A CRITICAL STUDY OF
KUMPULAN MILITANT MALAYSIA, ITS WIDER CONNECTIONS IN
THE REGION AND THE IMPLICATIONS OF RADICAL ISLAM FOR THE
STABILITY OF SOUTHEAST ASIA

by

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Abstract

This study analyzes the existence and political history of Kumpulan Militan Malaysia (Malaysia Militant Group-KMM); the most spectacular Muslim militant group to recently emerge from Malaysia. Using an interpretive framework derived from typology of radicalism, this study exposes the roots of the group and its transformation into a militant movement. Based on extensive fieldwork, numerous interviews and in-depth research of related documents, this study demonstrates that the existence of KMM cannot be dissociated from Afghanistan’s global Jihadist campaign.

This study analyzes the activities of KMM in the context of radical Islam in the South East Asia region and its wider connection, particularly with the Jemaah Islamiyah (JI). Findings from fieldwork research conducted with active and ex-members of KMM and JI are presented to find the answer to the question pertaining the involvement of these two groups in terrorism activities in Southeast Asia.

Southeast Asian contemporary social and political scenarios have been build-up from a long history of rebellious freedom fighters against colonial super-powers. In addition to nationalism, Islamization has also played a significant role in establishing freedom movements in the 1940s and 1950s. Systematic pressure under colonial powers and harsh policies implemented by ultra nationalists to these groups resulted in a series of rebellions and defiance such as what happened in Indonesia, Southern Thailand and the Southern Philippines. Historical facts led to radicalism in these countries, which are important for gaining a better knowledge about Muslim radicalism in Southeast Asia also presented in this thesis.

The ‘typology of radicalism’ - the transformation from ‘nominal believers’ to activists, extremists, radicals and terrorists is explained in this research. Understanding Islam and their willingness to perform Jihad as was carried out in Afghanistan has had a significant impact on today’s militants. Finally, this research suggests the best methods for overcoming radicalism and diffusing KMM and JI’s threat in Southeast Asia.
Note:

In appendices 1, 2 and 3 and throughout the thesis the names of individuals are not mentioned. The names of such individuals have been excluded because of security and ‘in confidence’ considerations. The policy has been followed after discussion between the supervisors and writer of the thesis. The primary supervisor is aware of the identity of these individuals.
Acknowledgements

The process of conceiving and writing this thesis has involved such a large number of people, unfortunately I am unable to mention them all. This study would have been an almost impossible task had it not been for assistance and kindness shown to me throughout this endeavour. The first person to whom I would like to express my gratitude is Associate Professor Dr. James Veitch, my supervisor, whose innovative and inspiring comments and suggestions have guided my thinking and writing. Special thanks are also due to Professor Gary Hawk my second supervisor, for his thoughts, feedback, assistance and time over the last three years. Their expertise and knowledge was of great help to the thesis. I am also indebted to the School of Government. The generosity of this department has enabled me to complete this work in a stimulating and conducive atmosphere. Special thanks are also due to Abby Gillies for proofreading this thesis. I am grateful for all the comments, suggestions, corrections and critical feedbacks that helped me improve my writing skills.

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I am grateful to the financial support provided by the Ministry of Higher Education Malaysia (MOHE), enabling me to spend three-and-a half years in New Zealand to complete my research. Special thanks is also due to the University of Malaysia Perlis
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<td>AHRC</td>
<td>Asian Human Rights Commission</td>
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<tr>
<td>BMF</td>
<td>Bumiputra Malaysia Finance</td>
</tr>
<tr>
<td>BN</td>
<td>Barisan Nasional</td>
</tr>
<tr>
<td>BRN-C</td>
<td>Barisan Revolusi Nasional-Koordinasi</td>
</tr>
<tr>
<td>CIA</td>
<td>Central Intelligence Agency</td>
</tr>
<tr>
<td>DIS</td>
<td>Darul Islam Sabah</td>
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<tr>
<td>FTA</td>
<td>Free Trade Agreement</td>
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<tr>
<td>GMIP</td>
<td>Gerakan Mujahidin Islam Pattani</td>
</tr>
<tr>
<td>GMIP/GMP</td>
<td>Gerakan Mujahidin Islam Pattani / Gerakan Mujahidin Pattani,</td>
</tr>
<tr>
<td>IC</td>
<td>Identity Card</td>
</tr>
<tr>
<td>ICPVTR</td>
<td>International Centre for Political Violence and Terrorism Research</td>
</tr>
<tr>
<td>IGP</td>
<td>Inspector General of Police</td>
</tr>
<tr>
<td>IIF</td>
<td>International Islamic Front</td>
</tr>
<tr>
<td>INTERPOL</td>
<td>International Criminal Police Organization</td>
</tr>
<tr>
<td>ISD</td>
<td>Internal Security Department</td>
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<tr>
<td>ISIS</td>
<td>Institute of Strategic and International Studies</td>
</tr>
<tr>
<td>ITM</td>
<td>Institute of technology</td>
</tr>
<tr>
<td>JAKIM</td>
<td>Jabatan Kemajuan Islam Malaysia (Department of Islamic Development Malaysia)</td>
</tr>
<tr>
<td>JBAS</td>
<td>Jabatan Bekalan Air Selangor</td>
</tr>
<tr>
<td>JI</td>
<td>Jemaah Islamiyah</td>
</tr>
<tr>
<td>JPS</td>
<td>Jabatan Pendidikan Swasta</td>
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<tr>
<td>JSED</td>
<td>Johor State Education Department</td>
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<td>K3M</td>
<td>Kumpulan Militan Mujahidin Malaysia</td>
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<td>KESAS</td>
<td>Lebuhraya Shah Alam</td>
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<td>KLCC</td>
<td>Kuala Lumpur City Centre</td>
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<td>KLIA</td>
<td>Kuala Lumpur International Airport</td>
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<td>KLSE</td>
<td>Kuala Lumpur Stock Exchange</td>
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<td>KMI</td>
<td>Kumpulan Mujahidin Indonesia</td>
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<td>KMK</td>
<td>Kumpulan Mujahidin Kedah</td>
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<td>KM/MM</td>
<td>Kumpulan Militan Mujahidin Malaysia</td>
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<td>KSM</td>
<td>Khalid Sheikh Mohamad</td>
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<td>LHIS</td>
<td>Luqmanul Hakiem Islamic School</td>
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<tr>
<td>LJ</td>
<td>Laskar Jundullah</td>
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<td>LME</td>
<td>London Metal Exchange</td>
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<td>MAK</td>
<td>Maktab al Khidamah</td>
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<td>MCA</td>
<td>Malaysian Chinese Association</td>
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<td>MIC</td>
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<tr>
<td>MILF</td>
<td>Moro Islamic Liberation Front</td>
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<tr>
<td>MMI</td>
<td>Majelis Mujahidin Indonesia</td>
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<tr>
<td>MOE</td>
<td>Ministry of Education</td>
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<td>MSRC</td>
<td>Malaysian Strategic and Research Centre</td>
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<td>NGO</td>
<td>Non Governmental Organization</td>
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<td>NII</td>
<td>Negara Islam Indonesia</td>
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<td>NRC</td>
<td>National Reconciliation Commission</td>
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<td>NYWTC</td>
<td>New York World Trade Centre</td>
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<td>Abbreviation</td>
<td>Description</td>
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<tr>
<td>PAS</td>
<td>Partai Islam Semalaysia</td>
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<td>PBS</td>
<td>Parti Bersatu Sabah</td>
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<tr>
<td>PBUH</td>
<td>Peace Be Upon Him</td>
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<td>PPME</td>
<td>Persatuan Pemuda Muslim se-Europe</td>
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<td>PPP</td>
<td>United Development Party</td>
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<td>PR</td>
<td>Permanent Residence</td>
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<td>PULO</td>
<td>Pattani United Liberation Organization</td>
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<td>PUPJI</td>
<td>Pedoman Umum Perjuangan al-Jamaah al-Islamiyyah</td>
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<td>RKK</td>
<td>Runda Kumpulan Kecil</td>
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<tr>
<td>RM</td>
<td>Ringgit Malaysia</td>
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<td>RMP</td>
<td>Royal Malaysian Police</td>
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<td>RPD</td>
<td>Runchnoi Putemyot Detyaryev</td>
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<tr>
<td>RSO</td>
<td>Rohingyan Solidarity Organization</td>
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<tr>
<td>SB</td>
<td>Special Branch</td>
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<tr>
<td>SBPAC</td>
<td>Southern Border Provinces Administration Centre</td>
</tr>
<tr>
<td>SBPPBC</td>
<td>Southern Border Provinces Peace-Building Command</td>
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<tr>
<td>SEARCCCT</td>
<td>Southeast Asia Regional Center for Counterterrorism</td>
</tr>
<tr>
<td>TNB</td>
<td>Tenaga Nasional Berhad</td>
</tr>
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<td>TNI</td>
<td>Tentera Nasional Indonesia</td>
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<tr>
<td>UiTM</td>
<td>MARA Technology University</td>
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<td>UK</td>
<td>United Kingdom</td>
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<td>UKM</td>
<td>Universiti Kebangsaan Malaysia</td>
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<td>UMMC</td>
<td>University Malaya Medical Centre</td>
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<tr>
<td>UMNO</td>
<td>United Malay National Party</td>
</tr>
<tr>
<td>US</td>
<td>United State</td>
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<tr>
<td>UTM</td>
<td>University Teknologi Malaysia</td>
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<td>WKR</td>
<td>Wae Ka Raeh</td>
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# Glossary

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<tr>
<td>al-Manhaj al-Amaliy</td>
<td>The general operational guidelines</td>
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<tr>
<td>Amal ma’ruf wa nahy ‘an al-munkar</td>
<td>Islamic doctrine of enjoining right and prohibiting wrong</td>
</tr>
<tr>
<td>An-Nizhomul Asasiy</td>
<td>The set of rules and regulations for governing the Jemaah affairs</td>
</tr>
<tr>
<td>Dajjal</td>
<td>Impostor or Deceiver</td>
</tr>
<tr>
<td>Da’wah</td>
<td>The call to Islam</td>
</tr>
<tr>
<td>Dholalah</td>
<td>Going astray</td>
</tr>
<tr>
<td>Fatwa</td>
<td>Legal opinion with regards to Islamic laws</td>
</tr>
<tr>
<td>Fiqah</td>
<td>Islamic jurisprudence</td>
</tr>
<tr>
<td>Hijrah</td>
<td>Literally, &quot;migration&quot;. Historically, Muhammad (PBUH) and his followers' emigration from Mecca to Medina.</td>
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<tr>
<td>Hudud</td>
<td>Penalties of the Islamic law (shari`ah) for particular crimes described in the al-Quran</td>
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<td>Ikhwan</td>
<td>Muslim brotherhood</td>
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<tr>
<td>Infaq Fisabilillah</td>
<td>Contributions in the name of Allah</td>
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<tr>
<td>Izzul Islam wal-Muslimin</td>
<td>Success of Islam and Muslims</td>
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<tr>
<td>Ma’alim Fi Tariq</td>
<td>Most popular book written by Syed Qutb in 1964</td>
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<tr>
<td>Madrasah</td>
<td>Islamic school</td>
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<tr>
<td>Maksiat</td>
<td>Committing sins</td>
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<tr>
<td>Masjid</td>
<td>Mosque</td>
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<tr>
<td>Mudir</td>
<td>Headmaster</td>
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<tr>
<td>Mujahid</td>
<td>A Muslim fighter in Jihad</td>
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<tr>
<td>Naqib</td>
<td>Leader for small group</td>
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<tr>
<td>Pondok</td>
<td>Islamic boarding school</td>
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<td>Qisas</td>
<td>Retribution</td>
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<td>Qital</td>
<td>Fighting</td>
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<tr>
<td>Ridha</td>
<td>Contentment</td>
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<tr>
<td>Salafī</td>
<td>Sunni Islamic movement that takes the pious ancestors of the patristic period of early Islam as exemplary models.</td>
</tr>
<tr>
<td>Salafus soleh</td>
<td>Pious predecessors</td>
</tr>
<tr>
<td>Satan</td>
<td>Evil</td>
</tr>
<tr>
<td>Shari`ah</td>
<td>Islamic law</td>
</tr>
<tr>
<td>Sunni</td>
<td>The &quot;path&quot; or &quot;example&quot; of the Prophet Muhammad</td>
</tr>
<tr>
<td>Surau</td>
<td>Small prayer hall</td>
</tr>
<tr>
<td>Tanzim sirr</td>
<td>Secret movement</td>
</tr>
<tr>
<td>Taqwa</td>
<td>Righteousness; goodness; Piety</td>
</tr>
<tr>
<td>Thogut</td>
<td>Satan</td>
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<tr>
<td>Tareqat</td>
<td>School of Sufism</td>
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<tr>
<td>Ujub</td>
<td>Vanity</td>
</tr>
<tr>
<td>Ulama</td>
<td>Leaders of Islamic society</td>
</tr>
<tr>
<td>Ummah</td>
<td>The global community of all Muslim believers</td>
</tr>
<tr>
<td>Usrah</td>
<td>Group of brothers or sisters sit together to encourage and help each other on their path to Allah</td>
</tr>
<tr>
<td>Ustaz</td>
<td>Teacher</td>
</tr>
<tr>
<td>Wahhabism</td>
<td>Conservative form of Sunni Islam</td>
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<td>Term</td>
<td>Description</td>
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<tr>
<td>Waqaf</td>
<td>Trust Services, An endowment of money or property</td>
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<td>Zakat</td>
<td>Tax or alms</td>
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19. Table 2
Chapter I - INTRODUCTION

...The war on terror is different than any war America has ever fought. Our enemies seek to inflict mass casualties without fielding mass armies. They hide in the shadows, and they're often hard to strike. The terrorists are cunning and ruthless and dangerous, as the world saw on September 11, 2001....Yet these killers are now facing the United States of America and a great coalition of responsible nations, and this threat to civilization will be defeated\(^1\).

1.1 Background:
Terrorism is a major issue in the 21\(^{\text{st}}\) century. The tragedy of September 11 (9/11), 2001 changed the world’s view on terrorist threats. The disaster also had far-reaching implications for future security. The attacks on the New York World Trade Center (NYWTC) that day caused suffering Americans had not previously experienced. September 11 re-created the term “terrorist”, which is widely used today.\(^2\) People remain fearful they might become the victim of a terrorist. Many Muslims living in the West have experienced an increase in aggressive Islamophobia\(^3\) in the wake of the 9/11 attacks, and many have suffered humiliation or worse, as the result of orders for heightened security.\(^4\) Muslims around the world have cringed at the way in which Islam and Muslims are so often depicted by Western media. It is understandable that many Muslims question the appropriateness of expressions such as “Islamic Terrorism” and “Islamic Radicalism”. Nevertheless, the fact that many terrorists and militant extremists such as Abu Dujana, Abu Bakar Ba’asyir, Osama bin Laden, Ayman Zawahiri and many more see themselves as acting in the interests of Islam cannot be denied. There needs to be a way to talk about these issues rationally and without emotional bias, to reach a solution.

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Countries in Southeast Asia have indirectly become the strategic base for al-Qaeda. Organizations such as the Kumpulan Militan Malaysia (KMM) and the Jemaah Islamiyah (JI) are linked to al-Qaeda and terrorism.\(^5\) It is therefore important to understand the role of these two groups and their connection to regional violence such as the Bali bombing in 2002.


From research, it is clear KMM has had a direct link with violence, especially in Malaysia. This problem worsened when KMM and JI built a relationship with the man most wanted by the CIA: Hambali aka Riduan Isamuddin. KMM and JI were involved in the bombings and attacks in Indonesia and Malaysia.\(^8\) As the war on terrorism continues, the spotlight has increasingly fallen on the governments of Southeast Asia and their hunt for Islamic militants within their own territorial boundaries. Malaysia has stood out for specific scrutiny in this regard.\(^9\)

The writer’s personal research has tried to clarify the involvement of KMM and its wider connection to organizations such as the Moro Islamic Liberation Front (MILF),

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the Pattani United Liberation Organization (PULO) and al-Qaeda. It also sought to find the link between them and Jemaah Islamiyyah (JI) - the most dangerous group in Southeast Asia. In addition, the writer looked at the connection between KMM and JI with violent activities in Southeast Asia. These movements, why they became violent and their struggle are researched in this study along with the KMM’s involvement in violent activities and terrorism.

The writer also elaborates on the role of KMM members in criminal and violent activities as the Royal Malaysian Police (RMP) identified KMM as a gun smuggling syndicate involved in bank robberies, attacks on the Sungai Petani and Petaling Jaya Church, attacks on Hindu temples and several small bombings including the Guinness Company at Sungei Way, Malaysia. These kinds of attacks are considered violence, as described by Won Jeong (2000) in his book.

The most typically understood meaning of violence, is referred to as physical injuries and the infliction of pain caused by a person. Thus killing and beating, whether they happen in war or interpersonal situations, represent violence.

Their actions were serious enough to gain them the label of an extremist group. Furthermore, the writer will suggest ways of reducing or diverting the militant ideologies in Malaysia, as well as the Southeast Asia region.

1.2 What is Terrorism?

One of the earliest reliably documented instances of terrorism, occurred in the first century. The Zealot-Sicarri, Jewish terrorists dedicated to inciting a revolt against Roman rule in Judea, murdered their victims with daggers in broad daylight in the heart of Jerusalem. Eventually they created such anxiety among the population that they generated a mass rebellion. Other early terrorists include the Muslim Assassins.

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12 Ibid., 19.
and Hindu Thugs. Modern terrorism however, is generally considered to have originated from the French Revolution.  

The term ‘terror’ was created in 1795 and was originally popularized during the French Revolution. It has been taken from the ‘regime de la terreur’ system, prioritized by the French Revolution movement in France. Bruce Hoffman (2006) in his book ‘Inside Terrorism’ stated:

_The system or ‘regime de la terreur’ of 1793-1794 was adopted as a means to establish order during the transient anarchical period of turmoil and upheaval that followed the uprisings of 1789, and indeed many other revolutions. Hence, unlike terrorism as it is commonly understood today to mean a revolutionary or anti government activity undertaken by nonstate or sub-national entities. The regime de la terreur was an instrument of governance wielded by the recently established revolutionary state._

The definition is difficult to label exactly because it has different meanings in different contexts. Not surprisingly, the meaning and usage of the word has changed over time to accommodate the political vernacular and discourse of each successive era. Terrorism has proved to be increasingly elusive in the face of attempts to construct one consistent definition. Sometimes people have confused freedom fighters with terrorists. “The early practitioners didn’t mince their world or hide behind the semantic camouflage or more anodyne labels such as ‘freedom fighters’ or ‘urban guerrilla’.”

