



# RELIGION AND NATIONALISM IN SHAPING THE FIQH OF ARMED JIHAD: A LESSON TO THE INDONESIAN NATIONAL COUNTERTERRORISM POLICY

*Munajat*

**Abstrak:** Memahami fikih jihad merupakan kunci keberhasilan dalam melawan ekstrimisme dan terorisme. Dua faktor yang sering muncul dalam diskusi akademis tentang pembentukan wacana jihad kekerasan adalah nasionalisme dan agama. Studi ini menyelidiki dua faktor penting dalam kasus jihad bersenjata di Iran (1980-1988) dan Palestina (1990-2010); dan bagaimana kasus ini menjadi pertimbangan dalam kebijakan kontraterorisme di Indonesia. Studi ini menggunakan data sekunder untuk menyelidiki pembentukan jihad kekerasan di Iran dan Hamas Palestina. Pada konteks Indonesia, penelitian ini menggunakan laporan pemerintah tentang kontraterorisme dan wawancara dengan otoritas terkait. Hasil penelitian menunjukkan bahwa interaksi dua ideologi (agama dan nasionalisme) secara bersama-sama menciptakan kekuatan jihad kekerasan yang signifikan dan berkelanjutan di Iran selama Perang Irak-Iran dan Hamas Palestina melawan Israel dalam mencapai tujuan politik. Berbeda dengan praktik tersebut, Indonesia menggunakan nasionalisme dalam kebijakan kontraterorisme sebagai strategi melawan ideologi kekerasan bermotif agama. Artikel ini menunjukkan bahwa kebijakan kontraterorisme perlu lebih menekankan pada pemaknaan jihad tanpa kekerasan.

**Kata kunci:** agama; nasionalisme; jihad; penanggulangan terorisme

**Abstract:** Understanding the formulation of the fiqh of jihad is a key success in countering violent Islamist extremism and terrorism. Two salient factors that often come up in the academic discussion of the making of violent jihad are nationalism and religion. The present study investigates these two crucial related factors in the two prominent cases of armed jihad in Iran (1980-1988) and Palestina (1990-2010); and, then, how they may provide a lesson to the counterterrorism policy in Indonesia. The study uses secondary data to investigate the making of violent jihad of Iran and the Palestinian Hamas. While in the case of Indonesian policy, this article uses a government report on counterterrorism and interviews with the state counterterrorism authorities. This study shows that the interactions of two ideologies (religion and nationalism) together create a sustained and powerful force of a violent jihad by the Iranians during the Iraq-Iran War and Palestinian Hamas against Israel to achieve their political goals. In contrast to this practice, Indonesia has applied nationalism in counterterrorism policies as a strategy to deradicalize violent ideology with religious motives. This article shows that counterterrorism policies need to put more emphasis on the meaning of non-violent jihad.

**Keywords:** religion; nationalism; jihad; counterterrorism

## Introduction

The fiqh of jihad is clearly shown off in the writings of the violent Islamist groups. Jihad and martyrdom (*shahīd*) are often located at the center of the manuscripts and dominate the whole discussion of the writings. The hatred against the government and injustice, as well as, the goal to establish an Islamic state is always denoted by the concepts of Jihad (Al Uyairi, 2007; Al-Atsari, 2008; As-Salim, 2013; Azis, 2007; Daud et al., 2008; Halimah, 2007; Pedoman Umum Perjuangan Al-Jam'ah Al-Islamiyyah, 1996). The concepts, then, are often understood as the prime mover of the Islamist violent extremism, especially in the use of violent means.

Some scholars of political Islam and Islamic studies agree on the importance of understanding the context of the relationship between violence and the concept of Jihad. In the history of Muslim society, the forms of jihad have taken in dynamic ways, violence (armed) and nonviolence depending on the context of the history. In the early days of Islam, especially during the 7<sup>th</sup> century, the fiqh of jihad was often manifested in more physical armed concept (the so-called *jihād aṣghar*, the lesser jihad). It was because, in those early years, Islam still formed its community and was involved in warfare and physical competitions with other communities (Bonner, 2008; Cook, 2007, 2015; Peters, 1996). Therefore, during this early period of Islam, jihad is understood as a war against the enemy of Allah (the lesser jihad).

However, in the 8<sup>th</sup> and 9<sup>th</sup> Centuries, the meaning of jihad slightly shifted into more peaceful, non-physical forms (the bigger jihad). The territories of Islam had been spread out across Arab and Africa. Many Muslims could not leave their families to wage war or join Muslim territorial expansion. The Muslim society became more settled. The interpretation of *jihād akbar*, the bigger jihad became more popular than that of the lesser jihad.

Until then, after the break of the Crusade in the 11<sup>th</sup> Century, the interpretation of jihad found its old form, the lesser armed jihad, the holy war against the enemy of God. These long series of wars from the 11<sup>th</sup> to 17 Centuries, deeply shaped the concept of jihad as part of warfare lives. Then in the 19<sup>th</sup> Century, many European countries, which were considered non-Muslim countries, occupied most Muslim countries, especially Arab and Asian Muslim countries (Kepel, 2002;

Peters, 1996). Even after the defeat of Syria, Egypt, and Jordan by Israel, the language of jihad as waging the holy war became more popular across Muslim countries (Cook, 2015; Kepel, 2002). These short portraits of the history of jihad show that the meaning of jihad is dynamic and subject to the political and social settings of the history.

In addition to the historical perspective, other scholars look at the figures in understanding the making of violent political jihad. Some influential Islamists that are often discussed in the jihad discourse are Abu al-A'la al-Mawdudi, Sayyid Qutb, Ayatullah Ruhullah al-Khumaini, Sayyid Muhammad Husain Fadlallah, and Muhammad Mahdi Syamsuddin (El-Husseini, 2008; Kepel, 2002). Their interpretation of jihad as a violent strategy is strongly shaped by their position as Muslim scholars and political leaders. The target of the jihad was not only the non-Muslims but also their political Muslim opponents. El-Husseini (2008) also discusses the works of these two important Shiite leaders, and their Lebanon political contexts to explain the making of the fiqh of jihad and transfer the meaning of lesser jihad from the Shiite community in Lebanon to the Sunni community in Palestine. The views of these important Islamist leaders are strongly shaped by their political and social activities. If not, it would be impossible for Sunni and Shiite to share the same meaning and manifestation of Jihad.

