



**INDONESIA'S COUNTERTERRORISM POLICY,
2001—2009**

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ABSTRACT

This study attempts to analyze Indonesia's counter-terrorism policy during the period 2001--2009. It asks three interrelated questions. Firstly, according to the government's perspective, who was responsible for the major bomb attacks in Indonesia? Secondly, what sort of counterterrorism policies did the government adopt? Finally, what are the main factors that shaped the government's counterterrorism policy during that period? To explain the Indonesian government's counterterrorism policy, this study adopts "the logic of two-level games" (Putnam, 1988) as the theoretical framework. The model explains how domestic politics and international relations get entangled and influence the direction taken by the government's policy. Based on the theoretical framework, government policy is a function of incentives and constraints both on the international and on the domestic level. As "the gatekeeper" between the two levels game, the government simultaneously processes these interdependent incentives and constraints in its policy decision-making. This study uses a qualitative research method. The data used in this research are mostly derived from official documents, direct interviews with government officials and the secondary sources (books and journals) on terrorism and counterterrorism. This thesis demonstrates that, although it never banned *Al-Jamaah Al-Islamiyah* (AJAI) because of domestic considerations, the government believes that the AJAI is a terrorist network mostly responsible for the consecutive bombings in Indonesia. Secondly, the present government has mostly relied on a "law-enforcement approach" in fighting the terrorist network which has been incrementally complemented with an "ideological approach" to fight religious extremism. Finally, the pathway of Indonesia's counterterrorism policy was shaped by contradictory pressures originating from the Muslim community and human rights groups in the domestic political environment, on one hand, as well as international pressures originating from the United States and its allies, on the other hand.

ملخص البحث

هذه الأطروحة تسعى إلى تحليل سياسات مناهضة الإرهاب من قبل الحكومة الإندونيسية ما بين 2001-2009م. وقد طرحت ثلاثة أسئلة مترابطة: أولاً، ما الجهة المسؤولة التي كانت وراء معظم التفجيرات في إندونيسيا من وجهة نظر الحكومة؟ وثانياً، أي نوع من السياسات اتخذته الحكومة لمكافحة الإرهاب؟ وأخيراً، ما هي العوامل الرئيسية التي عبّدت طريق الحكومة في سياستها المتخذة لمكافحة الإرهاب خلال هذه الفترة؟ لبيان سياسة الحكومة في مكافحة الإرهاب، فإن هذه الدراسة تعتمد "منطق المباريات ذات الشوطين" (بوتنام، 1988م) بوصفها إطاراً نظرياً. فهي تفسّر كيف أن السياسات المحلية والعلاقات الدولية تؤثران على توجيه المسار الحكومي في مناهضة الإرهاب. إذ يلزم، من الإطار النظري، أن تأتي السياسة الحكومية نتيجة توظيف عملي للدوافع والمثبطات المتراكمة على المستويين العالمي والمحلي. فالحكومة توازن بين الضغوط الدولية والمحلية المتضاربة وتحاول صياغة وتنفيذ سياسات تلبي مطالب الطرف الدولي والطرف المحلي على حد سواء. أبرزت الدراسة أنّ الحكومة الحالية تعتمد على "نهج تطبيق القانون" في مقارعة الشبكة الإرهابية، المستوفى بشكل تدريجي بمقاربة أيديولوجية متأنية في محاربة التطرف الديني. وأخيراً، فإن هذه الدراسة أظهرت أن سياسة مكافحة الإرهاب كانت قد تشكّلت، من جانب، بفعل الضغوط المتضاربة، التي مارستها التجمعات المسلمة وجماعات حقوق الإنسان على صعيد السياسة الداخلية، ومن جانب آخر، بفعل الضغوط الدولية التي مارستها الولايات المتحدة وحلفاؤها على الحكومة الإندونيسية. اعتمدت الدراسة في مصادرها على المعلومات المتوفرة في الكتب والدوريات العلميّة بالإضافة إلى تجميع بعض المعلومات عن طريق المقابلات الشخصية.

