyok Rosywadi, H. Abdul Qohar Daeng Matase, Hasan Basri, and the other supporters.

Because of very fast of development of students with limited facilities and basic facilities at that time, hence two next years, 1974, the official of YPIA removed location of madrasah to Ngruki Hamlet, Cemani Village, Grogol Subdistrict, Sukoharjo Regency by occupying land of K.H. Abu Amar. Since that time, this Islamic boarding school was famous with name of Islamic Boarding School Al-Mukmin Ngruki. (<http://www.al-mukmin.org/sejarah.php>)

Education system used in the Ngruki is formal and non-formal education. Formal Education System is classical education carried out during six days in a week. This formal education system consisted of unit education of *Kulliyatul Mu'allimim Al-Islamiyah* (KMI), *Kuliyatul Mu'allimat Al-Islamiyah* (KMT), *Madrasah Tsanawiyah Al-Mukmin*, *Takhossus* (TKS), *Ma'had Shighor* (Masigh), *Ma'had Aly* (M. Aly) / Higher education, and *Madrasah Aliyah Al-Mukmin* (MAAM).

Religious Understanding Developed in the Ngruki

According to Abu Bakar Ba'asyir, actually there is no excess in the Ngruki compared with other Islamic boarding school. The specific characteristic of students in the Ngruki, is having spirit of jihad. The spirit of jihad is the outcome of teaching of *tauhid* given in the Ngruki. The others are same with other Islamic boarding school in general. (Rubrik Figur at http://swaramuslim.net/more.php?id=1929_0_1_0_M) According to Abu Bakar Ba'ayir, jihad is a strategy of law enforcement beside mission. The Following is fundamental teaching developed in the Ngruki.

Islam : Aqidah and Syariat

Islamic concept taught in the Ngruki, in book of Aqidah 1a, that is Islam means surrendering to desire of Allah absolutely. Muslim is man who his life readies only to yield to Allah's laws, obedient to execute Allah's commands and avoid His prohibitions. Islamic Teaching covers *aqidah* and *syariat*. *Aqidah* is belief that matchs with *fitrah* which can sanctify and enlarge soul. *Aqidah* is concluded in two creeds and in six pillars of believe. *Syariat* is regulation and law regulate inter alia: ways of relation of persons with Allah; ways of arranging selves, ways of arranging household, and ways of arranging state or public.

The meaning of two creed sentences

In book of Aqidah 1b written that the Meaning of two creed sentences taught in Ngruki that is "I testified with heart, mind, and oral that there is no *ilah* except Allah and Muhammad is the messenger of Allah. *Ilah* is interpreted "Who give calmness; Whom asked protection; Whom loved; Whom curtseyed, Whom adhered; Whom idolized; the Leader, the Master and law Maker. Thereby, the first creed means, that is nothing can give calmness; who can protect; who is loved very much; whom curtseyed, real owner; whom properly idolized; held rigidly; real leader; and law maker except Allah."

In more special, first creed means readiness of someone to surrender and absolutely obedient to leadership and *syariat* of Allah. Someone will not recognize Allah, and will not know *syariat* of Allah except through annotations and examples of messenger of Allah. Therefore, He is obliged to believe and witness that among men there is someone delegated by Allah to explain Allah's law and exemplify to men how to live according to Allah's. This is the second creed's meaning.

Two creed sentences determine the received or not received charity of someone. If someone's creed is pure and valid, it will realize charity which is free of elements of *syirik*. A kind of this charity will be received by Allah. If someone's creed is mixed with *syirik*, the value of two creed sentences is broken and his charity will be refused by Allah SWT. In the book of Aqidah 1b, it has already been explained about the things that can deprave and abrogate the value of our *syahadat*, namely:

Doing the Charity without any permission and rule of Allah SWT, for examples:

- a) Nationalism as the only one reason for doing charity, it is belonged to *syirik*
- b) Doing the charity just because of our homeland. Defens our homeland is also *syirik* if it is not based on Islam and *syariah* law.
- c) Doing the charity mere for humanity's reason is belonged to *syirik* also.

Giving the right to order and forbid, to make something *halal* or *haram*, to create a law and *syariah* for other things besides Allah SWT are belonged to *syirik*. Democracy is included, because it gives the right to societies to create a law.