Looking at another perspective, Bonner (2008) uses the individual-level approach to analyze the rise of physical armed jihad. He finds that the jihadists are often youths with little Islamic knowledge. Therefore, he suggests that the way to respond to this kind of cause is by offering opportunities to young people for employment and advancement, by integrating them into larger vigorous economic lives. Thus, it is not merely about the rehabilitation of their religious understanding of Jihad. Sagemen and Atran agree with this idea to rehabilitate the youths who join the violent jihadist movements, but they disagree that most of the youths have little knowledge about Islam (Sagemen, 2004; Atran, 2006). Based on the data of 172 jihadist fighters from different backgrounds in Muslim countries, Sageman finds that the members of the global jihadis group were mostly well-educated young men from the warm, middle class, and pious families, who nurtured up with graceful positive religious values and great concerns for their family and community (Sageman, 2004; Antran, 2006).

Finally, based on the individual or social levels of analysis, scholars see jihad as part of religious expressions, which are also formed by the jihadists' context. However, other scholars, like Husseini, Gupta, and Mundra (2005) emphasize that in the case of Hammas, their violent jihad activities are more secular and political, rather than religious. Similarly, Pape finds that many suicide attacks around the world are not religious or ideological, but rather secular with strategic, political, and profound objectives (Robert, 2005). Thus, many argue that jihad is weakly related to religious values.

Even though scholars have different stances on whether jihad is naturally religious or political (secular), those arguments suggest that religious terrorisms have already interacted with a secular ideology, like defending their nations or gaining a political goal. For example, the fiqh of jihad implementation by Iran during the Iran-Iraq War (1980-1988), Hezbollah against Israel, and Palestinian against Israel (1990-2010), clearly shows that the religious dimension of jihad has already mixed with the nationalism, defending their homelands.

In contrast to the debates on the making of violent jihad, Indonesian policy on counterterrorism often focuses on non-religious (secular) factors, especially nationalism, as a remedy for violent religious ideologies, Islamism. A pledge of loyalty to Indonesia as a sovereign nation and Pancasila (the Five Principle) often become the main indicator of successful counterterrorism programs.

The present article, therefore, tries to discuss the mixture of religious force (Islamism) and nationalist factor (nationalism) in the making of the fiqh of jihad, and how it, then, provides criticism and lesson learned to the Indonesian counterterrorism policy, which put the concept of nationalism on the frontline of countering violent extremism in Indonesia. In other words, borrowing the case of Iran and Palestinian Hamas, this article focuses on how Islamism (religious) and nationalism (secular) play their role in shaping the fiqh of lesser jihad, or the violent jihad by the Islamist groups.

These two cases are chosen to explore the dynamic relationship between religion and nationalism (secular ideology) because they are prominent cases in the history of violent jihad or political jihad. For example, the case of Iran during the Iraq-Iran War has played a crucial

role in the dynamic of violent jihad, especially the self-immolation operations that are currently adopted by Islamist terrorist groups; and similarly, the framing of Hamas' Jihad against Israel has often been adopted by many Islamist terrorist organizations.

The present study uses secondary data on the relation between Jihad and nationalism to investigate the relationship between religion in the making of Jihad operations. It focuses on two cases of jihad, namely the concept of jihad by Iran, which was prevalent during the Iraq-Iran War, and the Hamas' concept of Jihad in Palestine. While in the case of Indonesian counterterrorism policy, the present study will use the Government's reports of counterterrorism programs and interviews with authorities, such as the staff of the Directorate General of Corrections, the Anti-Terror Special Detachment 88 (Detasemen Khusus Anti-Terror 88, or Densus 88), and National Counterterrorism Agency (Badan Nasional Penanggulangan Terorisme).

### **The Fiqh of Jihad, a Contentious Meaning**

The discourse of jihad in modern Muslim society is contentious politics. This can be traced in the fiqh literature on jihad, which mostly discussed the central questions of whether the original or genuine meaning of jihad is peaceful or violent; offensive or defensive. Two levels of interpretation often become the basis of differences, namely the textual level of the Quran and the Hadith and contextual levels, including the historical perspective of the texts. Borrowing the concept of Al Jabiri, these two levels include *burhānī* (deductive), *bayānī* (rhetorical), and *'irfānī* (mystic) (El-Yousfi, 2020). Nevertheless, these levels and multiple approaches to interpretation of the text are still heavily religious and are subject to the rule of Islamic studies, such as the science of the Quranic interpretation, the science of hadith, and the philosophy of Islamic law. However, the methods of *bayānī* and *'irfānī* potentially stimulate the contextual and open interpretation of the texts (the Quran and hadith)), including in the fiqh of jihad.

There are two interpretations of jihad in the Quran and the Sunnah. On one hand, jihad is represented as warfare or as offensive political activism. In the Quran 2:194, 4:95, 8:60, 9:7, and 47:35, jihad is textually depicted as warfare actions against the enemy of

Muslims, seeking God's mercy, instead of against the individual lusts. For example, in the Quran 4:95, it is mentioned:

Those of the believers who stay at home while suffering no injury are not equal to those who fight for the cause of Allah with their possessions and persons. Allah has raised those who fight with their possessions, one degree over those who stay at home, and to each Allah promised the fairest good. Yet Allah has granted a great reward to those who fight and not to those who stay behind (QS 4:95).

On the other hand, jihad is also represented more peacefully. Even though the Quran and Sunnah indicate the meaning of jihad as warfare, it also indicates that the physical armed interpretation is aimed at defensive purposes, as it is stated in the Quran 4:90, 4:94, and 8:61. In addition, one of the popular hadiths, quoted by the Ulama who believe that jihad is naturally peaceful, is as follows:

A number of fighters came to the Messenger of Allah [Muhammad], and he said: "You have done well in coming from the 'lesser jihad' to 'greater jihad'." They said: "what is the 'greater jihad'?" He said: "For the servant of God to fight his passion" (translation from Cook, 2007).