APPROVAL PAGE

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DECLARATION

I hereby declare that this dissertation is the result of my own investigations, except where otherwise stated. I also declare that it has not been previously or concurrently submitted as a whole for any other degrees at IIUM or other institutions.

Ali Muhammad

Signature : Date :

INTERNATIONAL ISLAMIC UNIVERSITY MALAYSIA

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This thesis is dedicated to

My mother, Mrs. Hj. Subinah
And in memory of my father, Mr. Slamet Abdullah Chairuddin
My mother and father in-law, Mrs. Hj. Cucu Suhaebah and Mr. H. Karnawan
My loving and supportive wife, Ferra Feronika
My lovely kids, Alicia & Farel

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LIST OF ABBREVIATIONS

AJAI /JI	: Al-Jamaah Al-Islamiyah/Jamaah Islamiyah
ATA	: Anti-Terrorism Assistance
BIN	: Badan Intelijen Negara (State Intelligence Agency)
CTCD	: Counterterrorism Coordinating Desk
DENSUS 88	: Detasemen Khusus 88 (Special anti-terror police unit)
DEPAG	: Departemen Agama (Department of Religious Affairs)
DI/NII	: Darul Islam/Negara Islam Indonesia
DPR	: Dewan Perwakilan Rakyat (Indonesian Parliament)
FPI	: Front Pembela Islam (Islamic Defender Front)
GRL	: Government Regulation in Lieu of Law
GWOT	: Global War on Terror
HTI	: Hisbut Tahrir Indonesia
ICG	: International Crisis Group
ISA	: Internal Security Acts
KONTRAS	: Komisi untuk Orang Hilang dan Korban Kekerasan (The Commission for Disappearances and Victims of Violence).
MMI	: Majelis Mujahiddin Indonesia (Indonesian Warrior Council)
MUI	: Majelis Ulama Indonesia (Indonesian Ulama Council)
NU	: Nahdhatul Ulama
PBB	: Partai Bulan Bintang (the Moon and Star Party)
PKS	: Partai Keadilan Sejahtera (the Prosperous Justice Party)
PERPU	: Peraturan Pemerintah Pengganti Undang Undang (Government Regulation in Lieu of Law, GRL)
POLRI	: Polisi Republik Indonesia (Indonesian National Police, INP)
PPATK	: Pusat Pelaporan dan Analisis Transaksi Keuangan (Financial Transaction and Report Analysis Centre)
PPP	: Partai Persatuan Pembangunan (the United Development Party)
RUU	: Rancangan Undang-Undang (Law proposal, Bill)
TNI	: Tentara Nasional Indonesia (Indonesian Armed Forces)
TPM	: Tim Pengacara Muslim (Muslim Lawyer Team)

A NOTE ON TRANSLITERATIONS

Rendering the Indonesian Islamic names into English poses a great challenge because of the preponderance of Arabic names and even loan words into Indonesian. While the origins of these names are Arabic, they are printed differently in the Romanized form. This study adapts local or Indonesian transliteration. One example is the spelling of the name of a person under study.

Arabic: Abū Bakr Ba‘āsyir
Indonesian: Abubakar Ba’asyir

Another example is the spelling of a name of organization under study:

Arabic: Al-Jamā‘ah Al-Islāmiyah
Indonesian: *Al-Jamaah Al-Islamiyah*

As for Arabic words, this study also adapts local or Indonesian transliteration. Macron and dots are not added to Arabic words, such as, *Jihad*, *Syariah*, *haram*, as well as names of political parties and names of Islamic organizations, such as, *Darul Islam*, *Hisbut Tahrir Indonesia*, *Majelis Mujahidin Indonesia*, *Majelis Ulama Indonesia*. They will be written in italic.