Some might argue the most difficult aspect of dealing with terrorism is defining it. Terrorism is notoriously difficult to define; in part because it is associated with an activity designed to be subjective. The word terrorism has been used to describe a variety of acts from domestic altercations to gang violence to workplace homicide. Some of the explanations and definitions relating to terrorism are particularly important to people who want to know the most solid meaning of terrorism. Terrorism

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18 Ibid. p. 20-21.
is a method of action by which an agent tends to produce terror to impose his or her domination onto the state in order to change it.\(^{20}\)

Terrorism involves the intentional use of violence against a target in order to communicate a threat of future aggression.\(^{21}\)

\begin{quote}
Sociologically, terror is a person or thing or practice that causes intense fear of suffering, the aim of which is to intimidate, subjugate, especially as a political weapon or policy. Politically, its main function is to intimidate and disorganize the government through fear and through the political change that can be achieved.\(^{22}\)
\end{quote}

Two facets incorporated in the definition of terrorism are a state of fear or anxiety within an individual or group and the tool that induces the state of fear.\(^{23}\)

\begin{quote}
Terrorism is an organized system of extreme and violent intimidation to create instability within democracies. International terrorists seek to launch indiscriminate and unpredictable attacks on groups (police, army, multinationals or nations) to change the politico-economic balance of world.\(^{24}\)
\end{quote}

Terrorism is thus the use of violence, especially murder or bombing in order to achieve political aims.\(^{25}\) The FBI defines terrorism as:

\begin{quote}
The unlawful use of force or violence against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives.\(^{26}\)
\end{quote}

The US Department of Defence defines terrorism as:

\begin{quote}
The unlawful use of or threatened use of force or violence against individuals, the unlawful use of or threatened use of force or violence against individuals or property
\end{quote}


to coerce or intimidate governments or societies, often to achieve political, religious, or ideological objectives.\textsuperscript{27}

The US Code, title 22 also defines terrorism as:

*Politically motivated violence perpetrated against non-combatant targets, by subnational groups or clandestine agents, is usually intended to influence an audience.*\textsuperscript{28}

Furthermore, terrorism activities are discussed in U.S Code (title 22) as involving:

(A) acts dangerous to human life that are a violation of the criminal laws of the US or of any state, (B) appear to be intended (i) to intimidate or coerce a civilian population, (ii) to influence the policy of a government by intimidation or coercion, or (iii) to affect the conduct of a government by mass destruction, assassination, or kidnapping, and (C) occur primarily within the territorial jurisdiction of the US.\textsuperscript{29}

Meanwhile, the United Nations uses a definition from Alex P. Schmid.\textsuperscript{30}

*Terrorism is an anxiety-inspiring method of repeated violent action, employed by semi-clandestine individual, group or state actors, for idiosyncratic, criminal or political reasons, whereby - in contrast to assassination - the direct targets of violence are not the main targets. The immediate human victims of violence are generally chosen randomly (targets of opportunity) or selectively (representative or symbolic targets) from a target population, and serve as message generators. Threat-and violence-based communication processes between terrorist organization, imperilled victims, and main targets are used to manipulate the main target (audience), turning it into a target of terror, a target of demands, or a target of attention, depending on whether intimidation, coercion, or propaganda is primarily sought.*\textsuperscript{31}

There is no definite and comprehensive description of terrorism in global criminal law due to inter-alia, the enormous variety of the objectives, conditions, motives, forms, authors, and many further aspects connected to terrorist movements. Terrorism is so diverse and complicated it is difficult to make generalizations. However, even though

\begin{itemize}
\item \textsuperscript{27} Public Broadcasting Service. (2002). In Search of Al-Qaeda. Retrieved 31 July, 2008, from \url{http://www.pbs.org/wgbh/pages/frontline/teach/alqaeda/glossary.html}
\item \textsuperscript{29} Senate of US. (2001). "Patriot Act." Retrieved 08 August, 2007, from \url{http://www.epic.org/privacy/terrorism/hr3162.pdf}
\item \textsuperscript{30} One of the most comprehensive and frequently cited, academic definitions of terrorism offered by Schmid, who elicited the aid of more than fifty scholars in developing refining his definition. Schmid definition is the product of the synthesis of 109 definitions.
\item \textsuperscript{31} Schmid. (1992). *Definition of Terrorism.* Retrieved 08 August, 2007, from \url{http://www.unodc.org/unodc/terrorism_definitions.html}
\end{itemize}
difficulties exist in compiling the various features of terrorism into a sole definition, it is broadly agreed that:

*Terrorism is the use or threat of violence, a method of combat or a strategy to achieve certain goals, aim to induce a state of fear in the victim, it is ruthless and does not conform to humanitarian norms, and publicity is an essential factor in terrorists’ strategy.*

1.3 Lessons Learned

From all of these definitions, six observations can be made. It is difficult to find an overall conclusion which includes all of the possible acts and movements. Therefore, at a minimum, terrorism has the following characteristics. It is: “fundamentally political [in] nature, [it is] the surprise use of violence against seemingly random targets and the targeting of the innocent by a meticulous group of people”. The main objectives are:

**First,** it is politically inspired. Terrorism is directed towards political goals; in other words, a terrorist’s action is intended to influence or change government policy. Political goals transform into actions and later violent acts in order to achieve them. Clearly, the goal of the New York World Trade Centre (NYWTC) attack was to change the United States government policy in the Middle East. “Most definitions include deliberately and violently targeting civilians for political purposes”.

**Second,** terrorism is the act of groups and states or so called ‘non-combatants’. A non-combatant is a person who is not a member of the military service or actively involved in military hostilities. Many questions arise when discussing state terrorism. America views Korea, Iran, Iraq, Sudan, Syria and Afghanistan as state sponsored terrorism or so called “axis of evil”. After 9/11, al-Qaeda, Abu Sayyaf,

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Hamas, JI and many more emerged as terrorist organizations. Japanese Red Army (JRA) and Irish Republican Army (IRA) were among such groups in an earlier time. 38

Third, the point of terrorism is for the psychological impact to be greater than the actual physical act. For example, targeting the New York World Trade Centre (NYWTC) in 9/11 and double-decker buses in the July 7 London bombing, Richardson (2006) wrote “Terrorists are invariably both outmanned and outgunned by their opponents, so they employ these tactics in an effort to gain more attention than any objective assessment of their capabilities would warrant”. 39

Fourth, violence is a vital factor of all terrorist attacks. If there is no violence in each attack, it may not be considered ‘terrorism’. 40 Bombing, explosions, killing, and destruction are the basic acts carried out by terrorists. Negotiation and talking are not part of terrorism. Some groups might follow with violence after negotiation has failed. Groups such as Hamas carried out violent attacks against Fatah after a series of unsuccessful discussions with the government. MILF decided to carry out arms fighting with the Philippine government after the Tripoli Treaty was not fully restored. 41

Fifth, victims are one of the main focuses of terrorism. Terrorist attacks aim to destroy their victims, who are usually people. If they focus on destroying a non-living object, such as a building or monument, terrorists are not concerned with fatalities caused by the attacks. For example, in the 9/11 attacks targeting NYWTC, more than 4000 people died. “Victims are either chosen at random or as representatives of a larger group”. 42 Most victims targeted by Muslim terrorists are ‘white’ (Europeans) and ‘kafir’ (non-Muslim). 43 In the Bali bombing, the 202 people who were killed

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40 Ibid., 20.
came from 22 countries and most of them were ‘Westerners’, with Australians making up the largest group (88 percent).  

Sixth, the key-point defining the criteria of terrorism is the deliberate targeting of civilians. Any act of violence seen as directed towards the society, whether it involves the activities of anti-government dissidents or the government themselves, organized crime syndicates, common criminals, riots, mobs, people engaged in militant protest, individual psychotics or lone extortionists, is often labelled as terrorism. Terrorism manifests itself through distinctive deployment of a variety of criminal acts calculated to harm human life, property and other interests.  

This is what sets terrorism apart from other forms of political violence, even in its closest form: guerrilla warfare. Terrorists have elevated practices normally seen as the excesses of warfare to routine practice, striking at non-combatants not as an unintended side effect but as a deliberate strategy.

From these characteristics, it is clear KMM and all of the militant groups that took part in activities were considered violent and criminal. These groups have created fear and created threats in Indonesia, Malaysia and Southeast Asia. They have a wider network in the region and trained members to use weapons. The bombings on churches and Hindu temples, the Hong Leong Bank robbery at Petaling Jaya and the attempted robbery of a bank in Jalan Gasing are among the ‘violence acts’ carried out by KMM in Malaysia.

All of those attacks were clearly intended to create social dislocation and chaos, especially for this multi-ethnic country, including the bombing of Sri Ganesha Hindu temple in Kuala Lumpur and arson attacks on Marthoma Christian Church in Sungai Petani. Another motive for such attacks was to discredit or destroy the government, as what was done by al-Maunah. This is why all 29 al-Maunah members were charged under section 121 of the Malaysian Penal Code for ‘waging war against the

King by trying to overthrow the government in power. Christopher Harmon (2004) wrote that “A strategy of most terror groups is related but less wide it is to discredit, diminish or destroy a particular government, ruining its legitimacy and authority so as to replace it with a revolutionary government”.

It is clear in the Southeast Asian region, the KMM was based in Malaysia and most of its members were students who came from the Middle East. Among the countries said to have trained and educated the group members are Pakistan and Afghanistan. One of the KMM’s wider networks included JI (based in Indonesia and headed by Abu Bakar Ba’asyir). Both groups were said to be extremist and took part in subversive as well as fundamentalist activities. Their actions were dangerous and destroyed lives and property, such as the Bali bombings in Indonesia, and their plans to defeat the Malaysian government.

1.4 The Study of Terrorism
The literature on the study of terrorism is considerable. But because terrorism is basically a method for applying a political agenda, it has been difficult for scholars to develop a methodology for studying or interpreting the phenomenon. The use of fear of violence or the actual use of violence on either innocent civilians or military/paramilitary groups to achieve political goals differs from geographical situation to geographical situation. The one common factor in the terrorism of recent times is the use of religion to authorize, justify and empower those involved. It is the connection with religion, in this case Islam, which is almost impossible to interpret through the use of a particular theoretical framework. Terrorism without religion has been interpreted in terms of political, social and psychological theories. But when religion is added to the equation the search for a theory to explain the connection remains elusive. For this reason, this study will describe and analyze Kumpulan

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50 Alternatives charges for 14 of the accused were later offered under section 122 of the Penal Code for collecting arm, etc with the intentions of waging war against the King which carries a lesser sentence. From Op. Cit., Noor, E. (2007), p. 180.
Militant Malaysia in its Malaysian and Southeast Asian context, but will not adopt a theory to explain this phenomenon.

However, the thesis will contribute to the literature on such religiously driven movements and may well assist with the development of such a theory as more is known about Islam and terrorism from the Muslim perspective. Almost all of the literature on Islamic terrorism is written from the Western perspective, either by Western scholars or by Muslims working in the Western world

What is needed, are studies from the “other side” as it were, but so far such studies are far from numerous.

1.5 Malaysia and the Counter-Terrorism Legislation

Malaysia has no specific anti-terrorism law, but relies instead on a variety of laws for militancy and terrorism such as the Malaysian Penal Code, the Criminal Procedure Code and the Anti Money Laundering Act 2001. However the crucial ‘anti-terrorism’ related legislation implemented in Malaysia is the Internal Security Act (ISA). The ISA was endorsed in 1960 during the country’s resistance against communist mutineers. The ISA in Malaysia is a historical carry-over of Orwellian legislation under the British colonial rule. Despite United Nation (UN) requirement


56 The perspectives I have adopted in this thesis arise out of recent research undertaken by my supervisor in another context.


58 “ISA is The Internal Security Act 1960 (ISA) is a preventive detention law in force in Malaysia. Any person may be detained by the police for up to 60 days without trial for an act which allegedly threatens the security of the country or any part thereof. After 60 days, one may be further detained for a period of two years each, to be approved by the Minister of Home Affairs, thus permitting indefinite detention without trial” Barracough, S. (1985). The Dynamic of Coercion in the Malaysian Political Process. Modern Asian Studies, 19(4), 807.

for legislation countering terrorism in 1960s, implementing the ISA was a controversial decision at the time.

The ISA introduced a preventive detention law into Malaysia. Under Section 73 (1) of the ISA, police may detain any person for up to 60 days, without warrant or trial and without access to legal counsel, on suspicion that: "He has acted or is about to act or is likely to act in any manner prejudicial to the security of Malaysia or any part thereof or to maintenance of essential services therein or to the economic life thereof". In other words, with no meaningful judicial review, anybody can be detained for as long as it perceives fit, if officials believe they are a threat to national security.

Meanwhile, under section 8 of this law, the Minister of Home Affairs can then extend the period of detention without trial for up to two years after 60 days. This can be done without submitting any indication for review by the courts, by issuing a detention order, which is renewable indefinitely. The ISA was revised to exclude any legal review on the grounds of confinement made under section 8 (which allows for a detention period of two years) in June 1989.

Instead of detention, the ISA allows for limitations on assembly, organization, expression, freedom of movement and many more. The ISA also allows for the closing of institutions such as schools or communes if they are used as a gathering point for an illegal organization or for any other reason deemed unfavourable to the security of Malaysia. Since the ISA was implemented in Malaysia in 1960, thousands of people, including communists, religious leaders, social activists, 

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62 Ibid.
environmentalists, political opposition leaders and academicians were detained under this law.\textsuperscript{65}

Among the alleged accusations of those arrested are document falsification, militant groups (JI, KMM, al-Maunah, al-Arqam, Darul Islam Sabah, and many more), Shahi\textsuperscript{66} activists, Hindraf (Hindu Rights Action Force), ‘Reformasi’ (Anwar Ibrahim’s led movement following his arrest in 1998), firearms, currency counterfeiting, human trafficking, activist from Free Acheh Movement and Southern Thailand separatist, and many more.\textsuperscript{67} The ISA has also been used by the Malaysian government to arrest the former Deputy Prime Minister of Malaysia, Anwar Ibrahim in September 1998.\textsuperscript{68}

In the awake of the ‘war on terrorism’ and radicalism in Malaysia, at least 112 individuals were detained between 2000 and 2004.\textsuperscript{69} This includes 19 KMM, 79 JI and 14 Darul Islam Sabah (DIS). They have been detained between two to eight years. Until May 2009, Abdullah Daud, Samsudin Sulaiman and Mat Shah Satray were recorded as the longest-serving detainees for JI related activities. In Aril 2009, three individuals were detained under the ISA, Mas Salamat Kastari-the most wanted JI fugitive who escaped from Whitley high security detention camp in Singapore in February 2008,\textsuperscript{70} Indonesian, Abdul Matin and Malaysian, Johar Hassan.\textsuperscript{71}

1.6 An Overview of the Thesis
This study focuses on KMM. The choice was based on the fact that KMM emerged un-mistakenly as a militant Islamic group, by supporting the JI. Because of its early


\textsuperscript{66} Malaysian government only recognized Sunnah (Islamic practice based from Prophet Muhammad’s teaching) and considered other streams such as Shahi and Tareqat as deviant.

\textsuperscript{67} Ibid.


\textsuperscript{69} See appendices 1, 2 and 3 for the lists of the detainees. No other complete lists of detainees were made before. Identity of detainees are on the writer possession, however, their identities was written as anonymous to protect privacy and to comply with the Victoria’s ‘Human Ethics Committee’ (HEC) requirement.


attacks on places of religious worship and other criminal acts such as bank robberies and attempted attacks on the United States (US) Navy, it has become the most prominent face of Islamic militancy in pre and post 9/11 in Malaysia. The key to understanding the intricate and intersecting relationships between its variables lies in the dynamics of the competition for the interpretation of the ‘true Islamic’ practice and secular things. An understanding of this process provides the foundation for an analysis of the factors that might have contributed to the activism and radicalism of the community ending in militancy and violence.

This research consists of seven chapters. Chapter one is an introduction explaining the origins of KMM, research questions, scope of research, methodology, objectives and a thesis statement. An overview of KMM and JI was provided to show their similarities and differences as well as the connections. This overview also provides a guide for considering this phenomenon within the larger framework of radical Islam. Some theoretical considerations were included to demonstrate the direction of assessment and analysis.

Chapter two discusses how terrorists and their networks came to exist in this region. The discussion started with the origins of radicalism in Islam and its relationship with the Salafi Movement in Southeast Asia. Attention was devoted to the expansion of radical ideology, a factor that fuelled it and the dynamics of salafi movements. Islamic teaching and doctrines in the Islamic movement and its connection to the radicalism ideologies from the Middle East that spread throughout the world in 1940s until the 1980s were discussed to discover underlying doctrines of KMM. This research also elaborates on how the radical movement started by Azzam, al-Banna and Maududi provided the foundation that attracted a young generation to support calls for Jihad in Southeast Asian countries. It is important to understand this origin in order to get a clear picture on why the ideology is so crucial to a social movement and security in Malaysia and the region. Sociological factors were useful in

identifying social problems that have contributed to the formation of a radical Islamist group.

Chapter three discusses radical Islam in Malaysia and chapter four discusses the role of KMM, which is the main subject of this research. Although KMM is not as well known as JI in this region, the impact of its existence on this group is particularly significant, especially in a Malaysian context. In addition, it looks at how KMM and radical Islamist groups emerged and developed. The writer also tried to deal with the question of why such a group was formed and maintained. For this purpose, this study attempts to understand the extent to which ideological factors have played a major role in directing the activism and formation of KMM. Furthermore, the role of Indonesian clerics in KMM, especially in the “Puchong section”, are examined.

Focusing on KMM, this chapter also looks at the origins and anatomy of radical Islamist groups in Malaysia. In understanding the dynamics of this group, it is important to look beyond the immediacy of events to the historical context of its creation. This historical assessment provides a perspective on how radical Islam has developed and how strategies and activities were planned. To understand this phenomenon, we need to examine more than just the dynamics of domestic politics which have so far dominated the scholarly debates of political Islam in Malaysia.

This phenomenon has similarly been determined by global gatherings. As demonstrated in this chapter, national politics are interwoven with global politics and KMM has been influenced by the Middle Eastern stream. Besides the determination of the KMM from every angle, this chapter also explores its interests, motivations and characteristics, as shared by the members of the movement. This chapter also explains how the KMM identity was developed, communicated and integrated in a specific socio-cultural context. This research also analyses the series of violence that took place in Malaysia. Finally, this chapter addresses the demise of KMM which no longer poses a threat to the country.
Chapter five discusses the connections between JI and KMM. JI and KMM trained their members to start trouble within the country as well as in Southern Thailand,\textsuperscript{74} which was linked to KMM’s spiritual leader, Hambali aka Riduan Isamuddin aka Encep Nurjaman. Also discussed in this chapter is radicalism in Indonesia, particularly the involvement of JI and the role of Abu Bakar Ba’asyir and Abdullah Sungkar. Ba’asyir and Hambali were significant in the strong ties between JI and KMM, also known as a ‘connector’. Therefore, this chapter reveals the backgrounds of these radical Islamic leaders by considering their personal experience and social networks. Their participation in \textit{Jihad} in Afghanistan and Southern Philippines and desire for religious knowledge in India and Pakistan are explored.

This chapter deals with the crucial role played by Malaysia as a hub for terrorism for the JI from 1986 to 2002. The strategic location of Malaysia was used by Hambali, Ba’asyir and Sungkar to enable JI in becoming the most important radical organization in this region. JI was connected to conflict in the Southern Philippines and the escalation of the Moluccan conflict. Therefore, an analysis of the involvement of JI is also discussed. No less significant is the future of JI and KMM in today’s situation, which is also examined in this chapter.

Chapter six looks at the de-radicalization of countries and organizations in the region. An in-depth explanation and understanding of terrorism and radicalism is important in order to learn about terrorists and their activities, and to be able to overcome them. Several ideas on creating a balanced and a peaceful world are also discussed. Explaining the strategic approach carried out by the Malaysian government, such as detention under the Internal Security Act (ISA), Restriction Order (RO) and regular basis ‘rehabilitation programmes’ are also discussed. Furthermore, this chapter also looks at the ways ASEAN countries react to terrorism and radicalism. Several questions have been asked about the effectiveness of ASEAN countries to prevent threats from militants.