The lesser jihad (*jihād aṣghar*) means the interpretation of jihad as warfare, and the greater jihad (*jihād akbar*) indicates the meaning of jihad as nonviolent, peaceful actions. Therefore, based on this hadith, many Muslim scholars argue that the natural meaning of jihad is nonviolent because the enemy being fought is people's lust.

Consequently, based on the above arguments, both the Quran and the Hadith, the main references of Islamic law, legitimize jihad's definitions as both warfare and peaceful actions. Both definitions have been contentiously debated in Muslim society. For example, in Indonesia, most moderate groups are reluctant to associate jihad with warfare or violent activities. While other groups, such as violent extremist groups and their bystanders often use the concept of jihad to oppose the government and their rival groups.

However, some scholars argue that the origin of the fiqh of jihad is warfare, and physical violence (Cook, 2007; Peters, 1996). In early Islamic history, jihad was implemented as fighting against infidels. They were considered the enemy of Islam. In this period, Islam developed in a warfare setting, such as the tensions and conflicts among races, clans, and religious believers (Bonner, 2008).

According to Cook and Bonner, since the Muslim territorials expanded to more distant regions across the world, many Muslims could not leave their families and homes to go to war, jihad started to shift from physical and violent interpretation to the nonviolent meaning and individual peaceful actions. However, the language of jihad as warfare was still used to denote the meaning of “greater jihad,” fighting against passion. This can be seen when al-Ghazali analogizes the lusts and passions of the soul with an enemy trying to defeat one’s body and soul and stray it from following the right path of Islam. Nevertheless, the interpretation of jihad as physical and armed fight did not disappear. In the section of *amr ma’rūf nahy munkar* (commanding the good and forbidding the evil), al-Ghazali discusses jihad as an armed fight meaning. For example, he mentions the jihad fighter as a person who sacrifices his soul and fights for the greater good and the better society. Therefore, it changes the emphasis of interpretation not the textual meaning of jihad. In the fiqh of jihad, the armed fight discussion is also still obvious. The spiritual jihad as an alternative meaning is equally important, or even more important than the interpretation of jihad as waging the war against the enemy of Islam. A prominent Muslim scholar, al-Muhasibi argues that jihad is also fighting against the personal desire of physical jihad, such as the desire to gain spoils or any materials and show off during the war. For Muhasibi, this personal intention is also religiously dangerous that needs to be fought (Bonner, 2008; Cook, 2007).

However, since the European countries and Russia started to colonize Muslim countries during the 17<sup>th</sup> to 10<sup>th</sup> Centuries, the language of Jihad was used to inspire anti-Western colonialism. The European countries that are predominantly non-Muslim made it easier to revive the physical interpretation of jihad as waging the war against the infidels. Therefore, the jihad started to move to armed and physical actions (Ayoob, 2008).

At this point, it can be identified that jihad is not only shaped by religious factors but also other mundane factors. There is a blending factor of religion and others, such as nationality and justice in making the fiqh of jihad. Therefore, it indicates that jihad does not have to be a religiously-motivated action; jihad can be secular-motivated actions or other non-religious values. Therefore, the following discussion looks



at the making of the fiqh of jihad, considering the blending factors of nationalism and religion (Islamism) in the case of jihad implementation in Iran and Palestine by Hamas.

### **Making Jihad in Iran: From Religious Jihad into Nationalist Jihad**

The old case of jihad by Iranians is still interesting to be discussed. First, it depicts not only a religious aspect but also secular aspects, such as the state. Second, the target of the jihad operation is also Muslim groups, either the Shah Regime or the state of Iraq, which they associated with puppets of the Western countries. Third, it is often assumed to inspire several modern terrorist attacks, especially suicide attacks, as shortly discussed below.

Once, the Shah regime used an armed approach to repress the opposition from the people of Iran. In the late 1970s many people, including students, were killed during the protests against the government. Therefore, the government lost its moral legitimacy among the Iranians, and at the same time, the movement gained more popularity. In December 1978, the day of Hussein, the grandson of Prophet Muhammad being killed, or the commemoration of the months of Muharram, Ayatollah Rohullah Khomeini called the Iranians to fight against the Shah regime. The fiqh of physical jihad along with the Karbala spirits indeed played an important role in the successful massive mobilization of the hatred people to crack down on the power of the Shah regime. Finally, the mobilization ended up in a successful revolution (Kepel, 2002).

The jargon of jihad was used by the Islamist movement of Iran to fight against the Shah regime. The massive protest, led by Khomeini, revitalized the meanings and history of Karbala to attack the Shah regime. They analogized the Umayyad regime with the Shah regime and the oppressed Iranians with Imam Hussein. In addition, Ayatollah Ruhollah Khomeini declared that the Shah regime was an illegitimate government, the puppet of the Western government, and announced that the goal of the movement (Iranian revolution) is to establish an Islamic state of Iran.

During this revolution, the religious dimension of jihad (and martyrdom) was still dominant. The goal of jihad through social

revolution was religious, namely the establishment of the Islamic State of Iran. The ideology of nationalism, such as defending their homeland, had not come up. Yet, when the goal of social and political revolution had been accomplished, the Shah regime had been succeeded and replaced by the establishment of an Islamic state (but the new military threat, the Iraq invasion came), the ideology of nationalism started to reshape and change the nature of jihad among the Iranians.

The success of the Iranian revolution created a threat to the Iraqi government, led by Saddam Hussein. Saddam's government was afraid that the revolution would inspire strikes and potential insurgency by the Shiite community in Iraq; Saddam also accused that Tehran (Iran) had prepared to weaken the Ba'athist regime of Iraq and had targeted to kill top officials of the Iraqi government (Woods et al., 2013). In addition, Saddam also saw that the Iranian revolution was also an opportunity to dominate regions in the Persian Gulf, which was dominated by Iran under the Shah regime and backed up by the Western countries.