Obeying the things beside Allah. There are some conditions in obeying leader:

The leader is from Muslim that obeys Allah and Rasulullah.

The leader is only using Al-Qur'an and Sunnah as guidance of the country.

Deciding law which is not based on Allah's law is *kafir* (unbeliever)

Promoting the *kafir*, *munafiq* and someone who doesnot like *tauhid* as their leader . The one who can lead Muslim is Allah and Rasulullah, and anyone who does the Allah's law.

Things that can break two *syahadah* in Akidah book of the Ngruki almost have the contents with the book of *al-wala' wal bara'* that is written by Muhammad bi Said Al-Qanthani. More over according to Rasyid, a teacher in the Ngruki, the book is actually the main reference of the Ngruki in building the characters of the students there.

Tauhid and al wala' wal bara'

The understanding of Tauhid in Ngruki is really close to the concept of *al-wala' wal bara'*. Moreover, Ngruki Aqidah's books make a lot referrences to *al Wala' wal Bara'*'s book. (Loyalty and antiloyalty within Islam) created by Muhammad bin Said Al-Qhatani, except the Jundullah's book of Said Hawa. Formerly, the *al Wala' wal Bara'*'s book was discussed and examined in every Friday's Morning. Now, the book that regularly discuss by Ustadz Abu Bakar Baasyir in every Friday's morning is *Millatu Ibrahim wa Da'watul-Anbiya' wal-Mursalin wa Asalibth-Thugat fi Tamyimiha wa Sharfid-Du'at 'Anha*, created by Syaikh Abu Muhammad 'Ashim Al Maqdisiy. The main idea of this book is about *al Wala' wal Bara'*.

In the book of *al Wala' wal Bara'* it is stated that the consequence of the *tauhid* is *wala'* and *bara'*. The meanings of *Wala'* are the support, advocacy, love, glorification, admiration, and together with people we love. Whereas the meanings of *bara'* are the distant, freedom, and enmity after there are some argumentation and admonition. *Wala'* to Allah means that we love Allah, we defense His religion, we love His-Wali and defense them. *Bara'* means that we abhor the enemies of Allah and embattle them.

According to Abu Bakar Baasyir, someone who has the good faith and aqidah will have al-wala' wal bara'. Every single mukmin must be compelled to love Allah, and to Allah's wali either. All of the wali of Allah are mukmin. On contrary, every single mukmin is compelled to get accross with the enemies of Allah. A mukmin may not love an infidel, but we still have to keep harmonious condition with them. Getting across with infidel's people is not about physically matter, but it is all about the faith matter. The attitude of a mukmin to infidel people should be gruff. Gruff attitude means that bara'. A Muslim may help each other as long as not violate the rule of Islam. When we meet an infidel, we should ask them to believe in Islam in order to save them.

Abdullah Sungkar explained the same thing. He does believe that all of Muslim should not obey the infidel. Muslim people may not compromise to the wrong thing, infidel, even to the polytheist. However, Abdullah Sungkar forbids us to do insulting over the infidel.

According to Abu Bakar Baasyir, a mukmin has to break out from all form of infidel, polytheism, and every bad ideologies such as, socialism, capitalism, nasionalism, etc. Based on Abu Bakar Baasyir thought, the concept of al-wala' wal bara' has been destructed by the nationalism doctrine. Every single Muslim may help each other in profane problem, it based on Q.S. Al-Mumtahanah: 8.

One of the Bara's form from the infidel is not taking them as the leader, because based on the holy quran, al-Maidah: 51, according to Abu bakar Baasyir, people who take jews or christians as their leaders or wali belong to an apostate. In the material of Aqidah 1b, as the researcher has already been explained before, that the one may null our syahadat such as taking infidel and a hypocrite as the leader. Someone who deserves to lead mukmin is Allah, His Messenger and people who obey the law of Allah.

The discourse about al wala' wal bara' which has been developed in Ngruki, included what Abu Bakar Baasyir has delivered, is emphasizing more to the prohibition of taking the infidel as a leader based on the holy quran's verse.

According to Sayyid Qutub, in *tafsir Fi Dhillalil Qur'an*, (QS. Al-Mumtahanah: 8-9) Muslim and non Muslim can love to each other as long as they're not bothering Muslim and they're not displacing Muslim from the country. Muslim can even help kafir in their difficulties. These verses forbid Muslim to love kafir who did the bad thing towards Muslim.