Chapter seven summarises the study’s conclusions. The evidence considered and analysis outlined in this thesis will therefore contribute to further understanding of the research questions stated in the introductory chapter. This chapter concludes with a section on Muslim attitude to Islam and a section responding to the question of why radical Islam rose in Malaysia in the past covered by this thesis.

1.7 Research Methods and Objectives

This research is descriptive in nature and combines theoretical and empirical investigations. Sources for these investigations were collected through literature review\(^{75}\) and fieldwork. The bibliographical work was carried out through research held at a number of libraries and institutes which included books, articles, academic theses and research reports containing early findings. The writer focused this work using the library research approach, and primarily used the Victoria University of Wellington (VUW) library. Several materials relating to terrorism, violent activities, globalization, imperialism, the Islamic countries and the al-Qaeda movement from here were used. Other than this, the National Library of New Zealand in Wellington and other libraries including Wellington City Library (WCL) were used for research due to the variety of materials, manuscripts, researches, journals and articles available. The bibliographical study was completed by exploring relevant documents and media publications, particularly newspapers, books, magazines and the internet.

The University of Malaya (UM) Kuala Lumpur and the National University Malaysia (UKM) library were also used as sources of information on the KMM and its wider connection to the Southeast Asian region. The Malaysian National Archive had information concerning violence and terrorism involving the KMM and JI, especially in the form of newspaper articles. The writer also attended local and international seminars on the subject as a means of gaining knowledge and exchanging ideas with the other scholars.

\(^{75}\) I undertook a major literature review in the first year of my research and continue to update this during the years following. The literature review report which I prepared for my supervisor is not part of this thesis.
The major sources of information are from intensive fieldwork that took place over a period of three months. Several interviews were conducted to collect primary and secondary data, especially from specialists in the area of Southeast Asian conflict and terrorism such as Associate Prof. Agus Yusoff and Kamarulnizam Abdullah from the Politic Department, Universiti Kebangsaan Malaysia (Malaysia National University). The writer also travelled to Singapore to meet Professor Rohan Gunaratna and Joseph Chin Liow Leong from the International Center for Political Violence and Terrorism Research (ICPVTR) at Nanyang Technological University Singapore as the Southeast Asia terrorism expert. This research was completed after the writer spent time with Nasir Abas, the ex JI’s operation leader in Mantiqi Ula. Nasir Abas, who has been working with the Indonesia Police (POLRI) in the de-radicalization programme since 2003.

Open-ended or semi-structured interviews were used with participants in this research. Malaysian and Indonesian individuals who are involved with KMM were questioned to explore radicalism from varied perspectives. The method of recruitment used by the writer to find possible participants in this research, involved his own networking in Malaysia and Indonesia. Individuals were invited to take part in this research, and were informed about the study’s purpose and about how identities would be protected for those who chose to take part. The names of each participant are not recorded in this thesis, neither in the body of the thesis, nor in the appendices.76

The writer also allowed participants to ask questions. The writer provided an information sheet for those who wanted it, though some did not want to retain any evidence that a conversation occurred, and not all were sufficiently literate to read it themselves. These interviews aimed to gather information about the group’s history, composition, structure and activities. The history also covered the experiences of individual members before joining the KMM. This was particularly crucial in exploring the social composition of the group and the factors that encouraged individual members to engage in militant activities between 1999 and 2001.

76 In consultation with my supervisor, it was decided to adopt the approach. See the note on page iii.
All of the data collected was analyzed in detail to produce findings that fulfilled the objectives of the research. A number of cities were visited as part of the research process including Kuala Lumpur, Selangor, Kedah, Johor, Kelantan, Yala, Narathiwat, Pattani, Phnom Penh, Singapore and Jakarta. Primary and secondary data was also collected from several Malaysian governmental institutions such as the Royal Malaysia Police (RMP), Ministry of Internal Security (MOIS) and National Security Division (NSD) as well the Companies Commission of Malaysia (CCM). Based on the data gathered through extensive fieldwork and theoretical assessments, this study provides an empirically detailed analysis of how radicalism takes form and emerges in a given society over a period of time.

The primary analytical focus of this research is “to explore the nature of the ‘religious radicalism’ which is found in Malaysia and the Southeast Asian region. In order to determine the nature of this radicalism, the thesis analyses the core of the Malaysian militant group, the Kumpulan Militan Malaysia (KMM) that had operational and ideological connections with Jemaah Islamiyah (JI) in Indonesia and other Southeast Asia militant groups”.

Any scholarly research that observes religious radicalism in groups like KMM should include internal as well as external perspectives. The significance of internal observation allows this study to articulate the ideologies of the group from an intrinsic political, religious and cultural context. In other words, the writer sought to look from the inside of the movement outwards, using the interview technique with former operative.

For this reason, this study provides an understanding of the KMM, its regional connections and the security implications for Southeast Asian countries. The research aims to develop a clear picture of religious radicalism and the use of violence by the KMM and its related groups in Southeast Asia, particularly, in Malaysia and its neighbouring countries. This study examines the factors that led to the birth of terrorism in relation to religious radicalism in Malaysia and the region. The aim of this research was fulfilled through a close observation of the group, its internal structure, background, ideologies, motives, memberships, operations and objectives. These factors will be explored further in correlation to KMM’s wider external
connections, their network with JI, regional violent activities and their contact with al-Qaeda. These observations will highlight the appropriate method for encountering religious radicalism and the use of violence, based on a de-radicalization methodology.

Outcomes of the work have various uses in providing a framework for developing suitable policies for countering terrorism and religious radicalism in Southeast Asia and beyond. New Zealand would benefit from the findings of this project for advising counter-terrorism strategies and approaches to religious radicalism in its geographical proximity.
Chapter II-
RADICAL ISLAM IN SOUTHEAST ASIA

...The topic of terrorism and insurgency of Southeast Asia cannot be viewed in narrow definitional terms nor is it amenable to a set of generalization, and hence narrow perspectives countermeasures. Indeed the complexities and diversities are such, and the variables are so many, that no such generalization may be possible. Each and every rebellion in this region has deep historical, political, social and economic roots...

2.1 Introduction

In October 2002, hundreds of people died in a high scale explosion in Bali, Indonesia. The majority of them were Westerners, mainly Australian and American citizens who were in the Paddy and Sari nightclub in Kuta, Bali at the time. The attack rocked the whole world even though it was located thousand of miles from the United States, where the 9/11 incident occurred. The series of attacks, bombings and resistance from the separatist movement which followed this incident can easily be seen.

The real issue is that Southeast Asia has been a fragile region since the colonization era during the 15th century. Historically, this region has been embedded in Islam about a century before Western power entered. Eventually, there were many Muslim kingdoms such as Pan-Pan and Tun-Tun in Segenting Kra in Thailand, Pattani Sultanate in Southern Thailand, Sulu Sultanate in Southern Philippines, Acheh Sultanate in Indonesia, Johor-Riau kingdom and many more. However, the colonial superpowers drew lines between these kingdoms and as a result, grievances and resistances emerged both pre and post independence.

Among the reasons behind this struggle is the question of who holds the political power. Apart from most ordinary Muslims, the real problems the government faced were social and economic. Islam played the major role in unifying ordinary people to oppose their own government. Andrew Tan makes this point: “...Islam is a potent mobilizing symbol and focal point in harnessing political opposition to the

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government. Indeed, the Islamic factor has proved to be a unifying factor and a focal point for the rallying of armed resistance such as in Acheh and Mindanao.”

It is important to distinguish the significance of radical Islam and the development of this ideology in order to determine what is in the minds of militants’ and the purpose of their struggle. Understanding the roots of radicalism is vital to understanding how it came about in Southeast Asia, particularly in Malaysia and Indonesia, as radicalism has a strong connection with extremist beliefs and militant activities.

2.2 The Idea of Radicalization

A radical is “one who advocates fundamental or revolutionary changes in current practices, conditions, or institutions”. In other words a radical is someone who is driven by ideology. Radical Islam in Southeast Asia is further defined as a movement whose ideology is “to establish an Islamic state governed by Shari`ah through violence and extralegal means…” Modern Islamic ideology materialized in the Middle East in the second half of the 20th century as a revivalist and anti-nationalist movement. In the early 1920s, most of the Muslim world was under European imperialism and then by 1925 the Ottoman Empire (Caliphate) was disestablished. Although by that time the Ottoman Caliphate was limited in power, it was seen as the unifying symbol of Islam by many Muslims. Muslim empires and influence was quickly deteriorating and giving way to Westernization. It was under

80 In this thesis, radical focused in the context of politically driven Muslim.
82 Ibid., 41.
84 Ibid., 279.
this perceived threat to the Muslim ideals and a ‘community in crisis’ that contemporary Islamic activism emerged.\textsuperscript{85}

The propagators of the Islamic movement viewed the core of the crisis as having two parts: Western imperialism and Westernization nationalist Muslim leadership.\textsuperscript{86} In the early year of the movement, the most prominent theorists were Hassan al-Banna of Egypt and Mawlana Mawdudi of Pakistan. The groups founded by each of these religious scholars are Ikhwanul Muslimin (Muslims’ Brotherhood) in 1928 in Egypt\textsuperscript{87} and the Jamaat i-Islami (Islamic Movement) in 1941 in India;\textsuperscript{88} respectively remain the trademark of Islamic movement organizations today. Both leaders viewed their societies as being too reliant on the West politically ineffectual and culturally defunct.\textsuperscript{89} Furthermore, they viewed the increasing incursion of Western culture such as education, law, customs and values as being significantly destructive in the long term because they directly threatened the core of the Muslim community.\textsuperscript{90}

Al-Banna and Mawdudi believed the internal aspects of the problem were most pressing and therefore focused on the Islamization of the Muslim community.\textsuperscript{91} They shared the belief that Islam, by providing comprehensive guidance for every aspect of a Muslim’s life, was better than capitalism and other ideologies.\textsuperscript{92} In support of this key principle they established organizations that promoted social and political activism.\textsuperscript{93} They also both worked to match modernization with scripture and tradition by reinterpreting Islam and applying it to the challenges of modernity. For al-Banna and Mawdudi, the solution for the crisis of the Muslim communities in their respective regions lay in indoctrinating people (socio religious reform) while changing the government (political reform) at the same time. For Mawdudi, a truly

\textsuperscript{85}Ibid.


Islamic state was one that recognized only the sovereignty of God (hakimiya), worshipped God alone and implemented His law, which means Sharia Law. Anything short of this was Jahiliya.\(^{94}\)

Another prominent scholar of Muslim radicalism was Sayyid Qutb. Following the assassination of al-Banna in 1949, Qutb emerged as the leader of the Ikhwanul Muslimin. Although influenced by Banna and Mawdudi’s ideological theories and the concept of the Islamic state, Qutb saw the means for attaining their goals as requiring a more radical programme of action.\(^{95}\) By rejecting all forms of nationalism, Qutb in effect declared the Egyptian policy illegitimate.\(^ {96}\) His uncompromising de-legitimization of all man-made political communities, prompted in part by the state’s violent attack on the Brotherhoods and its teaching, led many of their members to embrace violent struggle.\(^{97}\) Qutb wrote his most influential and radical works while in prison from 1954 until his execution in 1966, named \textit{Ma‘alim Fi al-Tariq} (Milestone).\(^ {98}\) As explained by Anthony Bubalo, Qutb was best known as "the man whose ideas would shape Al Qaeda."\(^ {99}\)

Furthermore, the jahiliya concept formed from the cornerstone of Qutb’s ideology has wider interpretations. Anthony Bubalo and Greg Fealy (2005b) wrote:

\begin{quote}
He developed and extended the term beyond Mawdudi’s usage, defining all the societies of his era as being in a state of jahiliya. For Qutb, it was not enough for Muslims in a given society to be individually pious. Islam was a total system rather than just a religion, and any society was jahiliya if its complete way of life was not based on total submission to God [Allah].\(^ {100}\)
\end{quote}

\(^{97}\) Ibid.
\(^{99}\) Ibid.
\(^{100}\) Bubalo, A., & Fealy, G. (Eds.). (2005b). \textit{Between the Global and the Local: Islamism, the Middle East and Indonesia}. Sydney, The Saban Center, p. 7.
Qutb said the first step was personal purification: “ridding oneself of corrupting influences of jahiliya ideas and contemplating the correct meaning of Islam. Once this occurred a movement led by committed Muslims was necessary to overthrow jahiliya society”. Qutb suggested that substantial power and Jihad was needed, as he argued that the conventional approach by Ikhwânul Muslîmîn using preaching and persuasion to change ideas and faiths would not be sufficient. As Bubalo and Fealy wrote: “for al-Banna an Islamic system was achieved from below, that is from Islamization of society through reform, for Qutb, it could only be achieved from above, by directly removing the jahiliya system that stood in Islam's way”.

Undeniably Qutb’s idea was not the only factor motivating radical Islamists towards rebellion and revolt. It is vital to note social, political and economic conditions at the time influenced the movement of radicalism groups. The internationalization of terrorism that occurred in the later 1960s and early 1970s was the result of Palestinian influence and suppression. The defeat of Arab states by Israel in 1967, which led to economic and social dislocation in the 1970s and 1980s, is among the factors that contributed to emerging radicalism.

The ideology of radicalism continued to flourish after Qutb’s execution. The Afghan-Russian war in 1979 initiated this idea. The Mujahidin movement, sponsored by the CIA of the anti-Soviet Islamic Afghan Forces or so the called ‘freedom fighters’ by Washington, successfully ensured civil war and anarchy stayed alive for years to come. Later, a long time after civil-war, vendettas and resentment turned radical Muslims against the Western world, particularly America.

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102 Ibid., 64.
108 Ibid., 240.
The concept of ‘Jihad’ was successfully instilled into many Muslim minds, especially those who fought for Afghanistan against Russia. One of the ‘key people’ during this period was Abdullah Azzam. Azzam played a significant role in the training and deployment of non-Arab Jihadists, particularly through Maktab al-khidamah (Office of Service-MAK) which he operates with Saudi assistance in Pakistan.

In Azzam’s book Ilhaq bil Qaafila (Joining the Caravan), he argued every principle or ideology needed by a frontline to carry it to victory. Such a group needed to however learn through trial by fire. Bubalo and Fealy (2005c) outlined that: “For Azzam, the Afghan Jihad provided just such an opportunity for training and preparation which he likened to the Prophet’s 13 year period of contemplation in Mecca before he set out to [expand] Islam”. Mixing with other Muslims from North Africa, the Gulf and Southeast Asia reinforced the idea of radicalism and established a Muslim Caliphate around the world. Negara Islam Indonesia (NII) members, who later formed Jemaah Islamiyah (JI) and also KMM in Malaysia, were among the protégé of Azzam’s ideals.

The time they spent in Afghanistan provided practical opportunities for military training, indoctrination and for the establishment of international networks. Radical Islamism is ultimately anti-liberal in spirit and often anti-democratic. Nevertheless, it is important to make the distinction between radical Islamism and terrorism. As stated by Greg Barton (2005) “Terrorism is not an ideology, but an instrument to achieve a particular ideology”.

Many Islamic groups that use a Islamic revolution as a main objective have an agenda that is far more secular and politically driven than practising basic tenets of Islam.

111 Ibid., 24.
For example, the objectives of MILF are primarily to eject Manila from what they declared Sulu sultanate territory and the long battle between Chechnya and Russia in order to have an independent and autonomous country. Similar movements can be seen in the Southern Philippines and Southern Thailand where Moro and Malay separatists have struggled for a long time for autonomous power. People’s movements and struggles must be geared by objectives. To some extent radicalism and extremism can be used in order to achieve what they want.\(^\text{116}\)

In a Southeast Asian context, people with radical ideologies such as Hambali, Imam Samudra, Amrozi, Abu Bafana, Abu Dujana, Umar Patek, Abu Bakar Ba’asyir and many more were trained in Afghanistan, Pakistan, India and Libya during the Afghan-Russian war in the 1980s.\(^\text{117}\) These ‘Jihadist’ fighters have been sent to the Middle East to enhance their knowledge of Islamic teachings. They were influenced by the idea of radicalism and most of them were involved in militancy during the Afghan war.\(^\text{118}\) Most of the ‘maktab al-khidamah’ operators in Afghanistan and Pakistan during 1980s and 1990s were trained not for militant operations in Western countries, but for warfare in their own country, such as Darul Islam (DI) members from Indonesia against Suharto’s regime.\(^\text{119}\)

Many of them returned to their home country after the war with radical ideologies.\(^\text{120}\) These groups later become extremists or separatists, as well as trainers of ‘young radicals’.\(^\text{121}\) In addition, the Afghan Alumni played a major role in the two most conflicted areas in this region.\(^\text{122}\) The Moros in the Philippines have been involved in some form of rebellion against the central government for the better part of five centuries. Furthermore, the seeds of conflict in southern Thailand began when the

Pattani sultanate, inhabited by Malay Muslims, was conquered by Thailand in 1786.\textsuperscript{123}

Both conflicts intensified in recent years with the advent of *Jihad* ideology and have become more deadly because of *Jihad* tactics and methodology. Whereas in earlier years the rebellion took on the character of a guerrilla war, now it is a campaign of terrorism, often involving cruel acts of murder and random killing of innocent people.\textsuperscript{124}

Islam has been depicted as a religion that brought violence and destruction to the world, especially after 9/11. However, Islam is a religion of peace. It is derived from the word ‘salam’ (peace or safety). *Salam* is not only the absence of violence and aggression but it also means total well-being and happiness. It literally means ‘to be safe, secure, sound, wholesome, unharmed, unimpaired and intact’. Islam also urges its followers to be equal regardless of race, nationality, appearance and social status as verse from Quran:

\begin{quote}
O mankind! We created you from a single (pair) of a male and a female, and made you into nations and tribes, that ye may know each other (not that ye may despise each other). Verily the most honoured of you in the sight of Allah is (he who is) the most righteous of you. And Allah has full Knowledge and is well-acquainted (with all things).
\end{quote}

This wonderful principle of Islam makes it clear that there is not a single person, race, or nation that is better than others. God created us equally. In God's eyes, the best of us are the most righteous and the mannered. God created mankind as different races and nations although He (God) could have created us all as one nation, with one language and one religion. However, as stated in the verse mentioned above, God created these different nations and tribes so that we could get to know each other, and not to hate each other because we are different. This tells us that individuals should celebrate the differences and not hurt each other based on them. Islam also teaches us

\begin{footnotes}
\end{footnotes}
to realise that no single race or people have supremacy over others, and that we are judged solely on our actions.

This verse teaches us that individuals should live peacefully with other nations and tribes, respect each other and agree on the differences. Individuals should learn to live together, get to know each other, to engage in dialogue among all nations and treat every human equally. Whereas, so many confuse and misunderstand religion, especially Islam, there is room to develop understanding and solidarity within diversity.

2.3 A Typology of Radicalization

The pathway to becoming a radical Muslim was divided into six degrees, beginning with normal followers, occasional followers, activists, extremists, radicals and militants. Each stage represented a different level of the faith and consistency of practicing Islam. These six clusters will be elaborated on to show how Muslims shift from one stage to another, which can be from normal to extreme or vice versa. This can be understood from the report by The Washington Institute for Near East Policy (2009) “Individuals can turn by stages, into sympathizers, supporters, and ultimately, members of terrorist networks”.