In September 1980, Iraq started to attack Iran's border. Backed up by Saudi Arabia, Kuwait, the Soviet Union, and the United States of America, Iraq attacked the relatively new country, Iran. However, the more sophisticated military weapons did not bring Iraq to conquer Iran. The war lasted for about eight years without any winner of the war, till it lasted on August 1988 (Razoux & Elliott, 2015). During the war, the language of jihad and nationalism fueled the struggle of Iran against Iraq.

However, the religious dimension that had brought about the triumph of the Iranian political revolution, remained a vital resource for Iran to fight against Iraq during the war. The Karbala paradigm and the ideology of defending the homeland of Iran interacted in the making of a new armed jihad. The ideology of armed jihad was an effective tool to mobilize Iranians to fight against the Iraqi invasion, which was supported by the Western countries and Saudi Arabia.

The war between these two Muslim countries had forced Khomeini to translate their fiqh of physical armed jihad, the Karbala paradigm, and Iran nationalism into a special martyr's militia, like the Basidji deadly trained young squad. Hundreds of thousands of militants gave

their lives to defend their homeland and its revolution, and still more million compatriots fortified the Iranian borders (Kepel, 2002). The jihad for pursuing martyrdom had been a brand of Iranians when the Basidji squads introduced suicide missions as a strategy against Iraq.

Khomeini still used the Karbala to frame the holy war between Iran (Imam Husain) and Iraq (Yazid ibn Mu'awiyah, the Sunni group). The characteristic of the Iraq government which were part of the Sunni group had made the Karbala effective to consolidate the Iranian confrontation against Iraq. Iraq was depicted as Sunni who killed Imam Husain, the prophet Muhammad's grandson; and the Iranian were represented as Husain, the martyr of the martyrs. Therefore, using the Karbala paradigm, the meaning of jihad became a more powerful source of resistance and struggle, than those during the struggle against the Shah regime.

During this conflict, Khomeini pronounced that the war against Sunni Iraq was a holy war. He stated that jihad was an amalgamation of greater jihad (non-physical) and lesser jihad (armed). He argued:

Those who engaged in jihad in the first age of Islam advanced and pushed forward without any regard for themselves or their personal desires, for they had earlier waged a jihad against their selves. Without the inner jihad, the outer jihad is impossible. Jihad is inconceivable unless a person turns his back on his own desires and the world. For what we mean here by "world" is the aggregate of man's aspirations that effectively constitute his world... it is the world in this narrow, individual sense that prevents man from drawing near to the realm of sanctity and perfection (Cook, 2007).

The injection of nationalism, or a secular ideology, into religious jihad had added some new values that strengthened the ideology of armed jihad and made it more determined in the Iranian citizens. One of the consequences of this blending of nationalist and religious values is the communication between the Iranian government and the family of the Iranian jihadist who died defending Iran (Iranian martyrs); the government provided rewards to their families. They were offered social security programs, such as grants, lodging, and subsidized food (Kepel, 2002).

Similar story seems to happen in Palestine. Hamas adopted the lesser jihad tactics to realize their national goal and fought against

Israel. Therefore, concerning Hamas' strategy in framing their struggle using the concept of the lesser jihad, the following discussion looks at the interaction of nationalism and religion in the making of jihad operations in Palestine.

### **Shaping Jihad by Hamas: Interaction of Nationalism and Religion**

In the international media, Hamas is depicted as a violent movement, or a terrorist group, that promotes brutal violent attacks in the name of religion, jihad. Nevertheless, in the academic areas, Hamas is portrayed as a kind of a resistant movement in any other country. Despite its use of suicide and other bloody strikes against Israel, Hamas is categorized the same as any other social movement. It has budgeted about seventy million dollars annually on social services, ranging from building orphanages, schools, healthcare, clinics, mosques, and even sports leagues. An Israeli scholar, Reuven Paz assumes that approximately ninety percent of Hamas activities are in education, culture, and other social activities (Council on Foreign Relations Report, January 2009).

At first, Hamas did not use violent jihad maneuvers, such as suicide attacks, against the Israeli army. Yet, it had started several brutal attacks against Israel since 1989. In 1990, after the Israeli army killed seventeen Palestinians in the Temple Mount Jerusalem, Hamas proclaimed jihad, a holy war against the Zionist community everywhere, with every means" (ICG, 2004).

Some Hamas leaders argue that the use of violent jihad is an answer to the indiscriminate attacks of Israel against the Palestinians. Interviewed by ICG, Shaikh Yasin argues that:

Our main battle has always been against Israeli soldiers and settlers. The attacks inside Israel are operations we carry out in response to Israel's crimes against our people. They are not the strategy of our movement. Our strategy is to defend ourselves against an occupying army and settlers and settlements (ICG, 2004).

Similarly, a Hamas leader, Abu Shahab says:

I want to emphasize that at the beginning of the Al-Aqsa intifada, we in Hamas did not commit any acts of violence. Nothing Israel, however, killed scores of Palestinian civilians. The Palestinian Street began to criticize us; even people in the PA began to criticize us. What

is the philosophy of resistance? ...To inflict losses upon the enemy. We have no way to defend ourselves. We can only put pressure on Israel, and make clear that "if you do not withdraw, then we will be able to cause death and destruction on your side". The Palestinians turned from a cat into a tiger, because they put us in a cage with no chance to move (ICG, 2004).

Hamas acknowledged they use both nationalist and religious frames to identify their struggle against Israel. From the religious frame, Hamas argued that Palestinian land is a holy endowment (*waqf*) from God to Palestinian Muslims. However, Jews tried to occupy the land of Palestine and the Arab world turned its backs on Islam. Therefore, Hamas argues that returning to Islam is the answer to all these Palestinian problems. In addition, Hamas also argues that fighting against Israel was about gaining back Palestinian own land, or nation. Therefore, many Hamas leaders that Palestinian nationalism is part of religious tenets, it is not secular, as promoted by the PLO (Palestine Liberation Organization). For Hamas, secularism opposes the Palestinian principle of Islamic ideology, as is mentioned in the Charter of Hamas, articles 12 to 14:

Nothing in nationalism is more significant or important than waging jihad when enemy treads on Muslim land. While another nationalism is concerned just with the material, human, and territorial causes, the nationalism of Islamic movement has all this in addition to the more important divine qualities that give it soul and life (Robinson, 2004).