CHAPTER ONE

INTRODUCTION

Based on our intention and targets, it was obvious that the Bali Bombing was a form of *jihad fi sabilillah* because our targets were the imperialist powers, such as the US and its allies... They are the imperialist powers who have killed the weak [Muslim] people and innocent babies [in Palestine, Bosnia, Iraq, Afghanistan, et cetera] so that they deserved to be killed. (The Bali Bomber, Imam Samudera).¹

Oh my dear brothers... Let's be honest that the Bali bombing, hotel Marriott bombing and other bombings which we initially intended to perform *jihad fi sabilillah* have created much more destruction than usefulness and virtuousness. Only with honesty can we correct our [erroneous] ways of *jihad* so that we will not commit the same mistakes again for many times in the future. (The Bali Bomber, Ali Imron).²

BACKGROUND TO THE STUDY

The Rise of the Terrorist Threat

This study investigates the course of the Indonesian government's policy response toward terrorism during the 2001—2009 period. After the downfall of "New Order" regime in 1998, the repressive capacities of the state weakened significantly. The world's biggest Muslim country slowly moved towards a consolidated democratic regime.³ During the critical phase, however, a variety of internal security problems in the peripheral regions emerged such as, the increasing separatist movements in East

¹ Imam Samudera was sentenced to death and executed for his role as the field commander of the Bali Bombing, 2002. Before the execution, he wrote two books to justify his action See, Imam Samudera, *Aku Melawan Teroris!* [I am against terrorists!], (Solo: Jazera, 2005), 109. He also wrote, *Jika Masih Ada yang Mempertanyakan Jihadku* [If Anyone Remains Unconvinced with My Jihad], (Surabaya: Kafilah Syuhada, 2009).

² Ali Imron was sentenced to life-imprisonment. In the prison, he wrote a book to clarify his actions and expresses his repentance. See, Ali Imron. *Sang Pengebom: Kesadaran dan Ungkapan Penyesalan* [The bomber: Consciousness and Repentance], (Jakarta: Republika, 2007), xxviii.

³ "New Oder" is an authoritarian, military dominated regime during Suharto's rule, 1961—1998. Rizal Sukma, "Democratic governance and security in Indonesia," *Japanese Journal of Political Science* 4, 2, (2003): 241–55.

Timor, Aceh, and West Papua⁴ as well as the protracted communal conflict in West Kalimantan, Ambon and Poso.⁵ However, the new democratic governments also had to respond to terrorist threats which had adversely affected the national stability and security since 2000.⁶

On Christmas Eve, 24 December 2000, a clandestine network launched coordinated bombing attacks against churches in eleven cities across Indonesia.⁷ The coordinated bomb attack used low-explosive materials and killed 9 and wounded 120 people. With a few exceptions, such as the attack on the residence of the Philippine ambassador in Jakarta in August 2000, the targets were mostly churches and priests. A report states that the motivation for the church bombing was revenge for massacres of Muslims by Christians in the conflict areas: Maluku, North Maluku, and Poso (Central Sulawesi) in 1999 and 2000.⁸

Since then, deadly bombings have become regular in Indonesia: the Bali Bombings killed mostly foreign tourists on October 12th 2002; the J.W. Marriot Hotel was bombed on 5 August 2003; there was a suicide bomb attack at the Australian Embassy on 9 September 2004, and suicide bombings in Bali on 1 October 2005. On July 17th, 2009, after Indonesia successfully has held a peaceful

⁴ East Timor ceded from Indonesia after a Referendum in 1999. The Aceh problem was solved after the agreement between the government and the Free Aceh Movement (GAM) had been signed in Helsinki. The government agrees to give Aceh province a special autonomy status and GAM agrees to stop their armed struggle and aspiration for independence. However, the problem of separatism in West Papua has yet to be solved up to the present time. See, Andrew T.H. Tan, *Security Perspective of the Malay Archipelago: Security Linkages in the Second Front in the War on Terrorism*, (Northampton, MA: Edward Elgar, 2004), 175-90.

⁵ An excellent analysis on communal violence in the outer islands since the downfall of the New Order, see Gerry Van Klinken, *Communal Violence and Democratization in Indonesia: Small Town Wars*, (London and New York: Routledge, 2007).