Nominal believers or ‘cultural Muslim’ is the first stage and poses the lowest threat to becoming a radical. Normally, this type of follower is well educated, open minded and lives a modern style of life in all aspects. They may be recognized as ‘secular Muslims’, which has a different meaning to modern day secular. At this stage, Muslims inherit Islam from their parents - the need to explore Islamic teachings more deeply are not applicable.

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Nominal believers declare themselves Muslim but the ways they act and speak do not show their faith. This level is represented by followers, who sometimes do not practice fasting during the month of Ramadhan, do not wear scarves and do not pray regularly. They may go to the Mosque for Friday prayers, or at least twice a year at *Eid Fitri* (After Ramadhan celebration) and *Eid Qurban* (Pilgrimage celebration).

They may not be keen to openly discuss Islam, either because they do not fully understand it or, to avoid misinterpretation. They like to mingle with people who have similar views on Islam. They are materialistic, working hard to become known as elite. Living in luxury and elegance can be measured from the way they dress, their car, house, the places they eat or meet friends, pastimes such as playing golf, exclusive clubs and many others. Normally, they stay in ‘elite’ residential areas and have a connection with political leaders, businessmen or corporate people.

Hence, some Muslims are involved in violence and terrorism which is the start of radical ideology, but not all Muslims do this. The diagram below shows the different levels of activism, starting with normal followers as the biggest group and militants as the smallest group.

![Graph 1: The Muslim’s radical pathway.](image)

128 Graph: Author.
When facing difficulties in life, such as family or personal problems, Muslims return to the foundations of Islamic teaching. They quickly discover their Muslim identity and defend it, regardless of whether they really understand Islam or not. But they agree on Islam as the resolution and agree that the fundamental principals of the religion are important. For example, most normal believers in Malaysia have secular lifestyles; they are living in luxury, but when they have personal problems such as marital or moral difficulties, they return to Islam as the only way of life.

Muslims in this category are easily recruited as radicals and militants. Without a strong foundation, they can be manipulated by charismatic leaders during their journey to find a new ‘way of life’. Situations can be further worsened when the leaders have a corrupt ideology and hidden agenda. For example in the ‘Sauk tragedy’ in Malaysia in 2002, the al-Maunah leader, Mohd Amin Ghazali displayed an image of kindness, generosity, humility and piety among his followers. Starting with ‘silat’ (Malay martial art) training, he opened a free public clinic for traditional treatment and ‘Fardhu Ain’ (personal obligation) classes. Sometimes he claimed to correspond with djinns (genie) and said his soul had travelled to Ka’abah in Saudi. Amin successfully manipulated his followers (nominal followers) to believe that what he was doing was right and that al-Maunah was practicing genuine Islamic teaching.

Young Muslims in this category also respond to a radical message because they feel excluded from their societies, and sometimes feel trapped in poverty or authoritarian regimes in the Middle East and beyond. Others, who are well-off and well-educated, live in the Western democratic nations, but struggle with issues of belonging and identity and find that the radical message resonates with their experience and circumstances.

The second phase, which is ‘occasional’, represents people who attend the mosque or Surau (prayer hall). People from this category are clearer about their identity than nominal followers. They are willing to show their identity and intent, but are content to live without the pressure of being ‘pious’ Muslims. They have freedom of choice.

and can be identified from the symbols they wear, such as the kupiah (skull cap) for men and scarves for women. They are quite happy to choose their own identity without pressure from other parties.

They attend the Mosque when the need arises but do not usually pray regularly. People in this category are happy to take part in the rituals and the customs of their tradition without making a fuss of it. They put God first in their lives and strongly believe that God has a great and supernatural power to make everything happen, regardless of whether humans like it or not. They show their devotion and loyalty to the Shari‘ah and the umma as the absolute way of worshipping God. These people are happy to send their children to an Islamic school. Nowadays, most of the Islamic schools in Malaysia are filled with urban youngsters. Families prefer their children to have an Islamic education in order to stop immoral influences in their lives.

The third stage represents ‘activists’. These people can be measured by their piety and commitment to attend the Mosque. Compared to occasional followers, activists are consistent in their attendance to the Mosque and always try their best to be present. Activists observe the regular prayer times. They are actively involved in discussion with the Islamic community, either at the Mosque or other places. From their perspective, regular attendance is considered important and compulsory for every Muslim. They may be critical of Muslims who lack a commitment to prayers or activities at the Mosque.

They attend the Friday or Jumaat prayer regularly. The Jumaat prayers are used for the promotion of faith and as a gathering place for the Muslim community. Follows take this opportunity to discuss the five pillars of Islam and all issues relating to umma. In some states such as Kelantan, Kedah, Perlis and Terengganu in Malaysia, they have a holiday on Friday, so it is convenient for people to perform

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133 Five pillars or Rukun Islam is the term given to the five duties incumbent on every Muslim. These duties are Shahadah (profession of faith), Solat (ritual prayer), Zakat (alms tax), Puasa (fasting during Ramadan), and Hajj (pilgrimage to Mecca). These five practices are essential to Sunni Islam. From Tamney, B. J. (1980). Fasting and Modernization. Journal for the Scientific Study of Religion, 19(2), 134.
their *Jumaat* prayers. Activists may spend half of Friday morning learning about *kitab* (holy books) until *Jumaat* prayers start at about 12.30 and continue till 2.00 in the afternoon.

They also perform *puasa* (fasting) for 30 days during the month of Ramadan (one of the holy months in Islam). They are expected to fulfil this obligation without any objection. They may confront others who do not correctly observe their *puasa*. They feel that by fasting for a month, Muslims are uniting, giving love and affection to one another and helping each other in practical ways. They view *Ramadan* as a month when people of all status and degrees of wealth are equally hungry, and believe fasting enables unity through the *umma* of Islam.

People at this level are involved in *Usrah* (group discussions), either initiated by the Mosque or other groups. Matters discussed are focused largely on understanding Islam and common interests regarding faith, which is covered *Shari`ah*. Academic and rational debates and discussion about Islam as a way of life take place at every meeting at the Mosque. The main objectives are to create an Islamic environment and to focus on deepening piety.

Normally, these people are keen to do the *Hajj* as a main objective. They are granted travel to Makkah for *Hajj* either from bank savings or from other sources, such as selling property, loans or money from their children. In this context, Malaysia was the only country that established a bank for *Hajj*, named ‘*Lembaga Tabung Haji*’ (Pilgrimage Board of Malaysia). *Lembaga Tabung Haji* assists Muslims in Malaysia in saving towards their pilgrimage.

People from this group also encourage their family to become good Muslims. Children in the family recite *al-Quran* as a sign of loyalty to Islam, either forced by

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their family or as their own choice. They may read _al-Quran_ sometimes, but not everyday, because of time constraints and Quranic literacy levels. But their families are willing to send their children to the Mosque or to an _Ustaz_ (Islamic teacher) house to learn _al-Quran_. Activists know how to read _al-Quran_ and are willing to protect _al-Quran_ from threats.

The fourth stage is ‘extremism’. Extremists are more enthusiastic about their faith and more deeply committed than normal followers, occasional or activists.\(^\text{137}\) ‘Islam as the way of life’ is the first priority in their life, and they feel strongly that the only way to be loyal to God is to generate _Shari`ah_ principles in everyday life.\(^\text{138}\) These people also make _Jihad_ a part of their life and work hard to establish it. _Jihad_ from their perspective are _Jihad_ in economy, _Jihad_ in social and _Jihad_ in politics as well as the true _Jihad_ (on the battle field).\(^\text{139}\) But they are committed to worshipping God and obeying all of the commandments of the _al-Quran_ and _as-Sunnah_.

Extremists focus on making the _Hajj_ (pilgrimage) at least once in their life. They see _Hajj_ as important and as the final destination of their life and plan to repeat the Mecca assembly in the future. They see the _Hajj_ experience as the centre of all of their practices. Their faith will be complete when they finish the pilgrimage. These people have a critical view of those who do not intend to perform _Hajj_. Their children will have a personal fund to educate and foster them to do _Hajj_ when they are ready. Most of the extremist children in Malaysia have their own _Lembaga Tabung Haji_ account from infancy.

_Hajj_ is not just an opportunity to gain a title and to wear _kupiah_ as an identity; it helps Muslims become aware of the far-reaching bonds which unite them.\(^\text{140}\) Their perspective on _umma_ becomes wider because of the _Hajj_ experience. _Solat_ only unites


\(^{139}\) _Jihad_ has a wider meaning; it not only focuses on the battle against the Muslim enemy but also on carrying _Jihad_ in every aspect of a Muslim’s life. _Jihad_ literally means to "struggle", notably to "struggle in the way of God" or "to struggle to improve one's self and/or society." From Ali, J. A. (2003). _Jihad in Monotheistic Religions: Implications for Business and Management_. _International Journal of Sociology and Socio Policy_, 23(12), 19.

them at their own place but the pilgrimage bonds the community of mankind from all over the world, no matter where they come from, their race or customs. All of them travel to Mecca with one aim, which is to unify God and to show their obedience to Islamic teaching.

The fifth level represents the ‘radical’. Here social actions resulting from a feeling of obligation and commitment as well as duty make this level different from previous stages. The radical wants to help individuals, the community and to nation to seek redha (contentment) from God. They intend to save others from dholalah (going astray). The main objective is to save the umma from Thogut (Satan). Redha is one of the obligations for radicals and must be used to guide people to the right path. For example, Front Pembela Islam (FPI) in Indonesia attacks gambling and vice premises during the month of Ramadhan in order to get rid of dholalah.

Since the era of the Prophet Muhammad, radicals have successfully expanded Islam all over the world through commitment and always felt an obligation to it. They were keen to share Islam with others and da’wah (preach) to the masses. Malaysia has had Islam since the 13th century - brought by Muslim extremists who came from the Middle East and Southern India. They were committed to teaching people Islam and had an obligation to increase the number of Muslims, which led them to travel to this region centuries before colonization.

Radicals sturdily opposed everything ‘Western’, especially attitudes (behaviour), lifestyle and goods. Part of the Jihad and their struggles were to vigorously contest what they saw as ignorance and they had to be carried out with implicative acts such as demonstration or isolation, not just discussions in Mosques or any Islamic gazebos. They have negative views of others who did not show their willingness to oppose Westernization. They encourage the joining of Islamic activities to get rid of the bad Western influences. Therefore, radical movements such as Front Pembela Islam (FPI), Forum Komunikasi Ahlus Sunnah Wal Jamaah (FKAWJ) and Kesatuan Aksi

141 Individuals driven by ideology, in this thesis radical referred to politically driven Muslim.
Mahasiswa Muslim Indonesia (KAMMI) were always demonstrating as part of their objectives.

Graph 2: Veitch’s Pathway to Radical Religion. The red circle represents militants, orange radicals, yellow extremists, grey activists, green occasional and blue normal followers.\textsuperscript{143}

The most influential level in the typology of radicalism is the ‘militant’; one who takes to the next step into violence. It is the radical who has grown impatient with the pace of change.\textsuperscript{144} After growing up and being influenced by radical scholars or teachers, they may transform themselves from radical to militant. This level can also refer to militants who organize themselves in vigilante groups who are ready to resort to violent methods to protect and further what they see as Islamic goals. The most extreme version of this level is terrorism.\textsuperscript{145}

Normally they believe that the umma needs a major jolt to bring it into line with true faith. Militants also consider violence and brutality as part of their tools to bring about change, either in politics, society or the economy. They have different perspectives on the meaning and interpretation of \textit{al-Quran} compared to others. In addition, they carry

\textsuperscript{144} Ibid, p. 42.
out a political agenda based on an extreme understanding of the *al-Quran* and *al-Sunnah*.

Militants would take whatever steps necessary to make sure their understanding of Islam is implemented by others.

Militants only see the final objective, and then look for a way to achieve it no matter what happens. Regardless of death or physical destruction, the target must be obtained. This is why killing, bombing, hijacking, kidnapping, stealing and destruction are not unusual in militant movements. They may use any weapons such as a bomb, pistol, machine gun, Molotov cocktails or chemical bombs in order to achieve their objectives. Furthermore, they may commit suicide bombings as one of the effective methods for destroying their enemy. Enemies range from invaders, non-Islamic governments to Western people, military, police and civilians. The 9/11 tragedy clearly showed innocent people were victimized by militants in order to fulfil their political objectives.

Militants urge people to follow extreme Islamic teachings (their own interpretation of Quran). Their final objective is to establish a world with absolute obedience to God’s principles through the *al-Quran* and *al-Sunnah* as was done by JI.

With help from al-Qaeda, JI aimed to establish an Islamic Caliphate in Southeast Asia. JI also worked hard to remove all American values as well as hoping to end the Israeli occupation in Palestine. The method of using suicide bombings and guerrilla attacks as part of their activities were considered acts of ‘terrorism’. The Bali bombing in 2002 showed the level of radicalism in JI operatives. JI members have been trained to be radical since they were in Afghanistan in the 1980s and 1990s. Later, they turned to militants after spending some years in Afghanistan. They were

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147 Ibid., 20.
149 Ibid., 41.
influenced by radical ideologies from militant scholars and were shaped by the objectives of movements they joined.151

KMM was militant in their actions and most of their activities. A series of attacks have shown the level of militancy and aggression of their movement.152 KMM’s operation copied exactly what JI members did. KMM members in the Klang valley cell followed the same method of operation after being consulted by Hambali and Abu Jibril. Not only did it abide by JI’s militant ideology, KMM also shared similar violence and radical operations as that of JI’s top position.

2.4 Radicalism in Indonesia

Indonesia has a long history of dealing with radicalism since colonization centuries ago. Islam was successfully embraced by Indonesians during the Achehnese Sultanate in the late 12th century and gradually influenced domestic society and politics. Dutch colonization since 1602 repressed Indonesian Muslims, and later created conflict, including the Anglo-Dutch Java War (1810-1811) and the Acheh War (1873-1904).153

On 17 August 1945, two days after the Japanese surrender, influential nationalist leader Sukarno unilaterally declared Indonesia’s independence. Since then, there has been an emergence of Islamic nationalist groups in Indonesia. Some of these groups are categorized as activism, extremism, radicalism and also militants.154 The first radical group is Darul Islam (DI) or Negara Islam Indonesia (NII), formed by Kartosuwirjo with a main objective to build an Islamic State in Indonesia.155

JI have had a notorious reputation around the world since the Bali Bombing in 2002, a disaster which changed human thoughts and beliefs. The ‘global war on terrorism’ has

made Jemaah Islamiyyah (JI) the second most wanted terrorist group after the Middle Eastern based al-Qaeda. JI has historical roots with the DI.\textsuperscript{156} The origins of JI can be traced to a pesantren founded in Solo, Indonesia in 1973 by two radical Muslim clerics, Abdullah Sungkar and Abu Bakar Bashir.\textsuperscript{157} The two radicals were deeply affected by the DI movement and have since attempted to carry on in its tradition. Both men were born in Indonesia to families of Yemeni heritage. Sungkar was born in 1937 in Solo, Central Java, and Bashir in 1938 in Jombang, East Java.\textsuperscript{158}

\textit{Southeast Asia, for its part, has had its fair share of terrorism emanating from separatist movements carried out by Christian and Muslim ethnic minorities, armed anti-government opposition groups and radical Islamist groups. Given the link between some local radical Islamist groups (such as JI) and international terrorist groups such as al-Qaeda, the new terrorism can be said to have penetrated Southeast Asia.}\textsuperscript{159}

JI was founded in Malaysia with the ultimate goal of establishing an Islamic caliphate within Southeast Asia that would be centred in Indonesia, with its Muslim majority. However it also aimed to encompass Islamic communities in Malaysia, Singapore, the southern Philippines, Brunei and Southern Thailand.\textsuperscript{160} JI undertook Jihad in order to establish a pan-Asian state based on Islamic Law.\textsuperscript{161} Abu Bakar Ba’asyir and Abdullah Sungkar were seen as the descendants of earlier Muslim radicals and fundamentalists through Darul Islam.\textsuperscript{162} As Abuza (2003) wrote in his book, “both of them spent decades working to promote Islamic fundamentalism in Southeast Asia”.\textsuperscript{163}

Although more than 400 men with links or suspected links to it are now in custody in Indonesia, Malaysia, Singapore, the Philippines and the US, JI is far from

\textsuperscript{158} Ibid.
destroyed. Indonesian police and their international counterparts have succeeded in seriously damaging the network, but JI remains capable of planning and executing a major operation in a large urban centre.

The death of Dr. Azhari in December 2005 in Batu Malang, Indonesia, weakened JI instantly. JI does not have a new generation to generate violent activities after Amrozi was sentenced to death, Abu Bakar Baa’syir and Ali Imron were imprisoned and Fathurrahman al-Ghozi was killed in a joint police-military operation in the Southern Philippines in 2003. To date, Azyurmardi Azra (2007) also said, “The role of the late Dr. Azhari made JI deselect”.

JI was purposely set up as a military organization. JI as an Islamic-based militant group was split into divisions known as Mantiqs and Wakalahs. As written in International Crisis Group Asia No 63 (2003): “originally defined as districts and subdistricts — was actually a territorial command structure of brigades, battalions, companies, platoons, and squads.

All senior members of the central command trained in Afghanistan in the late 1980s and early 1990s, before JI formally existed. It was in the camps of the Saudi-financed Afghan Mujahidin leader Abdul Rasul Sayyaf that they developed Jihadist fervor, international contacts, and deadly [guerrilla] skills.

When JI set up a Hudaibiyah camp in Mindanao, Afghanistan’s veterans such as Nasir Abas and Mustafa became the trainers of a fresh cohort of Mujahidin. Instead of JI members, like-minded Jihadist organizations from Southeast Asian countries including Malaysia, Singapore, Myanmar, Thailand and Indonesia were trained in this camp. They were trained to use explosives for bombings, guerrilla war tactics, shootings, sabotages and lots of violence acts.