Therefore, Hamas nationalism cannot be separated from religious aspects. Jihad against Israel contains the elements of both nationalism and religion, especially during conflict or oppressed situations. Israel is not only the army but all society of Israel, because Israel is a social military system. Therefore, all of Israel, including the civilians, is the target of Hamas' military operations. In addition, the jihad operations are motivated by the retaliation of Palestinians for their families and people who were indiscriminately killed by Israel (ICG, 2004).

Scham et. al. argue that Hamas attacked Israel because they occupied their Palestinian land and kill the Palestinians who are Muslims (Scham, 2009). Therefore, it has nothing to do with Israelis' religion (Feniger & Ayalon, 2015). Hamas' hostility towards Israel is about justice, humanism, nationalism, and equally religion. It is profane causes that have shaped the violent interpretation of Jihad by Hamas.

The spirit of Palestinian nationalism can be seen clearly in the Palestinian National Charter of 1964 which had been amended in 1968. It defines Palestinian as “a people and nation with its inherent culture, ethos, ethnic affiliation and historical specificity” (Israeli, 2002). Palestinian identity is considered an innate, persistent characteristic that does not disappear, and it is transferred from father to son (Palestinian National Charter, 1964). Therefore, Hamas has had a strong commitment to nationalism. However, nationalism is not a single factor that shapes the violent jihad of Hamas toward Israel. Religious factors and support from the Palestinian society are other salient issues that shape the violent jihad of Hamas.

The study by Alshech (2008) on martyrological documents shows that at the beginning Hamas used the issues of nationalism to promote the use of violent jihad or risky violent attacks against Israel. It mostly talks about liberating Palestinian land, freeing people from the Israeli occupation, and retaliating for Palestinian killed by Israel. While the religious factors, such as attaining happiness in the hereafter and eternal life is only secondary and rarely cited.

However, in the latter martyrological documents, it starts to mention more on the religious aspects. The goal of suicide attacks or armed jihad against Israel is to achieve paradise. Therefore, Alshech labels those as egoistic suicide, because the perpetrator has his or her own personal and rational motivation, namely entering heaven. This is in contrast to the patriotic and nationalistic actions, which seek social causes, such as saving the lives of others, spreading Islam, and freeing the homeland.

Interestingly, with the shift from the nationalistic focus to the religious emphasis, Hamas gained more attraction from society. The number of suicide attacks and risky military attacks by Hamas volunteers increased significantly. Alshech argues:

The data available to me, which deal only with suicide bombers, indicate that between 1987 and 1999, when biographies and ethical wills depicted Hamas martyrs as pursuing primarily goals in this world, such as liberating the land and promoting Islam, there was an average of 5.85 Hamas suicide operations per year. In contrast, when the second stage documents began portraying Hamas martyrs as saints who view temporal life as futile and death as the only way to achieve meaningful existence in Paradise, the average number of

Hamas sponsored martyrdom missions rose to 24.75 per annum (Alshech, 2008).

Therefore, nationalism and religion are equally important. In the case of Hamas, nationalism may come in the first place; then religion provides rational and transcendental basis that drive individuals to join Hamas voluntarily in the suicide and other deadly military missions.

Yet, the acceptance of society in the causes promoted by Hamas, also give more political support to Hamas, which competed with Fatah. In turn, the support of the society also has made Hamas keeping the operational strategy of suicide attacks becomes more sustained. Therefore, Alshech argues that Hamas's hostility to Israel in the name of jihad is not only because Israel occupies Palestinian land and jihad is a good strategy to respond to Israeli sophisticated military power, but also because this strategy gives benefits to Hamas politically, namely gaining more popularity among Palestinians (Alshech, 2008).

### **Nationalism and the Indonesian Counterterrorism Policy**

The above two cases of violent armed jihad in Iran and Palestine show clearly that the values of nationalism have been adopted to intensify their political strategies. Similar to religion, nationalism is the value being used by violent jihadists along with religious reasons to pursue their political agendas. In contrast to the case of armed Jihad in Indonesia, terrorists use the concept of jihad to attack the principles of secular nationalism.

From the case of the Jihadis group in Ambon to the current movement of Mujahidin Indonesia Timur (MIT), the goals of these groups are about the same, to replace nationalist ideology with a religious Islamic ideology, and to establish an Islamic state of Indonesia (Schulze, 2019). Therefore, the Indonesian counterterrorism policy has brought the values of nationalism into the heart of deradicalization strategies. These include the programs of infusing the ideology of nationalism in the education program in the prison and making "a pledge of loyalty to state ideology and Indonesia" as one of the main indicators for the deradicalization programs. Therefore, the following part discusses how the two cases of Iran and Palestine that used nationalism to fuel their armed violent jihad shed light on the practice

of Indonesian counterterrorism policy which treated nationalism as a counter to the violent jihadis and terrorist movements.

The terrorist attacks in the early 2000s, especially the Bali Bombing I, October 2002, have marked the shifts in Indonesian policy on counterterrorism. Terrorism is no longer treated as an ordinary crime, which primarily relies on the function of police institutions to handle the cases. In 2002, Megawati's administration enacted a Government Regulation in Lieu of Law No. 1 of 2002 on Counterterrorism. It mandated a more comprehensive approach to tackle terrorism and more state institutions involved in counterterrorism programs.

A year later, the Government Regulation in Lieu was approved by the People's Representative Assembly (Dewan Perwakilan Rakyat). It became the Law No. 15 of 2003 on counterterrorism. Then, it was revised in 2018 by enacting the Law No. 5 of 2018, the newest law of counterterrorism. The Indonesian regulation on counterterrorism has become more comprehensive and complete. Other related regulations on counterterrorism have also emerged simultaneously to support the policy of counterterrorism in Indonesia, such as the Law of Prevention and Eradication of Terrorist Financing, Law No. 9 of 2013 on Prevention and Counter Terrorism, and Presidential Decree No. 7 of 2021 on National Action Plan on Preventing and Countering Violent Extremism Leading to Terrorism 2020-2024.