There is controversy on this verse whether this verse has been modified in the case of the meaning (nasakh) by war verse. According to At-Thabari, that this verse hasnot been modified by war verse because Muslim is not forbidden to be generous to kafir harb in term of family relations or not.

Therefore the verse about prohibition in help and love to kafir shouldnot be implemented to all kafir, but only to those who has one of the three criteria in QS. Al-Mumtahanah: 9. obviously this verse states that it is forbidden to have a good relations with kafir who has three criteria. It means that Muslim can have a good relation with kafir who is not in those three criteria.

Based on those two verses, As-Sayyid Sabiq states that the principal of relation between Muslim and non Muslim is to know each other and help each other. The consequence of this relation is to give mutual benefit to both of them. The meaning of prohibition making relation of wala with kafir is the prohibition of Joining Kafir to against Muslim and prohibition of sincere heart in their kafir. This is very dangers and endanger for Muslim society. Letting them doing bad things means also doing the bad things. the relation of wala in the case of peace, good social gathering, help to each other are actually recommended in Islam.

Tauhid and Syariat

Understanding tauhid that has been developed in Ngruki is related a lot to syariat. Things that make people broke his tauhid and became kafir is deciding law that is not based on Allah's law. Therefore ruling, recommending, forbidding, and getting law that are not based on Allah's law is syirik. In this case is including democracy, because it gives the authority of making law to people.

According to Abu Bakar Ba'asyir that democracy is very stupid because the sovereignty is on the people's hand. The right on is actually Allah-cracy that is the sovereignty in Allah's hand.

It includes obeying something- not Allah- which would break the syahadah. Obeying the leader is compulsory when the leaders are from Muslims who obey the Allah and Rasulallah and they use Al-Qur'an dan Sunnah as guidance of taking care of the country.

To see the opinion of Ngruki in the statement of making law which is not based on Al-Qur'an is kafir, the researcher needs to explain to you that there are three perspectives of Mufassir toward the Qur'an verses which is used by Ngruki, QS. Al-Maidah (5): 44, 45, 47)

What Allah said in Qur'an that who has decided a law which is not based on Al-Qur'an is kafir, zalim, and fasik . According to Ibnu Jarir at-Tabari, the people who has decided law which is not based on Allah's law is actually those people who change, hide, and decide the law that has been changed. They're jews that have changed the holly book and changed the law. The jews do not apply the rajam law toward someone who did zina but they change the rule to just hit the forehead; they have qishash for high class people, but they have complete diyat and incomplete one for low class people; whereas Allah implement the law equally.

According to Ibnu Abbas, this verse means general, anyone who has decided which not based on Allah's law, reject the Qur'an, and refuse Rasulallah, they're kafir. According to Ibnu Mas'ud dan Al-Hasan, this verse embraces Muslim, Jews, and kafir who have decided Allah's law which is not based on Al-Qur'an confidently. If there is someone who did that and feel guilty about it, it means that the person is fasik. Ibnu Katsir had it from Ibnu Abbas that the meaning of that verse is anyone who has decided that is not based on Allah's law and refused the Allah's law, then they're kafir, but they do not refuse it, then they are fasiq and zalim.

Maintenance strategy of Islamic law: Amar makruf Nahi Mungkar and Jihad fi Sabilillah

According to the understanding of Islamic Boarding school of Ngruki, Islamic law cannot be influenced by any other thoughts; it has to be pure even by culture that has been going on for years. When there are two things antagonistic, Islamic law and others, Islamic law must be standing up. Also everyone needs to apply it comprehensively to themselves, community and country.

Try to apply Islamic value purely based on what Allah has ordered wouldnot be realized without your seriousness, Amar makruf Nahi Mungkar and Jihad fi Sabilillah. In other words maintenance strategy is divided in two things: Amar makruf Nahi Mungkar and Jihad fi Sabilillah. These two strategies are things we use to fight demon devil and human devil. (QS. Al-An'am: 112)

Amar makruf Nahi Mungkar is a weapon to fight the number one enemy of human, its demon devil that has a long age given by Allah to plague human and persuade them into hell with them (QS. Al-Hijr: 36-44). The target of devil temptation is heart. To against this temptation sincerely, as human we need to ask many Muslim to continuously do charity and help others to stay in Islam track. According to Abu Bakar Ba'asyir, Dakwah is the maintenance strategy of Islamic law in the safe place or when Muslim is protected from non-Muslim people. The enemy that we face is invisible.