JI PROXY IN SEA

<table>
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<tr>
<th>COUNTRY</th>
<th>PROXY</th>
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<tr>
<td>Malaysia</td>
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<td>DIS\textsuperscript{171}</td>
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<td>Indonesia</td>
<td>MMI\textsuperscript{172}</td>
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<td></td>
<td>Laskar Jundullah\textsuperscript{173}</td>
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<td></td>
<td>Laskar Jihad (Disbanded)\textsuperscript{174}</td>
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<tr>
<td>Thailand</td>
<td>PILQ\textsuperscript{175}</td>
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<td>BRN-C\textsuperscript{176}</td>
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<td>Philippines</td>
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<td>ASG\textsuperscript{179}</td>
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<tr>
<td>Australia</td>
<td>JI-Australia\textsuperscript{180}</td>
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</table>

Table 1: Jemaah Islamiyah (JI) work closely with Southeast Asian’s Islamic groups for their political objective, to establish Islamic caliphate in this region

Anti-terror authorities struck a blow against JI when they arrested its operational chief, Nurjaman Isamudin aka Riduan, also known as Hambali, in Thailand in August 2003.\textsuperscript{181} More recently, authorities in Jakarta arrested JI’s leader, Abu Dujana, and seven other group members in June 2007.\textsuperscript{182} JI is alleged to have attacked or plotted against the US and Western targets in Indonesia, Singapore, and the Philippines. The

\textsuperscript{170} Ibid., 23.
\textsuperscript{173} Ibid., 23.
\textsuperscript{175} Ibid.
\textsuperscript{176} Ibid.
most recent is believed to have been carried out by JI operatives on October 1, 2005, when a series of suicide bombings killed at least 19 people and wounded more than 100 in Bali, a beachfront city and international tourist destination.\(^{183}\)

The deadliest incident was on October 12, 2002 at Kuta, Bali with 202 deaths - most of them Australian.\(^{184}\) A month after the Bali bombing, Amrozi and Imam Samudra were captured by Indonesian police authorities in November 2002. In December, Mukhlas was caught and his brother Ali Imron was arrested a month later in January 2003. Amrozi was found guilty and sentenced to death by the Denpasar District Court for his involvement in the terrorist attack.\(^{185}\) JI is also suspected of being responsible for the August 5, 2003, car bombing of the J.W. Marriott hotel in Jakarta which killed 12 individuals, and the September 9, 2004, attack, which supposedly targeted the Australian Embassy in Jakarta.\(^{186}\)

\begin{center}
\textbf{Picture 1: The Jemaah Islamiyah’s map of ultimate objective to create an Islamic Kingdom in Southeast Asia.}\(^{187}\)
\end{center}


JI was established in 1973 after two Muslim clerics, Abdullah Sungkar and Abu Bakar Ba'asyir, formed a pesantren called Pondok Ngruki, located near Solo, Central Java.\textsuperscript{188} Abuza (2003) outlined that the school could be described as “opened with 30 students, grew rapidly and in 1976, it moved to a four hectare compound outside of the city. It now has 1900 students with plans to expand”.\textsuperscript{189} JI had its roots in the DI rebellions in the 1950s, which aimed to establish an Islamic state in Indonesia.\textsuperscript{190} JI initially began as part of the clandestine Negara Islam Indonesia (NII) movement. It was established with the assistance operatives of the Suharto regime using former DI activists to discredit the Islamic based political party (United Development Party-PPP), competing in the 1977 Indonesian general elections.\textsuperscript{191}

It is not entirely clear to what extent JI is a real organisation with a well-defined membership and structure of authority. Its alleged leader, Abu Bakar Ba'asyir, has not been afraid of openly proclaiming his admiration for Osama bin Laden, but he denies any direct contact with him.\textsuperscript{192} A BBC (2006) report stated “I support Osama bin Laden's struggle because it is the true struggle to uphold Islam, not terror - the terrorists are America and Israel”.\textsuperscript{193}

Abu Bakar Ba’asyir, who jointly led a pesantren (private Islamic boarding school) near the town of Solo, was arrested in the late 1970s for his involvement in a violent underground movement popularly known as Komando Jihad.\textsuperscript{194} This movement aimed to establish an Islamic state in Indonesia and carried out a number of bombings of cinemas, night clubs and churches.\textsuperscript{195} Interestingly, Komando Jihad was to a considerable degree controlled by one of the intelligence services and served the useful function of legitimatizing clampdowns on less radical and non-violent Muslim politicians. Komando Jihad consisted mostly of men who had been active in the DI

\textsuperscript{193} Ibid.
movement, which from 1949 to 1962 opposed the secular Indonesian republic and fought for an Indonesian Islamic State.196

Sungkar and Ba’asyir joined late, but contributed to the movement’s ideas using borrowings from the Egyptian Muslim Brothers (al-Ikhwan al-Muslimun).197 The struggle for an Islamic state according to these ideas was a step-by-step process, in which the activist had to first engage in moral self-improvement, then to be part of a ‘family’ (Usrah) of like-minded people who guided, helped and controlled one another. These were steps towards the building of an Islamic community (JI), which in turn is a precondition for the establishment of an Islamic state. From their Islamic school near Solo, Ba’asyir and Sungkar set up a network of committed young Muslims, some of them quietist, some of them militants, all of them opposed to the Suharto regime.198 They were organised in ‘families,’ that together were to constitute a true community of committed Muslims - a JI. Following a wave of arrests, the authorities spoke of the ‘Usrah movement’.199

Information about what came to be known as the Usrah movement comes primarily from court documents prepared for the trials of Usrah members who eventually were arrested on chargers of trying to establish an Islamic state.200 Members were required to follow Islamic law as outlined in a manual written by Ba’asyir called Usrah, derived from the teachings of Hassan al-Banna.201 A key teaching was that Usrah members should avoid any non-Islamic institutions, such as schools or courts, and all laws other than Shari`ah should be disobeyed.202

Ba’asyir and Sungkar remained under detention for several years, and upon release in the mid-1980s escaped to Malaysia. This move may have been related to their

196 Ibid.
199 Ibid.
201 Ibid.
recruitment for the Afghan JI, which occurred around the same time. Between 1984 and 1985, few Saudi recruiting officers visited Indonesia and discovered the Darul Islam movement as the definite Islamic-based group located outside the Middle East that was capable of Jihad. International Crisis Group (2002b) stated in their report “the exiles also decided to send Sungkar and Ba’asyir to Saudi Arabia to seek additional funds. At the same time, they decided to strengthen the JI military by sending volunteers from Jakarta to train in Afghanistan”. In 1985, a Saudi representative offered Sungkar and Ba’asyir financial support to send off 50 jihadi fighters to Afghanistan. Only four men were willing to participate in this first ever Jihad. However the number doubled the following year and then slightly larger groups of fighters were sent until Russians withdrew from Afghanistan in 1989. Then Sungkar and Ba’asyir found the Southern Philippines as an alternative and convenience training place. With help from Hambali and Ba’asyir, Sungkar sent batches of Jihadi fighters to the Southern Philippines for military training with MILF in Hudaibiyah and Abu Bakar camps.

For 14 years, Sungkar and Ba’asyir remained in Malaysia, living in a village with a circle of their closest disciples and travelling around delivering religious sermons. The group close to them mainly consisted of other refugees from Indonesia; they were visited by radicals from Indonesia and other regions of Southeast Asia. The spirit of democratization in the post Suharto era (known as ‘reformasi’ in Indonesia) led Abdullah Sungkar and Ba’asyir to return in October 1999. Sungkar died in Jakarta during his first return visit; Ba’asyir settled again in his pesantren boarding school at Ngruki near Solo, Central Java.

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207 Ibid., 11.
The establishment of the Majelis Mujahidin Indonesia (MMI) in August 2000 gave Ba’asyir a very public profile. MMI essentially operated as the general public organization that aimed to put Shari`ah into practice in the Indonesian governmental system. MMI’s main objective was to be an umbrella organization in coordinating any activists and Islamic groups that are entrusted with the establishment of an Islamic khilafah in Indonesia. As Ba’asyir said in his interview with Abuza (2002a):

The MMI is an institution where a lot of people from a lot of Muslim groups including the Nahdlatul Ulama (NU) and mukammadiyah gather at one table to discuss how to get our vision of sharia implemented into national laws…..the long term strategy is to get Indonesia 100 percent based on sharia. As long as Muslims are the majority, the country should be ruled by sharia.

While Ba’asyir is the Emir (leader) in every sense of the word, he is more the spiritual leader of JI. However, for a long period, the field commander and operations chief of JI in Southeast Asia was Hambali. As Hambali was appointed by Sungkar, a person whom Hambali looked up to and from whom he took his orders, following Sungkar’s death, there appears to have been a schism between Ba’asyir and Hambali, with the former being unable to control the latter.

While the focus of the media is on Hambali as the operations chief in JI, Ba’asyir is unlikely to be the mastermind behind the series of attacks in this region, particularly the Bali bombing in 2002. Ba’asyir did however play a big role in establishing the “Ngruki Networking”, which is meant to have bonded JI members in terms of loyalty to the teachings of Sungkar and Ba’asyir. Their commitment to the cause of JI and shared experience radicalized by repression during Suharto’s regime are the important formulas for establishing radicalism through JI.

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209 Ibid., 141-142.
215 Ibid.
2.5 Radicalism in the Southern Philippines

Radicalism in the Southern Philippines started in 1521 after the Spaniards, led by Ferdinand Magellan, settled in the Philippine islands, whose existing inhabitants comprised of Indo-Malays and Chinese merchants. The Spanish established a colonial government in Cebu in 1565, prior to the administration of government being transferred to Manila in 1571. Filipinos opposed the Spanish ruled-government and embarked on Asia’s first nationalist revolution in 1896. During this time, Emilio Aguinaldo announced the Philippines independent and declared himself President in June 12 1898. However, the Philippines were controlled by America until July 4, 1946 with the declaration of Philippine independence.

The influence of the colonization of the Philippines by the Spanish remains evident today, given that it is still the only predominantly Christian country in Southeast Asia. The Spanish influence is further evident in the terminology Moros, Moro, Moors or Bangsamoro, used to describe the country’s Muslim population. This community is one that predominantly resides in the southern islands. However, notwithstanding such geographical predominance, the Bangsamoros’ have, historically, inhabited a diverse range of environments from jungle villages to densely populated cities, since their initial presence as traders and missionaries in the 13th century. Indeed, the modern day Muslim community comprises a sizeable percentage of the population as a whole; currently 10 million people of the total Philippine population of around 84.5 million.

As a result of a lack of assimilation with the Spanish colonizers, Philippine Muslims comprise the largest category of non-Hispanic inhabitants of the Philippines and share

219 Ibid., 42.
221 Ibid.
222 Buendia, R. G. The State-Moro Armed Conflict in the Philippines Unresolved National Question or Question of Governance? Manila: De La Salle University.
their religious culture with the neighbouring majority Muslim nations of Indonesia and Malaysia. Furthermore, it is of interest to note the Bangsamoro population has retained aspects of an indigenous pre-Islamic and pre-colonial Philippine culture. This is expressed in dress, music, political traditions and a variety of folk beliefs and practices which are similar to those found elsewhere in Southeast Asia, but are today almost entirely absent among Christian Filipinos. Thus, while Philippine Christians and Muslims inhabit the same regions, provinces and cities, they are separated by an inherent cultural gulf that is subsequent to historical perspectives.

This cultural gulf has been partially exacerbated by Christian Filipinos (including representatives of the Philippine state) who have tended to view Philippine Muslims as socially backward and untrustworthy because of their history of resistance to Hispanicization. For their part, Philippine Muslims have tended to be highly suspicious of the intentions of the Philippine government and generally wary of Christian Filipinos. Despite these prejudices and suspicions, the co-existence between Muslims and Christians in the Southern Philippines is one that has been largely peaceful.

Despite this primarily peaceful relationship, the conflict in Mindanao has substantive roots in the history of the Philippines and has largely been concentrated in the Muslim majority areas of the centre and South-West. Specifically, the areas of conflict have been region IX (Western Mindanao), region XII (Central Mindanao), the Autonomous Region in Muslim Mindanao (ARMM) and region XI (Southern Mindanao), which consists of Davao del Sur, Sarangani, South Cotabato and Sultan Kudarat.

Resentment resulting from a number of factors, namely a) the increasing number of Christian settlers b) centralized control and c) logging and mining activities, which

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223 Ibid., 34.
225 Ibid.
227 Ibid.
were a predominant source of export earnings, prompted the development of a resistance movement under the aegis of the Moro National Liberation Front (MNLF).\textsuperscript{229} The MNLF, founded and led by Nur Misuari, is the original underground political front of the Muslim separatist rebellion. Misuari is a signatory to the Tripoli Agreement of 1976, the first peace agreement signed between Muslim separatists and the Philippine government.\textsuperscript{230} Abu Bakar Carmen (2002) wrote: “Until recently the MNLF was the only separatist group with which the Philippine government was willing to negotiate in any substantive way”\textsuperscript{231}

The MILF dates from 1984 as a separate organization, but its roots can be traced back to the beginnings of modern Muslim separatism. Its leader, Hashim Salamat, was second in command of the MNLF until 1979.\textsuperscript{232} The MILF headquarters are based in central Mindanao and as a movement it is well organized and retains broad popular support in rural villages.\textsuperscript{233} Although the MILF has stressed the Islamic aspect of the separatist movement, the goals and policies of the MNLF and the MILF do not differ significantly.\textsuperscript{234}

It is interesting to consider that the Abu Sayyaf Group (ASG) is of relatively recent origin, appearing only in 1995 and centring on the island of Basilan. Abu Sayyaf was considered to be a small, radical and somewhat mysterious group with limited popular support.\textsuperscript{235} While the ASG has garnered more headlines in the past five years with its killings and kidnappings of Christians, it is by far the smallest of the three groups and the MNLF and the MILF have condemned the activities of the Abu Sayyaf.\textsuperscript{236}

\textsuperscript{232} Ibid., 20.
\textsuperscript{236} Ibid.
In 1998, Joseph Estrada declared an “all out war policy” as a result of the confrontation with MILF.\textsuperscript{237} Then, in April 2000, large military armies were mobilized to Mindanao and raided several MILF camps.\textsuperscript{238} Although the assault was successful on the surface, it failed to crush the MILF, which strategically chose to avoid direct confrontation by splintering into smaller groups and hiding in remote areas of the region.

Arroyo’s administration’s initially announced an “all out peace policy”.\textsuperscript{239} Following this, in June 2003, Manila and MILF created a ceasefire agreement under the patronage of the Malaysian Government. The International Monitoring Team, led by the Malaysian government was put in place soon after the Arroyo government was willing to talk with MILF, followed by the “Joint Government-MILF Ceasefire on the Cessation of Hostilities” (JCCCH).\textsuperscript{240}

The ongoing effort of the \textit{Bangsamoro} to establish an Islamic State was caused by several factors, dating back to the colonization of the Philippines by the Spanish and the Americans. More recently it was worsened by the United States declaration of the ‘War on Terror’ and the declaration of Southeast Asia as the ‘second front’ in the war against terrorism.\textsuperscript{241}

The first factor was deprivation. Historically, the \textit{Bangsamoro} of the Philippines have been associated with financial and environmental deprivation factors that have proved pivotal in their determination to establish an Islamic State. Since the Spanish colonial period the Government has been concerned with both political domination and religious conversion, particularly in the previously Islamic-dominant province of Mindanao.\textsuperscript{242} As stated by Syed Serajul (1998): “This domination continued after independence, with the migration of thousands of Catholics to the area at the request

\textsuperscript{238} Ibid., 46.
of the Government. Today, the Bangsamoros makes up only 22 percent of the population in Mindanao.

The Philippine government also adopted repressive measures in Mindanao. At the beginning, a commission for national integration was established in 1957, but rather than earning the loyalty of the *Moros*, it only deepened their sense of deprivation. T.J.S. George described the Southern Philippines conflict: “two decades after the Philippines became independent, Muslims in Mindanao were a devitalized people, their economic conditions stagnant, their social conditions in jeopardy, their laws and customs in danger of disintegrating”.

The second factor was the institutional strength. A key cause of the exacerbation and continuation of the conflict concerns the characteristics of the *Moro* movement itself as a complex and adaptable institution. Moros were brilliant in managing their institution. The leadership was shifted to new generations, which were more educated and radical and had clear political views—a good combination compared to the leadership of other movements, which stayed in the hands of religious leaders who did not have stern political strategies. For example, the Muslim Independence Movement (MIM) was founded in 1967 by Datu Untog Matalam, an affiliate of a traditional aristocratic family with other Muslim elites. In other words, MIM was a platform for the long-established *Moro* supremacy elite, who endeavoured to regain their lost political power.

However, MNLF emerged in 1972 led by Nur Misuari and played a significant role in the struggle of *Moro* political power. MNLF was proven as very strong and responsible in upholding the Moro social, economic and political movement at least

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243 Ibid.
244 Ibid.
245 Ibid., 453.
249 Ibid., 454.
until it attained its goal in 1996, with the signing of the Peace Accord Treaty between MNLF and Ramos government.\(^{251}\) Instead of Nur Misuari as the head, young educated men who returned from the Middle East and other Southeast Asian countries with new paradigms and better political strategies managed the MNLF. Syed Serajul (1998) also stated: “Its leadership is derived from educated youths who understood political tactics and strategy”.\(^{252}\) Consistent struggles in the Moro movement meant it relied on sturdy and organized groups like MNLF.

The third factor was support from many Islamic countries including, Malaysia, Egypt and Saudi Arabia. Moro’s long-decades of struggle were also supported by international organizations such as the Muslim World League (MWL), the Muslim World Congress (MWC) and the Organization of Islamic Countries (OIC).\(^{253}\) As stated by Syed Serajul (1998) again “At the Sixth Islamic Conference of Foreign Minister, held in Jeddah in July 1975, the MNLF was given formal recognition by the OIC”.\(^{254}\) Following this, the Philippine Government was forced by the international community, especially Muslim countries, to participate in a peace treaty with MNLF. Finally, two treaties signed in 1996, The Tripoli Agreement and the Davao Peace Agreement established an autonomous region to create stability and peace in this region.\(^{255}\)

A fourth key factor in the exacerbation and continuation of the conflict concerns the geographic topology of the Philippines, which is comprised of 7107 islands, thereby rendering the task of controlling separatists problematic.\(^{256}\) The Southern Philippines alone are comprised of 3,000 islands including Basilan, Cotabato, Mindanao, and Zamboanga, all of which are recognized as safehavens for extremists where they may engage in activities such as terrorist training.\(^{257}\) It is reported that the beneficiaries of

such safehavens include Dulmatin and Umar Patek, who are believed to be connected to the Bali bombings of 2002 and who met up with two notable JI fugitives, the Malaysian Zulkifli bin Hir and Asep, an Indonesian, both of whom fled after the bombing of the Atrium Mall in Jakarta in September 2001. Another notable beneficiary of the safehaven is Abdul Rahman Ayub, the former Australia JI leader in Sydney, who assisted in the running of terrorist training prior to the interception of his telecommunications by the Australian authorities.

A fifth principal factor was the collaborative arrangements, particularly the historical relationship with the US. Philippine president Arroyo is renowned for developing a strong alliance with the US and in particular with the Bush administration. Arroyo engineered the US return to the Philippines and in the post 9/11 environment has perceived them to be a key ally in the fight against both international and domestic terrorism within the Philippines. However, the Moros perceived this alliance as one in which the government of the Philippines was collaborating with an ‘enemy’ adding further fuel to calls for the establishment of an Islamic state and revenge against the crusaders. The extensive presence of the US military in the Philippines was compromised by the clause within Article 10, Section 21 of the Philippine Constitution that in effect excludes such military presence stating:

*The preservation of peace and order within the regions shall be the responsibility of the local police agencies which shall be organized, maintained, supervised, and utilized in accordance with applicable laws. The defence and security of the regions shall be the responsibility of the National Government.*

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259 Abuza, Z. (Producer). (2006c) Dulmatin, JI’s Top Technician, Trains A New Generations of Fighters. Podcast retrieved from [http://www.jamestown.org/programs/gta/single/?tx_ttnews%5Btt_news%5D=826&tx_ttnews%5BbackPid%5D=239&no_cache=1](http://www.jamestown.org/programs/gta/single/?tx_ttnews%5Btt_news%5D=826&tx_ttnews%5BbackPid%5D=239&no_cache=1).