Similar to the development of regulations on counterterrorism, the government counterterrorism agency has developed significantly. In the beginning, the government of Indonesia set up a Desk for Coordinating Counterterrorism under the Coordinating Ministry of Politics and Law in 2002. Then, in 2010, the Government enacted Presidential Decree No. 46 of 2010 on National Counterterrorism Agency (Badan Nasional Penanggulangan Terrorism, or BNPT). Law No. 5 of 2018 on Counterterrorism has become more powerful under the direct command of the President of Indonesia (Zulfikar & Aminah, 2020).

According to the document of Indonesia's National Medium-Term Development Plan 2020-2024 (*RPJMN 2020-2024*), the counterterrorism program is one of the priority agendas as part of the important program to secure national stability (Narasi RPJMN,



VIII.17). In general, the programs of counterterrorism are divided into three main areas: prevention, enforcement, and deradicalization (Narasi RPJMN, VIII.17 and Laporan 4 Tahun Pemerintahan Joko Widodo-Jusuf Kalla, 2019). The government accentuates the soft policy for counterterrorism, such as the use of educational, social, and cultural approaches, especially in the area of prevention and deradicalization. While in the context of law enforcement, the government emphasizes the use of the hard approach.

The government claims that these strategies are effective in responding to terrorism in Indonesia. In 2019, the reports of The Global Terrorism Index (4.54 low impact on terrorism) and the Global Peace Index Indonesia (1.784, high peace) show that Indonesia has been getting better at countering the threats of terrorism (Kantor Staf Presiden, 2019).

Nationalism is the core value of the Indonesian counterterrorism strategies, especially in the aspects of prevention and deradicalization. In Indonesia, the fundamental principles of nationalism consist of four national consensuses. They are Pancasila (the state ideology), the 1945 Indonesian Constitution, NKRI (Negara Kesatuan Republik Indonesia/ the unity of Indonesian territories), and *Bhinneka Tunggal Ika* (unity in diversity).

All aspects of the counterterrorism strategies, especially in the areas of prevention and deradicalization, are injected with these pillars of nationalism. These also make up the forms of soft approaches in the strategies. The heavy emphasis of Indonesian counterterrorism strategies on nationalism is because terrorism in Indonesia is mostly understood as the anti-Indonesian nationalist state. Their aims are not only for implementing Sharia but also for establishing an Islamic state, replacing the pillar of nationalism, especially the state ideology Pancasila and the constitution of UUD 1945.

In the prevention program, all strategies are injected with the principle of nationalism. For example, in the program of *Islām Wasatīyyah* (Islamic moderation) mainstreaming, the contents are not only promoting moderate characters, and peaceful values of Islam, but also about loving, caring, and loyalty to Indonesia as one's homeland, government, the state ideology, and the constitution that suits to values and principles of Islamic teachings.

Similarly, almost all the programs launched by the state institutions include the four pillars of nationalism as salient aspects of their programs, such as Pelajar Pancasila coined by the Ministry of Education, Duta Damai (The Messengers of Peace), and FKPT or Forum Koordinasi Penanggulangan Teroris (the coordination forum for counterterrorism) established by the BNPT, and *Islām Wasaṭiyyah* (Islamic Moderation) launched by the Ministry of Religious Affairs. The main activities of those programs mostly promote the moderate understanding of Islam as well as confronting the radical, violent interpretation of the religion, and promoting values of nationalism.

A similar discourse is developed in the deradicalization program. It is aimed at normalizing people and groups that embrace or are prone to radical, extremist, and terrorist ideologies. The word "normal" here means having a moderate and peaceful belief in Islam, or any religion, and accepting the nation's ideology and constitutions. They include the terrorists in the prisons or police detention and former terrorist prisoners along with their families.

In the prison, nationalism is used as a main as well as an initial indicator for evaluating the deradicalization process. It may take in the forms of 1) saluting the flag, pledging alliance to NKRI (the Unity of the Republic of Indonesia) and Pancasila, 2) willingness to respond to the greeting of *salām* from the officers and police, 3) reading Pancasila and UUD 1945, and other similar declarations of loyalty to the nation (Direktorat Jenderal Pemasyarakatan, 2017). The terrorists' willingness to do these declarations of their nationalism will affect the way the authorities treat them. The terrorists, who are willing to do so, will be considered as having been soft, or deradicalized. Therefore, they will be transferred into general prisons, even those that are close to their families or hometown. On the contrary, the terrorist prisoners, who are not willing, or even reject, to do so, will be put in high-risk prisons: maximum and super maximum-security prisons, which are one man one cell and socially restricted (Supardi, personal communication, 13 February 2022).

In addition, when the terrorist prisoners, who are detained in the type of high-risk prisons, declared their loyalty to the NKRI, they will be transferred to the medium or low-risk prisons. Therefore, they can freely interact with other prisoners and join many programs in the prison.

They can be visited more frequently by their families and reduced the sentence duration. In the detention, the terrorist prisoners received the frequent socialization of this policy on declaration of nationalism, the benefits being received when the terrorist prisoners (not other types of prisoners) declare the Indonesian nationalism. According to the prison staff, when terrorist prisoners propose to sign and declare their loyalty to Indonesia, the prison will celebrate and commemorate the process of declaration. They also have to admit their mistakes in their terrorist crimes. Three conspicuous agendas during the declaration have to be done by the terrorist prisoners are signing pledge alliance to Indonesia and saluting, then kissing, the Indonesian flags. Then, the document of the commemoration of pledging alliance to NKRI will be used by the Directorate General of Corrections to give the incentives to the terrorist prisoners. In addition, the Police Special Detachment 88 (Densus 88) and BNPT gave some financial assistance to the family of the prisoners, such as their wives and children (Supardi, personal communication, 13 February 2022; Sabirin, personal communication, 19 December 2021).