Jihad fi Sabilillah is weapon to fight the human devil, which are demon followers. Human who are follow demon is called human devil. The physical embodiment of human devil is non-Muslim, munafiq, dholim, musyrik, etc. Human devil is united in professional organization or party, and try hard to conquer Islam (QS. AL-Anfal:73). If devil human become a leader and has and authority, they most likely would use it to avoid the establishment of Islamic law although the majority of the country is Islam (QS. Ibrahim: 46; Ar-Ra'du: 42).

To fight devil human, it's not enough to just pray and *amar ma'ruf nahi mungkar*, because they've united and provided the weapon so then we have to prepare the same thing. We need to have the weapon and go for Jihad.

Jihad fi Sabilillah is not only defending Islam when you're slandered or attacked, but also when the sovereignty of Islam which is Islamic law maintenance is taken by dholim people. We need to apply the Islamic law on this earth.

In Al-Qur'an, the leader who made the rules or policy without the basic of Al-Qur'an is called thogut (someone who has passed the border). The steps of these humans are obviously false and slander that can bring people to be destroyed in this world and hereafter. Therefore, those thogut is compulsory avoided and prevented from their any actions (QS. An-Nahl: 36; An-Nisa: 60).

When we see thogut and its action, we need to prevent it, and when they're trying to resist, then we need to fight them so that the disaster caused by those thogut can be prevented. That's why Allah orders all Muslimin to fight them till anything related to them such as slander will be disappeared; anything should be done to get Islamic law established. (QS. Al-Baqarah: 193; Al-Anfal: 39; At-Taubah: 29).

Maintenance strategy of Islamic law through amar makruf nahi mungkar and jihad fi sabilillah that are written in the book of Aqidah 1a refers to the book of Jundullah Tsaqofatan wa akhlawan which is written by Said Hawa are most likely the reference of Ngruki Islamic boarding school beside the book of al-wala' wal bara'.

In the book of *Jundullah tsaqofatan wa akhlaqan* mentioned that the consequence of faith (iman) is amar makruf nahi mungkar and jihad fi sabilillah. Amar makruf nahi mungkar and jihad fi sabilillah is actually one thing, because two of them are united that can be done in Islamic country. According to Sa'id Hawa Jihad is divided in five types: Jihad Lisani (Jihad in tongue) to people who are trying to get away from the right way, Jihad Ta'limi to people who accept Islam, Jihad by hand and soul, by politics, and by wealth.

Understanding religion based on terrorist

According to Imam Samudera, Jihad in Bali bomb and many other bombs that are done as reaction toward what they (Non-Muslim) have done to all Muslim people in Afghanistan, Palestine, Iraq, Sudan, and Somalia by America. Also he stated that Rasulullah forbid to kill woman, children, old people and monk. This is valid when non-Muslim or kafir do not over the border toward Muslim people; but when they do over the border, then you need to do revenge equally as it is mentioned in QS. Al-baqaroh (2) verse 194, AN-Nahl verse 126 and other requirements letter.

Whereas according to Ibnu Katsir this verse (QS. Al-Baqarah (2):194) that we have to be fair to any human even to non Muslim people just like what Allah said in Alqur'an, An-Nahl: 126). Also Ibnu Katsir interpreted it that Allah ordered us to be fair in proceeding *qishash* and revenge to fulfill the right.

What Imam Samudera and friends have done is something is not right based on the writer's opinion because Islam has some conditions in execution of *qishash*:

1. *Qishash* can be done to any human who has done the physical crime, but Imam Samudra's victims were not even criminal actor
2. Who has a right to get the *qishash* is inheritor of the victims, while Imam Samudra and friends are not. (QS: Al-Isra (17):33)
3. The process of execution is handled by judge, not by individual.

On the case of Bali bomb where many Hindus are killed, Imam Samudra said that it was actually the responsibility of Muslim to fight against them even they did not do anything bad to Muslim as long as there is not such an agreement like (*dzimmah*), they're deserved to die. Nowadays any country is *dar harb* and any non Muslim is *kafir harb* which are deserved to be punished.