262 Ibid., 112.

Subsequently, the US military presence is restricted to a training and advisory role, a position which unites the opinions of both Moros and other Filipinos.\textsuperscript{264}

2.6 Radicalism in Southern Thailand

The Southern Thailand crisis can be seen from insurgency in the southern provinces. Insurgency occurs between groups of separatists that centred in Pattani, Yala and Narathiwat—the three regions in Southern Thailand with a Muslim majority. Ninety-five percent of the population are Muslim and the rest are Buddhist, accounting for 1.3 million of the 1.7 million population.\textsuperscript{265} Altogether, Muslims in these regions constitute 3.2 million or about 5 percent of the total population in Thailand.\textsuperscript{266} More than 4000 have died since the insurgency started in 2004.\textsuperscript{267} Many more were detained by the Thai Government and some evacuated to Malaysia and other countries to avoid punishment.\textsuperscript{268} This crisis has had a significant impact on Southeast Asian security.

The situation in Southern Thailand arose out of what had occurred hundreds of years earlier. In the 11\textsuperscript{th} century, the Pan Pan Kingdom was transformed into the Pattani Sultanate.\textsuperscript{269} The close relationship between Pattani and the Siam kingdom broke down after the change of the ruling dynasty and the political ideology in Siam. Pattani was the symbol of Malay resistance to Siamese power.\textsuperscript{270} A number of Pattani and Malay people were pressured and tortured by Siamese until recently.\textsuperscript{271} The Bangkok Treaties of 1902 and 1909 between Bangkok and the British Government significantly reduced the power of the Pattani Kingdom.\textsuperscript{272} Kelantan and Terengganu, part of the southern provinces of the Pattani kingdom, were given to the British and three more provinces, Pattani, Yala and Bangnara (later changed to Narathiwat) came under the

\textsuperscript{266} Ibid.
\textsuperscript{268} Ibid.
\textsuperscript{270} Ibid.
\textsuperscript{271} Respondent A6 (2007). Interview on 06 December at Ba Gan Koey Village in Satun, Thailand.
rule of Bangkok.\textsuperscript{273} Duncan McCargo (2008) outlined that an insurgency in Southern Thailand could be described as: “an insurgency not a Jihad, it is not about Islam but about the position of Malay Muslims in the Thai state and society”.\textsuperscript{274}

Since then, insurgencies and rebellions between the Malays and the government of Bangkok have continued. Southern Malays still want to have their own government or at least total autonomy in executive and legislative power.\textsuperscript{275} However, Siamese leaders have always treated the Southerners harshly. Clashes of identity and culture between Buddhists and Malay Muslims have been frequent and continue to escalate.

Since the 13\textsuperscript{th} century, history has recorded Siam as a super power in this region.\textsuperscript{276} Siam has a huge territory including Burma and Laos in the north and the Malay peninsular in the south.\textsuperscript{277} Few states in southern Siam including Pattani, Kelantan, Terengganu, Kedah and Perlis were under the King of Siam’s sovereignty.\textsuperscript{278} Fixed ‘\textit{Ufiti}’ (obeisance) must be attributed to the King of Siam every three years as a proof of Siam sovereignty.\textsuperscript{279} But then, historically these states acted according to Malay culture, language, religion (Islam) and administration in their daily life. The British Empire forced the King of Siam to make a treaty in 1909 called the Anglo-Siamese Treaty.\textsuperscript{280} This treaty ceded Siam sovereignty of Kelantan, Terengganu, Kedah and Perlis to the British, except Pattani.\textsuperscript{281}

\begin{footnotesize}
\begin{itemize}
\item \textsuperscript{275} Op. Cit., Respondent A6 (2007).
\item \textsuperscript{278} Ibid.
\item \textsuperscript{281} Ipavec, E. (Producer). (2008, 22 July 2009) Historical Flags. Podcast retrieved from \url{http://flagspot.net/flags/th_his.html}.
\end{itemize}
\end{footnotesize}
Pattani was divided into three provinces, which were Narathiwat, Pattani and Yala in 1933. Since the ‘1909 Bangkok Treaty’, people in these monthon (provinces) have assimilated with Thai culture. They speak Thai, have Thai names as well as Muslim names, write in Thai better than Jawi and many more ‘Thailandisms’ were adopted. However, people in this province still practice Malay culture, feel they are Muslim Malay and sometimes feel better staying with Malaysian customs rather than Thai. This created a group of separatists a few decades after the 1909 Treaty in Thailand.

Interestingly, this history between Siam and Britain was revealed before and after the 1909 treaty. In the late 19th century, many Western imperialists came across the continent to claim new territory and to realize the 3G’s concepts. At that time, the British already had supremacy in Penang from the Sultan of Kedah and Singapore from the 1824 Anglo-Dutch Treaty. This treaty has had a vital impact, especially on the boundaries and quest for identity for Southeast Asian people. Britain and Siam secretly formed a treaty in 1897 that recognized Thai sovereignty over Kelantan and Terengganu as long as Thailand denied making any business deals with other imperialists such as France, Spain, the United States and Germany. In 1902, one more treaty was signed between Siam and Britain, however, most important was the 1909 treaty, the implications of which still have impact today.

283 A Muslim person in Thailand was forced to put their Thai name on their formal business and registration card. Besides that, having a Thai name will help them get job and enter the government service easier because many of the top government officers in the southern province are Buddhist and have great patriotism in the Thai names and language. From Respondent A3 (2007). Interview on 05 December 2007 at Restaurant in Yala Town. Southern Thailand.
284 Ibid., Jawi is alphabet that was created by the Malay in Southeast Asia. It was created from Arabic and has some additional Malay letters.
286 Ibid.
of being aligned with the Japanese. After WW II, Britain took back all of this country based on the treaty of 1909. 292

From 1930 until today, various actions and groups have been founded in Southern Thailand with the purpose of agitating and escaping from Siam sovereignty. This separatist movement began with the attempts of Tengku Mahmud Mahyuddin in 1930s, a prominent Pattani leader who was the son of the last Raja of Pattani. 293 He allied himself with the British during WWII hoping that the allies would win, but then the British were beaten by the Japanese. 294 Thailand, the only country in Southeast Asia not invaded by any imperial power, imposed much of the Thai culture on the Pattani province. 295 Grievances and intent to have their own state and autonomy dragged on until the 1960s and became serious from the 1990s onwards. Groups such as The Pattani United Liberation Organization (PULO), Barisan Revolusi Nasional-Koordinasi (BRN-C), Gerakan Mujahideen Patani / Gerakan Mujahideen Islam Patani (GMP/GMIP), The Runda Kumpulan Kecil (RKK), New PULO and Jemaah Salafi have become fringe and major players in the Southern Thai insurgency. 296

Rebellions in Southern Thailand have demonstrated all of the characteristics of long running conflicts such as religious disputes, separatist activities, crime, unfair treatment, personal vendettas and many more. Resistances to negotiation settlements have caused grievances and a sense of separateness that created such rebellion in the first place. 297 The undeniable fact is all of the conflict in this region, especially in Southern Thailand, is because ethnic and religious minorities located at the periphery of large states have continued this conflict. 298

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294 Ibid.
295 Ibid.
296 Che Man, W. A. K. (2008). Phone Interview on the 30 January 2008 from Wellington, New Zealand to Petaling Jaya (pp. Dr Wan Kadir Che Man is the official leader of the BERSATU (The United Front for the Independence of Pattani) or "Bersatu" (Malay for “United”) was formed with the idea to unify resources so that foreign sources of support could be refused. More significantly, this demonstrated the effectiveness of the Thai government’s success in combating separatist groups. Bersatu claims 60-80 fighter trained in SW Asia.), Selangor.
The first factor that caused rebellion in Southern Thailand was religion.\textsuperscript{299} Buddhism is the major religion in Thailand with more than 95 percent of the population being Buddhist and less than 5 percent Muslim.\textsuperscript{300} Aside from the freedom to follow Islamic teachings, Muslims felt unfairly treated.\textsuperscript{301} They felt Buddhists did not like them, especially those in the police and the army.\textsuperscript{302} However, Buddhists also felt uncomfortable with the series of murders on their side. Many Buddhist monks and \textit{Ustaz}s were victimized. It is not known whether these series of deaths were caused by separatists or criminal gangs that took advantage of the incidents. Separatist groups not only attacked Buddhists and civilians but also Muslims. Government statistics show that two-thirds of people being killed are Muslim.\textsuperscript{303} Militant groups are thought to be attacking locals who do not share their ideals.\textsuperscript{304}

Rebellions have also targeted fellow Muslims suspected of conspiring with the military, known for its brutality in dealing with Islamic militants. In contrast, former Thai Prime Minister, Thaksin Shinawatra, publicly denied the role of religion in the attacks, when quoted as saying before the election he did not "think religion was the cause of the problems down there because several of the policemen killed were Muslim".\textsuperscript{305} This statement was revealed by separatists as a method of calming the people in the South.\textsuperscript{306}

The second factor is drug trafficking and criminal groups.\textsuperscript{307} Thailand is among the countries in this world with lenient laws about arms and weapons.\textsuperscript{308} People can easily get access to arms in Thailand, especially in the Southern Provinces.\textsuperscript{309} In several cases, Malaysians, especially criminal groups, also use the lack of enforcement in

\textsuperscript{299} Ibid. 
\textsuperscript{302} Ibid. 
\textsuperscript{309} Ibid.
Southern Thailand to buy arms. Thailand is known as a country awash with weapons, with some armies involved in black market weapons trading.\(^{310}\) This has played a key role in transporting surplus Chinese weapons to the Khmer Rouge regime in Cambodia. The Tamil Tigers (LTTE) rebel groups had an office in Thailand for many years just to purchase weapons for their insurgents.\(^{311}\) The breakdown of law and order and incipient corruptions led to a loss of control over state arsenals in Thailand.\(^{312}\) As proved in 2002, there were discoveries of weapons in bulk numbers such as M-60s, M-16s, AK-47s and many more in Thailand. They have been exported to Aceh, the Philippines and Myanmar.\(^ {313}\)

These matters gave civilians an opportunity to have their own arms and later create groups of criminals or become rebels.\(^{314}\) Drug smugglers take advantage of the conflict in Southern Thailand to expand their businesses.\(^{315}\) Respondent A3 said in an interview on December 5, 2007: “drug traffickers use these incidents as a convenient market for drugs”.\(^{316}\) Thailand has become important for drugs traffickers because 75 percent of drugs produced each year in the Golden Triangle are transported through Bangkok to reach the rest of the world.\(^{317}\)

Traffickers have also played a major role in causing rebellions in Southern Thailand. Police were forced to control the movement rather than their own business.\(^{318}\) Respondent A3 also said “traffickers gunned down Muslims, Buddhists and police to create conflict between religion and rebellion against the government”.\(^{319}\) Former Interior Minister Purachai Piemsomboon attributed some attacks on the police as

\(^{310}\) Chalk, P. (2001). Separatism and Southeast Asia: The Islamic Factor in Southern Thailand, Mindanao and Acheh. Studies Conflict & Terrorism, 24, 244-249.


relating to drug control, saying the "police are making serious efforts to make arrests over drugs trafficking".\textsuperscript{320}

The third factor is poverty and ‘dualism’. The southern provinces, which are Yala, Narathiwat and Pattani are recognized as the poorest provinces in Thailand.\textsuperscript{321} Southern Thailand has always lagged far behind the rest of the country in its growth of economy. With poverty rates of 45.6 percent, Narathiwat is known as the poorest district in Thailand. Second poorest is Yala with 37.9 percent.\textsuperscript{322} The question is why have the Southern provinces become the poorest area of Thailand? Is it lack of economic infrastructure or is it due to being overlooked by the central government? Narathiwat-based human rights lawyer, Peerawat Praweenamai said, “The government didn’t look after the local people here, they just sent officers from Bangkok who did things for their own benefit, not that of the locals”.\textsuperscript{323} These people felt the government neglected them intentionally, which caused anger and grievance. This situation made it easier for militant groups to exploit them. People become involved in militancy and rebellion to get equality in economic distribution and to avoid hunger.

A fourth factor was separatism.\textsuperscript{324} The separatist movement in Southern Thailand was recognized as a major cause of what has happened today. Besides the Hill tribes on the border with Myanmar, who also requested their own country, separatists in Southern Thailand have had a big impact on government policy.\textsuperscript{325} Separatist groups calling for the emergence of a separate Islamic state first emerged in the 1970s.\textsuperscript{326} However the movement for separatism of Pattani from the Kingdom of Thailand had already appeared in the 1890s.\textsuperscript{327} The Sultan of Pattani, who lost his sovereignty and power to Thailand, fought for the rights. But this movement was not supported by
either groups from the army, Thai administration or the British in Malaysia. Grievances became legitimate since Pattani was put under the sovereignty of the King of Thailand and felt left out of the Buddhist Thai nation.\textsuperscript{328}

The first separatist group founded in Southern Thailand was the Pattani United Liberation Organization (PULO) in 1968.\textsuperscript{329} A new separatist group that opposed the nationalist agenda of PULO was founded in 1984 named Barisan Pembebasan Pattani Nasional (Pattani National Liberation Front, BNPP).\textsuperscript{330} Other separatist groups were founded later, such as Gerakan Mujahideen Pattani or Gerakan Mujahideen Islam Pattani (GMP/GMIP), The Runda Kumpulan Kecil (RKK), Barisan Revolusi Nasional Koordinasi (BRN-C), New PULO and Jemaah Salafi.\textsuperscript{331}

Separatists struggled for an independent Islamic state, the right to implement Islamic pillars and to get full autonomy in the province.\textsuperscript{332} Hundreds of bombings and arson attacks have happened since 2001. In January 2004, unidentified gunmen raided an army ammunition depot in the Narathiwat Province in the early morning, and stole more than 100 rifles and other ammunition.\textsuperscript{333} Since then attacks, killings, explosions, robberies and other criminal acts have taken place every day. Mahkota Kasturi, a PULO foreign affairs spokesman in exile in Sweden, says separatists seek to disrupt Thai society as a way to finally win freedom: “The killings and the violence will continue until we reach our goal, and that is independence”.\textsuperscript{334}

The last factor is personal vendettas.\textsuperscript{335} Two main causes of conflict between Muslims and non Muslims in Southern Thailand are the Tak Bai and Kerisik Mosque incidents and a series of kidnappings and killings of Muslims. Seventy-eight Muslims were

\begin{flushleft}
\textsuperscript{329} Ibid., p. 78.
\textsuperscript{330} Ibid.
\end{flushleft}
killed in the October 2004 incident.\textsuperscript{336} This started after police detained six Muslim men who were accused of having supplied weapons to rebels.\textsuperscript{337} Hundreds of people gathered in front of Tak Bai police station to demonstrate and demand their release.\textsuperscript{338} The Army was called and then tear gas and water cannons were used on the demonstrators, followed by shooting. Seven people were killed and hundreds were arrested. They were thrown into army trucks with their hands tied behind their backs.\textsuperscript{339} Seventy-eight people died on the long journey to the army camp. This incident sparked widespread protests in the south and across Thailand.\textsuperscript{340} The second cause of conflict in Southern Thailand is the series of killings and kidnapings by the Army and the police.\textsuperscript{341} Locals believe they are the contributing factor for some deaths of Ustaz and Ulama. They also believe dozens of Ustaz, Ulama and Islamic scholars were kidnapped by the Army.\textsuperscript{342} Many of them were scared and felt they had been treated unfairly by security forces. Local Muslims complained the forces treated them as enemies, shooting first and asking questions later. Currently 20,000 soldiers are serving in this province and most of them come from other areas.\textsuperscript{343} Locals had a bad impression of them and felt outsiders Armies were not familiar with their culture.\textsuperscript{344}

\section*{2.7 Radicalism in Singapore}
Singapore has faced at least six conflicts with various Islamic movements since the 1950s. These started with the Maria Hertogh riots in 1950,\textsuperscript{345} followed by the

\textsuperscript{339} Ibid.
\textsuperscript{341} Ibid.
\textsuperscript{342} See Appendix 41, 42 and 43 at page 291 and 292.
\textsuperscript{345} The Natrah riots or Maria Hertogh riots, which started on 11 December 1950 in Singapore, consisted of outraged Muslims who resented the court’s decision to give the custody of Maria Hertogh (or Bertha Hertogh), then 13, to her biological Dutch Catholic parents after she had been raised as a Muslim under the care of Aminah binte Mohamed, whom she regarded as her mother. The riots lasted till noon on 13 December, with 18 killed, 173 injured and many properties damaged. From Hussin, N. (2005). Malay Press and Malay Politics: The Hertogh's Riots in Singapore. \textit{Asia Europe Journal}, 3, 561-575.
agitation of the Malay National Party and Pan Malayan Islamic Party (PMIP) for Melayu Raya in 1950.\textsuperscript{346} This was followed by the threats of Angkatan Revolusi Tentara Islam (Revolutionary Islamic Army) in 1961, the communal riots in 1964 and 1969, threats by the Singapore People’s Liberation Organization in 1981 and the attempts by Hizbollah to recruit Muslim Singaporeans for American interest bombings in 1990 and 1998.\textsuperscript{347}

Singaporean Muslims who made up 16 percent of the population were involved in radical activities for various reasons. The main reason was feeling separated by the government. Bilveer Singh (2007) stated: “…many Singapore Muslims believed that they have been systematically marginalized and discriminated by the Chinese dominated government…”\textsuperscript{348} Singaporean Muslims who are mostly of Malay ethnicity felt unfairly treated by the Chinese-dominated government when it came to social, economic and political aspects. Most of them compared this to Malays in Malaysia who had the extra benefit of a Malay-dominated government.\textsuperscript{349}

Geographically, Singapore is located in the heart of Malay Muslim majority countries including Malaysia, Indonesia, Brunei, the Southern Philippines and Southern Thailand. Ali Imron in his interview stated: “The Muslim axis needs to be developed and strengthened regardless of boundaries and who dominates the government”.\textsuperscript{350} Any movement regarding Muslims in this region should view Singapore as the centre and important hub in the Malaysian kingdom.\textsuperscript{351} Singapore’s foreign policies always support their Western counterparts, especially the US and Israel, which are deemed anti-Islam.\textsuperscript{352} Many of Singapore’s decisions to support US foreign policy, especially in the Middle East and Israel, were regarded as a threat to Islam.\textsuperscript{353}

\textsuperscript{346} Greater Malay or Melayu Raya was a political concept that sought to bring the Malay people together by uniting British Malaya with Dutch East Indies. From Kheng, C. B. (1979). The Japanese Occupation of Malaya 1941-1945: Ibrahim Yaacob and the Struggle for Indonesia Raya. Indonesia, 28, 85.


\textsuperscript{348} Ibid. p. 103-104.


\textsuperscript{351} Ibid.