Eventually, the practices of counterterrorism policy in Indonesia that uphold the value of nationalism (in contrast to the cases of Jihad in the Iran-Iraq War and Hamas's Jihad) leave some questions on the relationship between nationalism and religion in the making of violent armed Jihad. The cases of Iranian violent jihad in the Iraq-Iran War and of Hamas' violent Jihad show that nationalism does not necessarily contradict the ideology of terrorism. Even, nationalism is a secular factor that makes the violent jihad become more powerful and interesting among the bystanders of the violent jihad, especially in the above context in Iran and Palestine.

Therefore, learning from those two cases, the use of nationalism as an approach to deradicalize the ideology of terrorists should be evaluated. Nationalism, in the generic meaning of love and loyalty to the country, homeland does not necessarily contradict the violent ideology of terrorism. Even, several terrorist groups exploit the values of nationalism to legitimize their usage of armed violent jihad. Some similar cases were found during the interview with terrorist prisoners in Ambon and Nusakambangan. A prisoner argues that he loves Indonesia; he only disagrees that the constitution of Indonesia is based on Pancasila

and UUD 1945, not based on God's constitution, the Quran (Syakirin, personal communication, 19 December 2021). The other hand, Syahid argues that he was involved in the attacks because he cared about his Muslim brothers being slaughtered and expelled by Christians in the Moluccas. He argued that he does not have any problems with the state constitution and Indonesian nationalism (Syahid, personal communication, 13 February 2021).

Reaffirming the mixture of nationalism and religion in the making of armed jihad in Palestine and Iran, these small cases of terrorist prisoners indicate that nationalism is a neutral value that can be used either to strengthen or counter the armed violent jihad. In the case of Indonesia, nationalism is often believed to be the remedy to violent extremism and terrorism. However, some Indonesian terrorist prisoners argue that they were involved in their movement because they love and want to save Indonesia based on their own perspectives and belief.

In the case of Indonesia, the hatred of Indonesian terrorists against the four consensuses, or pillars of nationalism (Pancasila, Bhinneka Tunggal Ika, NKRI, and especially the 1945 Indonesian Constitution) may be countered using the nationalist values. However, their goal is to seize the power of the Indonesian government and establish the Islamic State of Indonesia, or a new form of religious nationalism. Therefore, the use of nationalism, such as pledging alliance to the state of Indonesia and saluting the flag of Indonesia, should be evaluated carefully, in terms of its effectiveness as a main indicator and target of the deradicalization program.

## **Conclusion**

Terror in the name of religion has attracted many social and political scientists for the last two decades. Religion that offers peace and harmony has been hijacked by violent extremist and terrorist groups to pursue their political goals, such as the Islamist terrorist groups. In the name of God, they spread the terrors, not only killing innocent people but also destroying public spaces. They frame their movements and justify their terrors using the fiqh of jihad, the divine call from God to fight. Therefore, the concept of jihad is often understood as the core of contemporary Islamist terrorism.

However, many studies indicate that jihad itself is not always a religious domain, it has interacted with secular domains, such as the ideology of nationalism. By looking at the two prominent cases of violent jihad in Iran and Palestine, the present study shows that the interactions of two ideologies (religion and nationalism) together create a sustained and powerful force of violent armed jihad by the Iranians during the Iraq-Iran War and Palestinian Hamas against Israel to achieve their political goals.

In the case of Iran, the religious concept of jihad and the Karbala paradigm was translated into a martyr's army, the Basidji squad. Many young Iranian gave their lives to defend their homeland from the Iraqi invasion. They believe that the goal of the struggle, or jihad was to defend their lands, but if they died, they would become martyrs.

Likewise, in the making of the fiqh of jihad by Hamas in Palestine, jihad, such as the suicide operation against Israel is strongly shaped by two ideological factors namely nationalism and religion. The manifesto of nationalism itself is an armed jihad against Israel. Similarly, the call to defend the homeland of Palestine is a religious duty. Therefore, nationalism and religion are equally vital in the manufacture of armed jihad.

Conversely, in the Indonesian counterterrorism policy, interestingly nationalism is used as the remedy for religiously motivated violent jihad. Nationalism is one of the core programs of the Indonesian counterterrorism strategies. All aspects of the counterterrorism strategies, especially in the areas of prevention and deradicalization, are injected with the four consensuses, or pillars, of nationalism (Pancasila, *Bhinneka Tunggal Ika*, NKRI, and UUD Negara Republik Indonesia 1945).

The heavy emphasis of Indonesian counterterrorism strategies on nationalism is because terrorism in Indonesia is mostly understood as an anti-Indonesian nationalist ideology. Their aims are not only for implementing sharia, but also establishing an Islamic state, replacing the four consensuses of nationalism. The question is, then, to what extent, treating nationalism as a strategy for counterterrorism will be effective to protect people from the violent ideologies, to deradicalize terrorists, and to remove the violent aspect from the concept of jihad. Learning from the cases of violent jihad in Iran and Hamas Palestine,

nationalism has been mingled with religious ideology in shaping the manifests of armed jihad.

Therefore, the concept of nationalism should be carefully treated and closely investigated. The efficacy of the nationalism approach in the Indonesian counterterrorism strategies needs to be evaluated. Alternatively, in terms of policy, the strategy of opposing violent ideologies should emphasize more on indoctrination of the meaning of peaceful and nonviolent jihad. In addition, the present article suggests for future research that the study on the drivers of terrorism in Indonesia should be integrated comprehensively, to find the best formula for countering terrorism, as well as, the efficacy of the concept of nationalism in Indonesian policy of counterterrorism.