Samudra thinks that any kafir needs to be fought when they resist to not becoming Islam. This understanding is based on the story when our prophet had always three options to his enemy: becoming Muslim, pay Jizyah, or war. The first alternative is Islam, there will be no war when they choose the first option. Becoming Muslim is the first priority and continued by paying jizyah where they have to obey the system of Islamic law of the country. And if the war finally happens, Rasulullah only fight the man who is in the war. Children, women, painful woman are not included and even cannot be touched or killed.

The second option which is paying jizyah shows that actually Islam is not forcing people to embrace Islam. If Islam coming with the forcing people to come and embrace it, Rasulullah might have only two options for non Muslim, which is embracing Islam or war. By having the second option

which is paying jizyah actually shows that *Jihad tsalabi* is only can done under the Islamic governance, as a prove to be loyal toward Islamic governance; or I can say that one person cannot declare war individually for Islamic law's reason.

The understanding of the terrorist and people in the Ngruki Islamic Boarding School has the similarity and difference. In case of country types is also have differences and similarities. The similarity is both of them have the same perception on the country that has the sovereignty on the people is Kafir country. Applying law beside Allah's law is also kafir. Any governmental system beside Islamic governmental system is called *thogut* by Ngruki. *Thogut* can not be obeyed, even it has to be resisted. The difference, Imam Samudera said that all countries are *daar harb*. While the Ngruki's understanding is explicitly not mentioning that all countries are kafir.

In case of the relation between Muslim and non Muslim, both of them hate and put kafir on the first place of the enemy. Based on the Ngruki's understanding, hate kafir is actually *bara'*, but on the Ngruki's understanding, hate them does not mean to be violate physically. Kafir who is not disturbing Muslim is forbidden to be fought and Muslim can cooperate with them in world case such as trade and others; while terrorist like Imam Samudera and friends stated that any kafir is to be fought, whether they're disturbing Muslim or not.

The understanding of terrorist is not the same like in the Ngruki. Abdullah Sungkar, Abu Bakar Ba'asyir and any books in the Ngruki do not allow Muslim to kill all kafir. They only allow killing kafir in conflict area such as in Poso, Maluku, Afghanistan, Moro and etc. even there was one alumni of Ngruki, Mukhlas who did the terror but it does not show the understanding of the Ngruki.

Abu Bakar Ba'asyir disagrees to what they have done in safe place, he blamed all the terrorists. He also said that Amrozi, Noordin M Top are Mujahid but were not right. It's not right because they used bomb in the safe place. The bomb should be implemented in conflict area, and *dakwah* is supposed to be the one weapon for safe place. However, they are still mujahid because their will is *lillahita'ala* (just for Allah ... red) according to the writer, to do the right thing does not mean to use any thing (bad). Bad action is always be bad, no matter what happens; while good action should be implemented by good action too.

Closing

Jihad based on the Ngruki is a serious will, defending Islam when it's slandered and resisting when it's attacked to get the sovereignty of Allah that is taken by dholim people so the Islamic law can be established well in this universe. Jihad is done to against human devil that is trying to bother establishing Islamic law. Jihad against kafir is allowed only in conflict area, when Muslim is attacked by them. Kafir who are not bothering Muslim cannot be attacked, but it has to be hated. Muslim has to hate them as a *bara'* behavior toward them. In world case, they can help to each other as long as they do not bother Islam and Muslim.

Jihad is also against *thogut*, leaders who make rules which are not based on Al-Qu'ran. The *thogut* of government is kafir. They cannot be obeyed, they even can be fought when they resist toward Muslim. The goal of stopping this *thogut* is to avoid the disaster that will happen cause them.

The is not allow people who do damaging public facilities and civil facilities. This Islamic boarding school also disagrees toward the attack of Muslim to non Muslim who are not bothering Islam and Muslim. They also believe that Islam does not allow the physical action such as bomb in a safe place; that action is implemented only in conflict area.

The Ngruki thinks that Noordin M Top, Amrozi, Mukhlas (Ngruki alumni) and many others like them are wrong. mujahid They're wrong because they blew a bomb in a safe place. In a safe place they mentioned *dakwah* is only one. However they're still Mujahid because their will is pure for Allah. This perspective is not right based on the writer because the good will does not allow bad way.

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