\textsuperscript{353} Ibid.
Most Muslim majority countries in this region have their own radical groups such as KMM in Malaysia, JI in Indonesia, MILF in the Philippines, GMIP and PULO in Thailand. However, Singapore has only a JI cell that later played a big role in establishing and planning violent activities.\(^\text{354}\) The Singapore branch of the JI originated from the brotherhood and kinship relationship between Johorean and Singaporean Muslim Malays. It started with JI Wakalah Singapore by family members of JI Wakalah Johor and ended up with the emergence of seven more Fiah (cells). JI successfully operated in Singapore undetected from the early 1990s, with Ibrahim Maidin as the founder.\(^\text{355}\)

JI Wakalah Singapore was formally established in 1993, at the same time as JI’s first emergence in this region.\(^\text{356}\) Ikhwan programmes including Usrah and Tamrin (short course) were constantly established in Johor through Pak Abas and Ustaz Harun’s connection in the 1990s.\(^\text{357}\) This meeting always included ikhwan (brother) members from Singapore. Hashim Abas, the brother of Nasir Abas (leader of Mantiqi Tsalis) and a few members who lived in Singapore had already established the Wahhabism ideology and indirectly supported the idea of establishing an Islamic Caliphate. Later, Ibrahim Maidin (ex Mujahidin) established JI Wakalah Singapore through the Afghan-alumnus network.\(^\text{358}\)

For the first decade, JI Singapore was organized into five functional units, which were the Missionary or Education Unit, Economy Unit, Operation Unit, Security Unit and Communication Unit.\(^\text{359}\) Tajnid or the Security Unit was responsible for their members’ security from infiltration and detection.\(^\text{360}\) Meanwhile, the most significant section was an Operation Unit - used for intelligence and spy activities.\(^\text{361}\) The Economic Unit carried out financial matters, especially sourcing money for

\(^{356}\) Ibid.
\(^{357}\) Ibid.
\(^{359}\) Ibid.
\(^{361}\) Ibid.
‘operation’ costs and fund raising.\textsuperscript{362} The Missionary or Education Unit was responsible for \textit{Usrah, Tamrin} and other internal training.\textsuperscript{363} The Communication Unit was responsible for JI’s explanations and propaganda as well as looking after the networking between members using electronic and non-electronic devices.\textsuperscript{364}

JI Singapore did not operate on its own as JI in Malaysia. JI Singapore was grouped under JI \textit{Mantiqi Ula} (Johor branch) and worked in the same line as other \textit{Wakalats}.\textsuperscript{365} All decisions came from JI \textit{Mantiqi Ula}, which were Ba’asyir and Hambali. Besides five crucial units, JI Singapore also formed seven ‘Fiah’, which were Fiah Ayub, Fiah Musa, Fiah Ismail, Fiah Ya’akub, Fiah Syuaib, Fiah Daud and Fiah Nuh.\textsuperscript{366}

The Singapore government has detained 13 JI members under the ISA since 2002\textsuperscript{367}. They are Ibrahim Maidin, Mohamad Anuar Margono, Khalim Jaffar, Ja’afar Mistooki, Faiz Abu Bakar Bafana, Fathi Abu Bakar Bafana, Mohammed Ellias Khan, Nazir Uthman, Adnan Musa, Halim Hussain, Hashim Abas, Andrew Gerard aka Ali Ridhaa and Othman Mohamed. Except for Faiz, a Singaporean-born Malaysian national, the rest were Singaporean.\textsuperscript{368}

These individuals were arrested between December 9 and 24, 2001 and detained for two years from January 6, 2002 for terrorism-related activities.\textsuperscript{369} However, two others who were caught were later freed the same day on a Restriction Order (RO) for two years. Singaporean authorities revealed this information after a series of interrogations. They discovered JI members were trying to get 17 tonnes of Ammonium Nitrate after obtaining four tonnes in Malaysia from businessman, Faiz Abu Bakar Bafana\textsuperscript{370}. The total of 21 tonnes of Ammonium Nitrate would have been

\textsuperscript{362} Ibid.  
\textsuperscript{363} Ibid.  
\textsuperscript{369} Ibid.  
used for truck bombings as was used in the Oklahoma bombing in 1995. Their plan was ruined when Mohammed Ellias tried to buy the chemical from a local shop and was arrested by the Internal Security Department (ISD).

The group targeted a shuttle bus service used by US personnel to travel between Yishun MRT stations in the north to the Sembawang wharf. A videotape of the shuttle service and debriefing notes written in Arabic were discovered in the bombed house of an al-Qaeda leader in Afghanistan. The second target was US naval vessels in the northeast of Singapore. ISD also found maps with observation posts marked in Johor and Singapore and a ‘kill zone’ between Changi and Pulau Tekong, which is now being used for military training.

The ISD also said this group had a list of “over 200 US companies in Singapore with three marked targets because the office-bearers were prominent members of the 17,000 US communities”. Mohamed Khalim, one of JI's key Singaporean players when arrested, had two faked Singaporean passports on him, as well as 15 forged Malaysian and Filipino immigration stamps and writing and drawings about bomb making written in Malay and English.

JI Singapore is also believed to have had a direct network with Hambali. Malaysian based regional ‘Syura’ or consultative council led by Hambali organized weekly and

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374 Ibid.
377 Ibid.
monthly meetings either in Singapore or Johor. But JI Singapore members also travelled up to Kuala Lumpur and Selangor to meet Hambali, Sungkar and Ba’asyir. Some exercises and physical training were coordinated between Hambali and JI Wakalah Johor in a few places in Johor. Furthermore, some JI Singapore members were also trained in Afghanistan and in camps Hudaibiyah and Abu Bakar, run by the JI Mantiqi Tsalis and MILF in the Southern Philippines.

JI also had their own plan to prepare Malaysia and Singapore as a centre for a series of attacks. Targets in Singapore would include the water pipelines in Tambak Johor (Johor Causeway) and the Ministry of Defence. The main objective was to create a situation in Malaysia and Singapore that would be conducive to overthrow the Malaysian government so the Islamic state could rise in Malaysia. To some extent, JI members were also playing with racial issues aimed to stir up ethnic conflict between Chinese and Malays that would create another ‘Ambon’ in this region. If it did happen, the benefit would go to militants who saw the opportunity for new ‘Medan Jihad’ to perform holy war and to find syaheed (martyr).

At least eight of the 13 JI Singapore members were confirmed to have been trained by the JI members in camp Sadda in Afghanistan to use AK-47s and mortars along with guerrilla war tactics. Through coordination by Ba’asyir and Sungkar, they attended short courses about Jihad and took the oath or bai’ah in Madrasah Itti’us Sunnah, Kuala Pilah before taking part in the Afghan war as Jihadist fighters. Hambali, with help from JI members in Karachi and the Pakistani Embassy staff in Kuala Lumpur

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380 Ibid.
384 Ibid.
385 Ibid.
387 Ibid.
arranged all of the necessary documents for them to fly to Karachi before entering Afghanistan.390

Chart 1: The links between JI (Malaysian cell) with Southeast Asian militant groups in regional contact and with al-Qaeda as international indirect contact since 1990s.391

At least three Fiahs were assigned to terrorist support or terrorist related activities by the JI Singapore cell. They are known as ‘Fiah Musa’, ‘Fiah Ayub’ and ‘Fiah Ismail’. Four more Fiahs (‘Fiah Yakub’, ‘Fiah Syuib’, ‘Fiah Daud’ and ‘Fiah Nuh’) were ‘feeders’ - to prepare for any needs that arose from the first three Fiahs.392 The oldest operation cell called ‘Fiah Ayub’ was led by Khalim bin Jaffar. This cell started exploring targets in Singapore as early as 1997, keeping an eye out for locations frequently visited in Singapore by Americans.393

‘Fiah Musa’ was known as the second most important operation cell for JI Singapore.394 Among JI Singapore members who were placed in this cell were Fathi Abu Bakar Bafana, Mohd Nazir and Adnan Musa395. Foreigners of Arab origin,

393 Ibid.
394 Ibid.
codenamed ‘Sammy’, headed this cell from 1997 until 2001. His counterpart, a Filipino of Indonesian origin called ‘Mike’, was responsible for getting ammonium nitrate for operations. Sammy was believed to be linked to al-Qaeda while Mike was a trainer and bomb maker for the MILF. Sammy and Mike identified as Fathur Rahman al-Ghozi and Jabarah Mohamed Mansur were arrested in the Quiapo district in the Philippines and in Oman in January 2002.

The JI Singapore members held a meeting at a car park by the waterfront, where they discussed targets for potential attacks in the city, including Western embassies and a US warship in a Singapore harbour. The Canadian Broadcasting Centre reported “Jabarah, who was already listed in Canadian police files as an al-Qaeda suspect, became the object of an international manhunt”. He was arrested three months later in the Persian Gulf state of Oman, and brought back to Canada in April 2002, where he was interrogated for several days by Canadian intelligence agents. After four days, Jabarah was taken to the US-Canada border, where he was handed over to American authorities. He has been in US custody ever since.

Fiah Musa was responsible for gathering information for the targets of their attacks in Singapore. Andrew Gerard, a JI member who was a technician in Singapore Technologies Aerospace (STA), took more than 50 digital photographs of the Paya Lebar airbase and American aircrafts. Sammy, Mike, Gerard and his cell members conducted surveillance of several premises linked to the West, such as the US Embassy, Australian High Commission, British High Commission, Israeli Embassy, commercial buildings with American companies and the Defence Complex at Bukit Gombak.

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396 Ibid., p. 17.
397 Ibid.
403 Ibid.
405 Ibid., p. 30.
The other operation cell was called Fiah Ismail. It was formed after 9/11. Fiah Ismail was considered immature (at an early stage) when the series of arrests by the ISD and other authorities in Southeast Asia took place. Fiah Ismail carried out preliminary surveillance of several targets, including U.S related premises, for future attacks. However, the crackdown of JI by Malaysian authorities stopped these plans from happening. Then, the few ‘key players’ fled the country to avoid arrest.

Extensive efforts and competent surveillance by the Singapore government made JI weaker and unable to rebuild. The series of arrests and detention under the ISA paralyzed JI in Singapore. Co-operation with authorities from neighbouring countries such as Malaysia, Indonesia and Thailand successfully stopped the threat of JI in Singapore.

2.8 Conclusion
Experience shows long-standing civil conflicts have prevented lasting peace, particularly when land and other natural resources are in dispute. Realistically however, internal governance in the Philippines, conflict fatigue on both sides, and international political and security concerns have emerged since 9/11. These factors offer an opportunity to come to terms with the reality of pluralism in the Southern Philippines, and to finally bring peace to the second longest communal conflict on the globe. The human and economic benefits would be substantive, not only for the Moro population of the island and the inhabitants of the directly affected areas, but also for the Christian areas of Mindanao and the Philippines as a whole. The impact of a conflict resolution in the Philippines may extend to other countries in Southeast Asia as a positive example to Southern Thailand, Indonesia and others, and an improvement in the international image of the region.

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The peace process between MNLF and the Philippine Government is an important step towards building lasting peace and development of the southern Philippines. The long history of and failed approaches to stop conflict have so deeply divided the people of the southern Philippines that any peace agreement is likely to be met with failure. Whether the peace process will be any different depends on the enthusiasm and the ability of the parties to go beyond their political agenda. It is only when there is real national consensus that the terms of the peace pact can be implemented in a way that directly addresses the grievances of the Moro people.412

Finally, the success of the most recent peace agreement has the potential to change both the political and the social climate across Southeast Asia. It has a significant impact on the containment of radical and terrorist activities in this region. The emergence of the Abu Sayyaf Group (ASG) and the Rajah Solaiman Movement (RSM) was a result of a new paradigm shift in militant movement.413 Moreover, al-Qaeda and JI use MNLF and MILF as well as ASG as their associates in establishing an Islamic state using terrorist means.414 However, such success is totally dependent on the implementation of the agreement and the extent to which the Bangsamoro is capable of managing its autonomy effectively.415 Notwithstanding this, neighbouring Southeast Asian countries such as Malaysia, Indonesia, Myanmar and Singapore are eager to see positive developments in the Southern Philippines and the economic benefits that will ensue.

Issues in Southern Thailand have changed the political and economic movements in Southeast Asia as every country in the region already makes an effort to solve this problem. But the reality is that from time to time the situation is dangerous and is often getting worse. The impacts are not just on the Thai government but have also affected all of the nations in this region. One of the initiatives undertaken by the Thai government was on March 2005, when former Prime Minister Anand Panyarachun

was appointed chairman of the National Reconciliation Commission (NRC), and was given the task of ensuring peace was brought back to the South.\textsuperscript{416}

Transparent enquiries into the 78 casualties on April 28, 2004, the Tak Bai tragedy must be conducted as this incident is regarded as a turning point for separatist acts that were more violent than previous ones. The Thai Government has to establish a special task committee in order to probe the disappearances of Ustazs and Ulamas as well as Muslim and Malay activists. Muslims believe that these disappearances are cases of kidnappings by government officials.\textsuperscript{417} Furthermore, the Thai government has to stop sending dishonest military officials to the southern provinces and provide them with sufficient cultural awareness training. Malay southerners have to be part of the administration and security forces, particularly in Southern Thailand.\textsuperscript{418}

However, the coup in Thailand on September 20, 2006, brought hope to Southerners, Muslims, Buddhists and countries in Southeast Asia. Many perspectives and reactions from all over the world were focused on the coup. The hope is that the new government will put its full commitment and concentration towards tackling problems in Southern Thailand. ASEAN and Thailand’s neighbours such as Malaysia, Indonesia, Myanmar and Singapore are eager to see positive initiatives carried out by the new government to promote peaceful life in Southern Thailand and Southeast Asia.

Radicalism is a portion of grievances. Many countries in Southeast Asia are not really concerned with radicalism. It is not seen as a threat either locally or regionally, but radicalism will lead to militancy and eventually to acts of terrorism. To control this, all countries in Southeast Asia have to look at the needs of this group - the reasons contributing to activism. It is also important to understand that there are more hospitable environments in this region for terrorists and radicals to operate from. The total number of radical groups operating with impunity outside of the legal political system is cause enough for a security threat.

The emergence of a regional terrorist network affiliated with al-Qaeda that has been operating in secret for more than a decade is a new challenge confronting Southeast Asia. The JI is more dangerous and difficult to manage because of its ability to camouflage its activities behind Islamic practices. Careful action should be taken by Southeast Asian countries to show their resistance to threats posed by terrorism and not by Islam, as Islam opposes terrorism.

At this time, the struggle of KMM and JI with Southern Thailand are completely different. JI and KMM’s long term struggle is to establish an Islamic caliphate in this region. However, for Southern Thailand separatists, their struggle is to re-establish their ruined kingdom. Meanwhile the Southern Philippine resistance is for a total region of autonomy and legitimate Sulu Sultanate. KMM focused their struggle more on achieving the Islamic political aims of PAS and protecting PAS leaders from danger. JI was a transformation of NII, and their goal was to establish an Islamic caliphate consisting of Southeast Asian countries.

The insurgency in Southern Thailand is more about the group of people who are the descendents of the Pattani Kingdom, fighting for their own autonomous government. However, direct contact was developed by some KMM members, especially from the K3M branch with Southern Thailand separatists for arms supplies but they never discussed militant and violent operations. Meanwhile, JI through Hambali and Yazid Sufaat established networking with Southern Thailand’s Afghan alumni for newly regional connections. Abdul Fatah, the Afghan alumni’s representative rejected this idea because of his interest in nationalist movements, and he was also reluctant to get al-Qaeda involved in domestic problems.
Chapter III-
RADICAL ISLAM IN MALAYSIA

As far as we know, their intentions are to create trouble and to try and overthrow the government by terrorist means...KMM had the idea of setting up a so-called Islamic country through the union of three countries, Malaysia, Indonesia and the Philippines.419

3.1 Introduction

Malaysia has significant experience in tackling militant threats either brought by terrorist or communist organizations.420 This experience in handling terrorism and militancy highlights the government's ability to face such issues. For example, successful negotiations between the Malaysian government and the Communist Party of Malaya over time explain how peaceful methods and diplomacy operate within Malaysia's socio-political system.421 As a result of these careful controls, between 1948 and 1989, there was only one armed rebellion caused by the Communist Party of Malaya.422

However, significant radicalism emerged in Malaysia in the 1970s and since this time several radical groups have been formed including Tentera Sabiullah, Koperasi Angkatan Revolusi Islam Malaysia (KARIM), Golongan Rohaniyah, Kumpulan Crypto, Kumpulan Mohd Nasir Ismail, Kumpulan Jundullah, Kumpulan Revolusi Islam Ibrahim Libya, Kumpulan Mujahidin Kedah (KMK), Kumpulan Perjuangan Islam Perak (KPIP), Al-Maunah, KMM and JI.423 Some of these groups have tried to stir up trouble related to ethnic relationships in Malaysia and some have been involved in terrorist activities.

As the Malaysian government controlled these radical groups, they were mostly unable to develop or increase in numbers. However, there have been 13 militant groups identified by the Home Ministry as having planned and/or attempted a violent takeover of the country’s administration since 1967. Islamic-related violence in Malaysia has gradually increased since this time. Religious radicalism in Malaysia is normally connected with Islam rather than any other religion. However, the eruption of sporadic violence in Malaysia has no connection with the theological needs among Muslims or government-shaped policy. After the Malaysian independence, the Islamic norms and dakwah (preaching) became vital and necessary for the people of Malaysia who needed such spiritual support after hundreds of years of colonization. The British colonization era strongly influenced and shaped Malaysia's political, economic and social systems but the country needed to find its own way and Islam provided such a means.

In the late 1960s and 70s, Malaysia was hit by several militant activities including arson attacks and rallies, and suffered from ethnic conflict and societal instability. The government believed that Middle Eastern elements were involved in these activities, working via Malaysian students who had studied in the Middle East. Malaysia also alleged that aggressive elements from Libya, Pakistan and India were successfully convincing Malaysian students to turn into extremists.

The Iranian Revolution of 1979 is also recognized as being one of the factors that brought religion-based violence to Malaysia. This movement was an attempt to spread the ideology of revolution abroad to countries such as Malaysia. Many of the students who studied in the Middle East, especially the Islamic Party, or Partai Islam

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428 Ibid.

Semalaysia (PAS)'s children, were influenced by this ideology. The incidents in Kerling and Kelang, Selangor and Batu Pahat, Johore in 1980 seem to be outcomes of the Iranian Revolution's influence in this country.

Between 1980 and 2000, organized Islamic violence became even more extreme and caused more deaths than in previous decades. During this period, the Islamic culture and theological understanding became more relevant and was strongly followed by Malays. Pious Muslims in Malaysia saw the ruling government as not being useful to Islam. This kind of thinking is believed to exist because of ‘Gerakan Turki Muda’ or the Young Turk’s Movement's influence on young Malay Muslim students who studied in the Middle East.

The new millennium has seen a new dimension of Islamic-related violence, especially in Malaysia. Radical Muslims have wider connections throughout the country and region, as well as throughout the world. The 9/11 tragedy has changed the whole world's perspective of political and international relations, including Southeast Asia. President Bush remarked that Southeast Asia was a ‘Second Front in the War on Terrorism’. In Malaysia, the US-launched war on terrorism was accepted to some extent as it was connected to several key security issues in the region.

The first decade in this millennium was marked by organized Islamic-related violence in Malaysia, Indonesia and the Philippines. The militant Islamic group JI orchestrated and effectively operated regionally linked terrorism through ‘heaven nests’ in the

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432 The Young Turk’s Movement was a coalition of various groups favoring reforming the administration of the Ottoman Empire. Through the Young Turk Revolution, their movement brought about the second constitutional era. In 1889, starting first among military students and then extending to other sections, the movement initiated against the monarchy of Sultan Abdul Hamid II. Establishing officially, the Committee of Union and Progress (CUP) in 1906, gaining most of the Young Turks, the movement built a rich tradition of dissent that shaped the intellectual, political and artistic life of the late Ottoman period. From Narli, N. (1999). The Rise of the Islamist Movement in Turkey. Middle East Review of International Affairs, 3(3), 4.
Southern Philippines, Malaysia and Indonesia. Malaysia was initially stunned with
the efficiency exhibited by terrorist group al-Maunah when it carried out an arms heist
operation at the Malaysian Army Reserve camp at Temenggor Dam in Gerik, Perak.