⁶ Analysis on instability faced by Indonesia since the downfall of Suharto, see, Bilveer Singh, *Indonesia and the Arch of Instability*,” in *Australia’s Arc of Instability: The Political and Cultural Dynamics of Regional Security*, edited by D. Rumley, Vivian. L. Forbes and C. Griffin, (The Netherlands: Springer, 2006), 83-100.

⁷ “Indonesia Backgrounder: How the *Jemaah Islamiyah* Terrorist Network Operates,” *ICG Asia Report* no 43, (11 December 2002).

⁸ “Indonesia Backgrounder... ”: i-ii.

parliamentary and presidential election, two suicide bombers suddenly attacked the J.W. Marriott and Ritz-Carlton hotels, Jakarta. The consecutive terror attacks have damaged political stability, national security and the fragile economy of the world's biggest Muslim nation on earth. Table 1 lists the major bomb attacks since 2000.

Table 1.1
Major Terror Attacks, 2000 – 2009⁹

Date	Main Target	Victims	Methods
30/Dec/2000	Churches, priests, the residence of the Philippine Ambassador (11 cities across Indonesia)	9 dead, 120 wounded	Bombs attacks
12/Oct/2002	Foreign Tourists at Paddy's Bar and Sari's Club and the US Consulate (Bali)	202 dead, 300 wounded	Car Bombs
05/Aug/2003	Foreigners in the J.W. Marriott Hotel (Jakarta)	13 dead, 149 wounded	Suicide Car Bomb
09/Sep/2004	The Australian High Commission (Jakarta)	10 dead, 182 wounded	Suicide Car Bomb
01/Oct/2005	Foreign Tourists at Raja's Restaurant and Jimbaran Beach (Bali)	22 dead, 135 wounded	Suicide Bomb
17/Jul/2009	Foreigners at the J.W. Marriott & Ritz Carlton Hotels (Jakarta)	9 dead, 53 wounded	Suicide Bomb

“Terrorism” Defined

The word “terrorism” is derived from the Latin word *terrere*, meaning to frighten, to terrify, to scare away, or to deter. “Terrorism” has no precise or widely accepted

⁹ Various sources: Kompas, Detik.com, Jawa pos. This table does not include a series of attacks and counterattacks in the sectarian violence between Muslims and Christians in Ambon and Poso.

definition and is one of the most controversial concepts in social sciences.¹⁰ To define it is intricate because the meaning has changed so frequently within social and historical contexts over the past two hundred years.¹¹ The definition of the term depends on political power, that is to say, government can increase their power when they label opponents as “terrorists.”¹² From a critical perspective, the way the term is selectively applied is only to serve the interests of the powerful.¹³ Furthermore, to define it is very complicated since a well-known adage says, “one person’s terrorist is another person’s freedom fighter.”¹⁴

It is noteworthy that most of the definitions agree that acts of terrorism are “immoral and abhorred.” However, the controversies have emerged on this point since the definers seek to exclude groups that they wish to support or to include groups that they wish to denounce. Central to the disagreement is the categorization of whether political violence is “lawful” and “legitimate” or “unlawful” and “illegitimate.”¹⁵ Some define terrorism if the perpetrator is only a sub-national group, but others define it more broadly to include state actors as well. For instance, the US Department of Defense defines terrorism as “the unlawful or threatened use of force or violence against individuals or property to coerce and intimidate governments or societies,

¹⁰ Charles W. Kegley, Jr. *The New Global Terrorism: Characteristics, Causes, Controls*, (New Jersey: Prentice Hall, 2003), 16.

¹¹ David J. Whittaker, *The Terrorism Reader*, (London and New York: Routledge, 2001), 5.

¹² Jonathan R. White, *Terrorism: An Introduction*, 3rd Edition, (Belmont, CA: Wadsworth Thomson Learning, 2002). 6. See also, Walter Laqueur. *Terrorism*, (Boston: Little Brown and Co, 1977).

¹³ From critical perspective, see for instance, Edward Said, ‘The essential terrorist’, in *Blaming the Victims: Spurious Scholarship and the Palestinian Question*, edited by Edward Said and Christopher Hitchens (London: Verso, 2001), 147–57.