## References

- Al Uyairi, S. Y. (2007). *Muslimah Berjihad: Peran Wanita di Medan Jihad*. Solo: Media Islamika.
- Al-Atsari, A. A. (2008). *Memusuhi Penguasa Murtad*. Translated by Wahyudin bin Rayidin. Media Islamika.
- Alshech, E. (2008). Egoistic Martyrdom and Hamās' Success in the 2005 Municipal Elections: A Study of Hamās Martyrs' Ethical Wills, Biographies, and Eulogies. *Die Welt Des Islams*, 48(1), 23–49.
- As-Salim, M. bin A. (2013). *39 Cara Membantu Mujahidin*. Translated by Abu Ja'far Al-Indunisy. Media Islamika.
- Atran, S. (2006). The moral logic and growth of suicide terrorism. *Washington Quarterly*, 29(2), 127–147.
- Ayoob, M. (2008). The many faces of political Islam. *Ann Arbor: University of Michigan Press*, 8.
- Azis, S. A. Q. bin A. (2007). *Thatbiq Syari'ah, Menimbang Status Penguasa yang Menolak Syari'at*. Translated by Abu Musa Ath-Thayyar. Media Islamika.
- Bonner, M. (2008). *Jihad in Islamic History: Doctrines and Practice*. Princeton University Press. <https://books.google.co.id/books?id=Qxq7eykoJg0C>
- Cook, D. (2007). *Martyrdom in Islam* (Vol. 4). Cambridge University Press.
- Cook, D. (2015). *Understanding Jihad*. University of California Press. <https://books.google.co.id/books?id=SqE2DwAAQBAJ>
- Daud, A. I. M., Huda, R., & Arifin, A. (2008). *The Secret of Jihad Moro: Fakta-fakta Perlawanan Kaum Tertindas Muslim Moro*. Media Islamika.
- El-Husseini, R. (2008). Resistance, Jihad, and Martyrdom in Contemporary Lebanese Shi'a discourse. *The Middle East Journal*, 62(3), 399–414.
- El-Yousfi, A. (2020). The Anthropology of Islam in Light of the Trusteeship

- Paradigm. In *Islamic Ethics and the Trusteeship Paradigm: Taha Abderrahmane's Philosophy in Comparative Perspectives* (197–217). Brill.
- Feniger, Y., & Ayalon, H. (2015). English as a Gatekeeper: Inequality between Jews and Arabs in access to Higher Education in Israel. *International Journal of Educational Research*, 76, 104–111. <https://doi.org/10.1016/j.ijer.2015.04.003>
- Gupta, D. K., & Mundra, K. (2005). Suicide Bombing as a Strategic Weapon: An Empirical Investigation of Hamas and Islamic Jihad. *Terrorism and Political Violence*, 17(4), 573–598.
- Halimah, A. M. (2007). *Tiada Khilafah Tanpa taubid & Jihad: Jalan Memulai Kehidupan Islami dan Tegaknya Khilafah Rasyidah sesuai Al-Quran dan As-Sunnah*. Translated by Abu Sulaiman Aman Abdurraman. Arrahmah Media.
- ICG. (2004). *Dealing with Hamas*.
- Israeli, R. (2002). State and Religion in the Emerging Palestinian Entity. *J. Church & St.*, 44, 229.
- Kepel, G. (2002). *Jihad: The trail of political Islam*. Harvard University Press.
- Pedoman Umum Perjuangan Al-Jam'ah Al-Islamiyyah, (1996).
- Peraturan Pemerintah Republik Indonesia Nomor 77 Tahun 2019 tentang Pencegahan Tindak Pidana Terorisme dan Pelindungan Terhadap Penyidik, Penuntut Umum, Hakim, dan Petugas Pemasarakatan.
- Peraturan Presiden Republik Indonesia Nomor 7 Tahun 2021 tentang Rencana Aksi Nasional Pencegahan dan Penanggulangan Ekstremisme Berbasis Kekerasan yang Mengarah pada Terorisme Tahun 2020-2024.
- Munajat, M. (2022). The Battle of Ideology: Seeking the Strategy for Indoctrinating Pancasila for Those Who Are Anti-Pancasila. *Millati: Journal of Islamic Studies and Humanities*, 7(1), 1–17.
- Peters, R. (1996). The Doctrine of Jihad in Modern Islam. *Jihad in Classical and Modern Islam*, Princeton: Markus Wiener Publishers, 103–148.
- Razoux, P., & Elliott, N. (2015). *The Iran-Iraq War*. Harvard University Press.
- Robert, P. (2005). *Dying to Win: The Strategic Logic of Suicide Terrorism*. Random House, New York.
- Robinson, G. E. (2004). Hamas as Social Movement. *Islamic Activism: A Social Movement Theory Approach*, 112–139.
- Sageman, M. (2004). *Understanding Terror Networks*. University of Pennsylvania Press. <https://doi.org/doi:10.9783/9780812206791>
- Scham, P. (2009). *Hamas: Ideological rigidity and political flexibility* (Vol. 31). United States Institute of Peace.
- Schulze, K. E. (2019). From Ambon to Poso. *Contemporary Southeast Asia*, 41 (1), 35–62.
- Supardi, Staff in a Nusakambangan prison, personal communication, 13 February 2022.

- Sabirin, Staff of the Department of Corrections in a Nusakambangan prison, personal communication, 19 December 2021.
- Syahid, Terrorist prisoner in a Nusakambangan prison, personal communication, 13 February 2021
- Syakirin, Terrorist prisoner in a Nusakambangan prison, personal communication, 19 December 2021
- Undang-Undang No. 15 Tahun 2003 tentang Penetapan Peraturan Pemerintah Pengganti Undang-Undang Nomor 1 Tahun 2002 tentang Pemberantasan Tindak Pidana Terorisme Menjadi Undang-Undang
- Undang-Undang No. 5 Tahun 2018 tentang Perubahan atas UU No. 15 Tahun 2003 tentang Penetapan UU No. 1 Tahun 2002 tentang Pemberantasan Tindak Pidana Terorisme menjadi Undang-Undang.
- Undang-Undang No. 9 Tahun 2013 tentang Pencegahan dan Pemberantasan Tindak Pidana Pendanaan Terorisme.
- Woods, K. M., Murray, W., Nathan, E. A., Sabara, L., & Venegas, A. M. (2013). *Saddam's generals: Perspectives of the Iran-Iraq war*. Lulu. com.
- Zulfikar, M., & Aminah, A. (2020). Peran Badan Nasional Penanggulangan Terorisme dalam Pemberantasan Terorisme di Indonesia. *Jurnal Pembangunan Hukum Indonesia*, 2(1), 129–144.

---

**Munajat**

Universitas Islam Negeri (UIN) Salatiga, Indonesia  
E-mail: munajat@iainsalatiga.ac.id