¹⁴ James M. Lutz and Brenda J. Lutz, *Global Terrorism*, (London and New York: Routledge, 2004), 8. In Israeli-Palestinian conflict, for instance, Israeli government and the Western governments label HAMAS as “a terrorist organisation.” On the contrary, Palestinian resistance groups who live under the Israelis’ brutal occupation and the sympathisers of the Palestinian cause categorize the Israeli government as “the real terrorist.”

¹⁵ Grant Wardlaw, *Political Terrorism: Theory, Tactics and Countermeasures*, (Cambridge: Cambridge University Press, 1989), 4.

often to achieve political, religious or ideological objectives.”¹⁶ Meanwhile, the US State Department defines terrorism as “premeditated, politically motivated violence perpetrated against noncombatant targets by sub-national groups or clandestine agents, usually intended to influence an audience.”¹⁷ By using the US State Department’s definition, political violence can be categorized as acts of terrorism if they are “unlawful” or perpetrated by “sub-national groups.”¹⁸

In contrast, Ayatullah Syaikh Muhammad Ali Tashkiri formulated a broader definition at the international conference on terrorism called by the Organization of the Islamic Conference (OIC) in Geneva in June 1987. He said that ”Terrorism is an act carried out to achieve an inhuman and corrupt objective, and involving threat to security of any kind, and violation of rights acknowledged by religion and mankind.”¹⁹ Using his definition, Tashkiri intended to include “state terrorism,” in particular, the United States being “the mother of international terrorism.” Tashkiri writes:

It is indeed comical that the United States of America, which is the mother of international terrorism, and the author of all the circumstances of oppression and subjection of people, by strengthening dictatorial regimes and supporting occupation of territories and savage attacks on civilian areas, etc. should seek to convene symposia on

¹⁶ Gus Martin, *Essentials of Terrorism: Concepts and Controversies*, (Los Angeles: Sage Publication, 2008), 8.

¹⁷ Ibid, 9.

¹⁸ This definition creates controversies because the attacks of the Israeli army against Palestinian civilians in the occupied territories and the US invasion of Afghanistan and Iraq cannot be categorized as “terrorism” because it is “lawful” and “legitimate” since it is perpetrated by the state.

¹⁹ Ayatullah S.M.A.Tashkiri, “Toward a definition of terrorism,” *Al-Tauhid*, vol. V, no. 1 (Muharram 1408 AH/1987CE), <<http://www.al-islam.org/al-tawhid/definition-terrorism.html>> (accessed on 26 October, 2009). Other Muslim intellectuals have also tried to define terrorism broadly: “An outrageous attack carried out either by individuals, groups or states against the human being (his religion, life, intellect, property and honour). It includes all forms of intimidation, harm, threatening, killing without just cause and everything connected with any form of armed robbery, hence making pathways insecure, banditry, every act of violence or threatening intended to fulfil a criminal scheme individually or collectively, so as to terrify and horrify people by hurting them or by exposing their lives, liberty, security or conditions to danger; it can also take the form of inflicting damage on the environment or on a public or a private utility or exposing a national or natural resource to danger.” See, “Terrorism: Islam’s Viewpoint,” *The Muslim World League Journal*, (July 2002), <<http://muslim-canada.org/fiqhcouncil.html>> (Accessed on 28 January, 2008).

combating ‘terrorism, i.e., any act that conflicts with its imperialist interests...’²⁰

It seems obvious that there is an incompatible perspective on terrorism between “the West” and “the Muslim world.” However, controversies have also emerged within the Muslim world itself. For instance, the Muslim world represented “formally” by the Organization of the Islamic Conference (OIC) also failed excruciatingly to formulate an agreed definition of terrorism. In the extraordinary session of the Islamic Conference of foreign ministers on terrorism in Kuala Lumpur in April 2002, OIC foreign ministers were divided over whether or not Palestinian suicide bombers can be categorized as “terrorists.”²¹

Another prominent scholar who studied terrorism is Alex P. Schmidt. He has also examined 109 definitions of “terrorism” from leading academic researchers from the field. From these definitions, he identifies the following definition elements: violence and force—appeared in 83.5% of the definitions; political goal—65%; spreading fear and dread—51%; threat of violence—47%; psychological impact of terrorism—41%; discrepancy between target and victims—37.5%; degree of consistency, planning, and organization of terrorism—32%; terrorism as a method of warfare, strategy and tactics—30.5%.²²

Apart from those controversies and variety of meanings, however, a clear definition of the term is required not only for academic purposes but also for practical purposes. To fight against a terrorist group, for instance, we must first of all be very clear whether the organization we are fighting against is “a terrorist group.” Boaz

²⁰ Ibid.

²¹ “OIC Leaves It to UN to Define “Terrorism,” *Asian Political News*, 8 April 2002. <http://findarticles.com/p/articles/mi_m0WDQ/is_2002_April_8/ai_84640350> (accessed on 27 January, 2009).

²² Alex P. Schmidt, *Political Terrorism: A Research Guide to Concepts, Theories, Data Bases and Literature*, (Amsterdam: North Holland Publishing Company, 1983).

Ganor's definition of terrorism is useful here. He proposed a simple definition of terrorism as follows, "terrorism is a form of violent struggle in which violence is deliberately used against civilians in order to achieve political goals."²³ The definition is based on three central elements: First, the essence of the action—the form of violent struggle.²⁴ According to this definition, any action which does not involve violence is not defined as terrorism.

Second, the goal underlying terrorism, which is always political, that is a goal aimed at achieving something in the political arena: overthrowing a regime, changing the form of governance, replacing those in power, revising economic, social and other policies, dominating and disseminating ideologies. With no political agenda, the action in question is not considered as terrorism.²⁵ Violent action against civilians without a political goal is, at most, a purely criminal act, a felony, or simply an act of insanity that has nothing to do with terrorism.

Third, the target of the damage is civilians.²⁶ In this way, "terrorism" can be distinguished from other forms of political violence, such as guerrilla warfare, popular insurrection, and so on. From the definition of terrorism elucidated above, it is obvious that the consecutive bombing attacks against civilians mentioned above can be categorized as acts of terrorism. Using the simple definition elaborated above, we can argue that the Bali Bombing and other consecutive bombings in Indonesia can be categorized as acts of terrorism.

²³ Boaz Ganor, *The Counter-Terrorism Puzzle: Guide for Decision Makers*, (New Brunswick and London: Transaction Publisher, 2005), 17.

²⁴ Ibid.

²⁵ Ibid.

²⁶ Ibid, 18

The Indonesian government has also formulated its own definition of “terrorism.” According to Law No. 15/2003 (Indonesia’s Anti-Terrorism Laws), the basic definition of the criminal act of “terrorism” is,

Any person who intentionally uses violence or the threat of violence to create a widespread atmosphere of terror or fear in the general population or to create mass casualties, by forcibly taking the freedom, life or property of others or causing damage or destruction to vital strategic installations or the environment or public facilities or international facilities.²⁷

RESEARCH QUESTIONS

After demonstrating the fact that Indonesia has faced consecutive terror attacks and elaborating on the definition of “terrorism,” crucial research questions concerning the government’s counterterrorism policy come to light:

1. According to the Indonesian government’s perspective, who was responsible for the consecutive major bomb attacks in Indonesia? What was their motivation?
2. What sort of counterterrorism policies did the government take during the 2001—2009 period?
3. What were the main determinants that shaped the direction of the government’s counterterrorism policy during that period?

OBJECTIVES OF THE STUDY

This study on Indonesia’s counterterrorism policy has three main objectives:

1. To identify the Indonesian government’s perception of the nature of the terrorist threat, i.e. the groups responsible for a series of bomb attacks and their ideological motivation.

²⁷ Law No. 15/2003, Section 6 [basic definition of criminal act of terrorism]