Just a year after entering the new millennium, Malaysia was shocked by two Islamic
related violence groups in the year 2001. KMM emerged in Malaysia in the 1980s and
soon became infamous for its religiously-based violence. This home-grown radical
group was ‘dismantled’ three months prior to 9/11. JI also experienced a crackdown
six months after KMM was discovered by a series of arrests and raids in collaboration
with the International Criminal Police Organization (Interpol) in several countries
including Malaysia, Thailand, Singapore, Indonesia and the Philippines. Both
KMM and JI followed the main objectives of establishing ‘Shari`ah Law’ and
‘Islamic Caliphate’ (Islamic governance) as well as bringing back the pristine notion
of the noble values of Islam. The Washington Institute for Near East Policy also
commented on this as “Unifying their disparate states into a caliphate under a single
ruler, and then waging war from the caliphate on the rest of the world.”

Malaysia’s role in being a haven for militant activists, which facilitated the terrorist
attacks in US, was uncovered after the investigation of 9/11’s terrorists. Undoubtedly,
it has been indicated that since the early 1990s, Osama bin Laden
established Southeast Asia, and especially Malaysia, as a comfortable platform for
operations since militant ideology has been able to graft onto a small but growing
community of Islamic radicals in the region. An international terrorist, Wali Khan

Amin Shah, who is noted as having had close contact with Ramzi Ahmed Youssef, the man who was responsible for the 1993 New York World Trade Centre (NYWTC) bombing, was captured in Malaysia in 1995.\textsuperscript{443} 

*He was told that there would be no attacks in Malaysia, because al-Qaeda wanted to maintain good relations in the Muslim country, retaining it as a base of operations. Then he was taken to the Indian quarter of the city, where he stayed in a small hotel.*\textsuperscript{444}

There is evidence to suggest known terrorists Zacharias Massaoui, Khalid Midhar and Nawaf al-Hazmi entered Malaysia during January and September 2000.\textsuperscript{445} All of them have been accused of conspiring to launch terrorist attacks on US civilians.\textsuperscript{446} During their stay, all their movements were monitored by Malaysian intelligence officers and all records were given to the Central Intelligence Agency (CIA).\textsuperscript{447}

Yazid Sufaat, one of the JI cell’s leaders, was accused of providing shelter to all three. Yazid Sufaat is also believed to have sheltered Taufiq bin Atash, who was identified as being one of the key players in the USS Cole attack in October 2002 in Yemen.\textsuperscript{448} Although Yazid Sufaat gave shelter and let out accommodation in Hazel Evergreen Park, located on the outskirts of Kuala Lumpur, to the three terrorists, it is not clear whether he actually knew about the history or plans of every visitor he accommodated.\textsuperscript{449}

*Everybody was secretive about what they doing or what they had done. Even people who slept in the same room and in the same bed, such as wives of the JI and KMM member did not knows. We did not even question every command*
and we put aside curiosity and suspicions, the only thing we obeyed was to carry out every instruction.\textsuperscript{450}

3.2 The Militant Groups in Malaysia

Malaysia’s post independence history recorded at least 13 militant groups operating nationwide since the first one emerged in 1967.\textsuperscript{451} A major factor of the fanatical ideology that emerged was Islamic revivalism.\textsuperscript{452} Islam remained the principal factor in dominating socio-politics in Malaysia some decades ago. Malay Muslims believe that Islamic revivalism gave a sense of going back to the basic tenets of Islamic teaching. It is important to purify oneself from maksiat (disobedience to God) and discard hedonistic and materialistic values brought by Westerners.\textsuperscript{453} Furthermore, Islam also recognized syumul (total or complete) or the perfect way of life.\textsuperscript{454} ‘Islam is a Way of Life’, a set of universal, timeless, complete and fully detailed moral and wise values for the benefit of mankind. It is part of a voluntary charter or mutual contract between the Creator and His creation. One should maintain morality and faith in the ultimate justice and in return, he will receive salvation from his Creator. Jansen (1979) in his book ‘Militant Islam’ also gave an immaculate definition of Islam as: “…a vast and integrated system of law, it is a culture and a civilization; it is an economic system and a way of doing business; it is a polity and a method of governance; it is a special sort of society…”\textsuperscript{455}

In addition, the creed that Islam is a syumul religion in every aspect of a Muslim’s life including politics and governance has become the prominent theme of Islamic revivalism in Malaysia as well as worldwide.\textsuperscript{456} Islam is widely known as a religion that does not admit any separation between politics and religion. However, separation was implemented during colonization and also in the post independence era in many

\begin{footnotesize}
\textsuperscript{453} Ibid. p. 296-313.
\end{footnotesize}
countries including Malaysia.\footnote{Op. Cit., Abdullah, K. (1999), 261-262.} The grievances of political leaders in post independence and the struggle to establish the purifying Islamic political system have been among major factors in creating a radical Islamic ideology.

### 3.3 The Tentera Sabilullah (Holy War Army)

*Tentera Sabilullah* was formed in 1967 as the first Islamic-related militant group in Malaysia.\footnote{Hashim, R. (2008). *Interview on the 7th January 2008 at Bukit Aman Police Head Quarters*. Kuala Lumpur.} The existence of this group can be traced to the *Persatuan Melayu Semenanjung* (Peninsular Malay Organization) incident. On January 21, 1965, the *Persatuan Melayu Semenanjung* (Peninsular Malay Organization) was banned by the government, as it was considered a racially-based movement; however, the tipping point, causing *Tentera Sabilullah* to become extremists, was the ‘*Hartal*’ (general strike) incident in 1967.\footnote{Snider, L. N. (1968). *What Happened in Penang*. *Asian Survey*, 8(12), 960-969.}

Linked with the devaluation of Malaysian currency after the economic crisis in 1967, the municipal government had been torn apart by factionalism and charges of corruption, criminal elements, and secret society thugs, which in turn, increased tension in Penang.\footnote{Ibid., 962-966.} The Labour Party, whose members were mainly Chinese, called for a *Hartal*. On 24 November 1967, five people were killed and 92 injured. The government made a prompt decision to put Penang under curfew and sent in additional soldiers and police.\footnote{Ibid.}

However, the tension in Penang spread to neighbouring states including Kedah, Perak, and Kuala Lumpur. A month after the anarchy and militant acts on this small island, authorities discovered *Tentera Sabilullah*, a secret Islamic religious group operating in Kedah and Penang.\footnote{Straits Times. *Hartal*. (1967, 27 December). *Straits Times*.} *Tentera Sabilullah* aimed to create chaos and tension between religions in Malaysia at that time. Their intention was to take revenge for the Muslims who died as a result of the *Hartal* incidents in Penang and Kuala Lumpur. An official report released by Tunku Abdul Rahman in January 1968, said that during
the riots 29 people had been killed, more than 200 people injured, and about 1,300 arrested by the police.463

Members of Tentera Sabilullah were unhappy with the arrest of their leaders. Most of the leaders were detained due to public accusations that a racialist nature had emerged during the period of Hartal.464 Tentera Sabilullah made arson attacks on several Mosques; Surau in Kubang Pasu, Kubur Panjang and Tanah Merah in Kubang Pasu district, and Kedah in 1967.465 The main objective of these attacks was to suggest that non-Muslims had participated in attacking Muslims’ sacred places, which would later turn into an ethnic clash.466

However, this plot was uncovered not long after the incidents. Fourteen leaders of the Tentera Sabilullah were arrested and 281 surrendered to the authorities for their part in stirring up racial violence.467 Most of the Tentera Sabilullah members were also part of the Pan Malayan Islamic Party (PMIP), a legitimate right wing extremist party, as reported in the Straits Times on 27 December, 1967 and Eastern Sun on December 28, 1967.

This group did not immediately dissolve following the raids of 1967 and 1972. This group re-activated under the new leader, Isa bin Hussein, who was known as ‘Bong Isa’. He successfully expanded his influence to re-establish the new Tentera Sabilullah in Kota Setar, Jitra, Gurun, Kulim, Baling, Sungai Petani, and Kangar in the northern states of Malaysia. The principal objective of this group was to build an ‘Islamic State’. He was publicly favoured and received mass support from much of society especially in rural areas.468

464 Of those arrested, 113 were found to be aliens, and the government instituted banishment proceedings against four of them, besides leaders from Pan Islamic Party, leaders and members from Labour Party and Alliance (party from ruling government) also detained. From Op. Cit., Eastern Sun. Hartal in Penang. (1968, 09 February).
468 Ibid.
Tentera Sabilullah gained strong support after PAS agreed to joint ‘Alliance’ with UMNO, MIC and MCA in 1973. However, on 30 October 1978, the right-wing of Tentera Sabilullah formed a new radical group called Pertubuhan Angkatan Sabilullah, otherwise known as P.A.S. This new group shared the same crucial objective with Tentera Sabilullah, which was to establish an ‘Islamic State’ through militant means. On 23 January 1980, riots in Kedah by farmers protesting against the government’s move to introduce a forced-savings scheme, were traced and linked to P.A.S. A peace demonstration in front of Wisma Negeri in Alor Star, Kedah turned into chaos, which resulted with the arrest of 14 P.A.S. and three PAS members.

3.4 The Golongan Rohaniah (Spiritual Group)

The Golongan Rohaniah was established in 1971 by Haji Abdul Talib bin Haji Ahmad aka Haji Abdul Mutalib Naim in Kelang, Selangor. Most of their activities, preaching on Islam, were based on a book written by Ahmad entitled ‘Mengenal Roh” (Knowing Soul). After five years of existence, Golongan Rohaniah successfully gathered wide-spread support from society, including government officers and villagers around Kelang valley.

Golongan Rohaniah initially posed no threat to other parties but soon evolved to become a militant movement after Abdul Mutalib forced his followers to establish an “Islamic State” by toppling the incumbent government through militant activity. Furthermore, the group aimed to demolish the Constitutional Monarchy and Parliamentary Democracy system in Malaysia.

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473 Ibid.
474 Ibid.
476 Ibid.
After their radical and militant strategy was uncovered by police in 1978, 11 people, most of whom were leaders with top positions, were arrested under the ISA. Following their arrest, 11 automatic revolvers, 743 bullets, and a hand grenade were unearthed by several raids in a few places in Kelang valley. Moreover, many group symbols, a drafted manifesto, military uniforms and 60 group flags were confiscated by authorities.477

3.5 The Koperasi Angkatan Revolusi Islam Malaysia (Malaysian Islamic Revolutionary Front-KARIM)

Another group whose elucidation of Islam threatened the Malaysian government was the Koperasi Angkatan Revolusi Islam Malaysia (Malaysian Islamic Revolutionary Front-KARIM). KARIM was founded in 1974 by Mohd Ali bin Abdul Rani in Kuala Lumpur and later headed by Kamarudin bin Abdul Manaf who ruled until 1983.478 In the early 1980s, KARIM gained massive grassroots support including former Malaysian Military commando elite. KARIM preached of ousting the ruling government through acts of violence and militant activities.479

Furthermore, KARIM established their target as assemblage of a new republic in the country, known as the Government of Islamic Republic in 1983.480 They also worked to prepare a new government led by Kamarudin Abdul Manaf. In January 1980, KARIM was banned after 14 of their members, including five leaders, were detained under the ISA. A large supply of ammunition, including 282 bullets, a hand grenade, and a bayonet were seized by the authorities. KARIM was recognized as the grass-root of armed militant operating in Malaysia.481

3.6 The Kumpulan Crypto (Crypto Group)

Crypto Group emerged in 1977 with an operation centre in Penang, and later expanded into the mainland of Malaysia, particularly prominent in Seberang Perai, Kulim, Selangor and Kuala Lumpur.482 Mokhtar bin Hassan formed this group with

the argument that the Malaysian government was not giving Islam its appropriate and rightful dues. Mokhtar used magical power or ‘black magic’ as part of his method to gain support from the masses and sustain his objectives.

Mokhtar claimed he was the Imam Mahdi (an Awaited Saviour) who comes into the world to save people. He also claimed the 30 days of fasting during the month of Ramadhan as constituting a form of torture. Moreover, he declared the Kaabah in the Saudi Kingdom as a stone and nothing of significance. He posited that those who perform Hajj are only worshipping an idol and waste their money by traveling to Saudi only to perform deviance.

Mokhtar continued by claiming that the ‘five pillars’ in Islam should not be followed, excluding zakat (giving alms). Shahadah (preaching of faith), prayer, pilgrimage and fasting were optional, not compulsory. Heaven is in this present world and there is no more life after death. People should enjoy their life in this world. Every marriage will be witnessed by the moon and the stars as the greatest creature of God.\textsuperscript{483} The functions of priests at the wedding ritual were not required.\textsuperscript{484}

Furthermore, Mokhtar also planned to set up a ‘Theocratic Government’ by Jihad.\textsuperscript{485} The theocratic order also known as ‘The Government of Jesus’ collected strong support from police and military members in order to oust the ruling government in the future, if necessary.\textsuperscript{486} In order to make preparations for the returning of Jesus into this world, Crypto followers needed to establish their own government with a focus on politics and the economic system.

After five years of operating in Malaysia, the authorities clamped down on the movement. The raid successfully uncovered the items used for the preparation of their own government, including flags, special identity cards, ‘Crypto’ currency, and uniforms with their own style.\textsuperscript{487} The group was halted, and dissolved after nine of its leaders were arrested under the ISA on March 23 and 24, 1982.\textsuperscript{488}

\textsuperscript{484} Ibid.  
\textsuperscript{486} Ibid.  
3.7 The *Kumpulan Mohd Nasir Ismail* (Mohd Nasir Ismail Group)

The militant group with the shortest lifespan in Malaysia was identified as the Kumpulan Mohd Nasir Ismail. This group was founded in the early 1980s by Mohamad Nasir Ismail, a former Cambodian Military officer. He lived in exile in Malaysia from the Pol Pot regime that ruled Cambodia between 1975 until 1979. He then claimed that he was an Awaited Saviour who has been chosen by God to protect human beings from disaster and *Dajjal* (Imposter)\(^\text{489}\).

Thirty members from this group established ‘*God’s Army in the Earth*’, which operated in Batu Pahat, Johor;\(^\text{490}\) they performed their operations secretly. The authorities discovered this group only after the attack at the Batu Pahat Police Station on October 16, 1980. They used *parangs* or long knives during the attack, and believed they were immune from all types of weapons.\(^\text{491}\) They made this attack as a starting point towards their ultimate goal of controlling the whole of Malaysia establishing an Islamic State.\(^\text{492}\)

Eight of the members of Mohd Nasir’s group were shot dead by the police and eight more were detained. Seventeen policeman and civilians were injured during the attack that was recognized as the first Islamic-based militant attack in Malaysia.\(^\text{493}\) Only one report was published about the existence of this group,, the Malaysian Government White Paper. In November 1980, the group was declared ‘deviant’ and was banned by the Malaysian government. A number of followers were arrested during a series of raids that took place in the vicinity of the Batu Pahat district in Johor Bahrui.\(^\text{494}\)

3.8 The *Kumpulan Revolusi Islam Ibrahim Libya* (Ibrahim Libya Islamic Revolution Group)

\(^{489}\) Also known as ”The Deceiver/Impostor”, is an evil figure in Islamic eschatology. He is to appear at a time in the future, before the Day of Resurrection, Judgement Day. *Dajjal* is a common Arabic word, used in the sense of ”false prophet”. From Saritoprak, Z. (2003). The Legend of Al-Dajjal: The Personification of Evil in the Islamic Tradition. *The Muslim World*, 93(1), 291-307.


\(^{491}\) Ibid.

\(^{492}\) Ibid.


\(^{494}\) Ibid.
Kumpulan Revolusi Islam Ibrahim Libya was founded by Ibrahim Mahmood or 'Ibrahim Libya' as he was popularly called, in April 1985. He was a member of the strong Islamic opposition party called PAS. He had previously held senior positions in PAS, at Baling district and Kedah state levels. *Ibrahim Libya Islamic Revolution Group* was associated with the Memali incident that had happened on November 19, 1985. Fourteen people, including Ibrahim Libya, were killed in the Memali incident. The incident sparked a long-run conflict between the government and PAS members. PAS described those who were killed as *Syahid* (martyrs). Ibrahim Libya was called *al-Syahid Ibrahim Libya* by his followers, contrary to the Government’s stance of calling those who died militants.

Educated at the University of Tripoli and Al-Azhar University, Ibrahim Libya was a popular religious teacher based at a Madrasah in Kampung Memali in Mukim Siong, Baling Kedah. However, Ibrahim Libya was accused by the Malaysian government of manipulating Islam by the distribution of radical teaching in the states of Kedah, Penang, and Perak. Among the Kumpulan Revolusi Islam Ibrahim Libya’s objectives, extracted from the Malaysian Government White Paper, was to encourage Muslims to perform *Jihad* against any government who does not implement Islam in their administrations. The group also aimed to protect Ibrahim Libya from arrest by police in any circumstances. Furthermore, this movement also sought to expand the teaching of Ibrahim Libya and the ideology of radicalism. Finally, they also aimed to overthrow the Malaysian government in order to establish an *Islamic Revolution Government* in the future.

The Malaysian government reacted by claiming Ibrahim Libya as a 'deviant'. Government also declared his ideology as untrue and later restricted his activities. This stance reached its pinnacle when government security forces raided the *Markaz* (Ibrahim Libya residence complex) while Libya was conducting religious lessons.

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The Markaz was guarded by hundreds of Ibrahim Libya’s followers; they tried to protect him from arrest by the police.  

Eighteen people were killed during the disastrous confrontation between Ibrahim Libya’s supporters and the police. Police reported 14 deaths from Ibrahim Libya’s members and four from police. Thirty-seven people were injured and 166 arrested after the incident. The Malaysian Government White Paper reported dozens of traditional weapons that had been confiscated during the raid, including pump guns, long knives (parangs), swords, short chopping knives (parang kontot), arrows, and Molotov cocktails.

3.9 The Kumpulan Jundullah (Jundullah Group)

Kumpulan Jundullah (An army of God) was formed in Pantai Cahaya Bulan in Kelantan by Abdul Latiff bin Mohammad. Abdul Latif, a former Deputy Commissioner of Terengganu PAS, established this group on August 29, 1987, two years after the Memali Incident.

Most of the members were drawn from people from the regions of Kelantan and Terengganu who had been influenced by Abdul Latif. Abdul Latif was described as a charismatic, clean, and committed-Islamic cleric leader, especially to Kelantan and Terengganu PAS members. Most of the members were recruited through the militancy activities that happened at every meeting. Jundullah’s members also had training in Southern Thailand with separatists and rebels from time to time because of the convenience of the border.

The main objective was to topple the ruling government with violence and to construct the ‘Islamic state’ in Malaysia. They were willing to fight with authorities in

501 Ibid.
503 Ibid.
507 Ibid.
order to achieve these objectives. However, this group ended after most of its leaders were detained under the ISA in October 1987 by the ‘Operasi Lalang’.\textsuperscript{508} Operasi Lalang,\textsuperscript{509} also referred to as ‘Ops Lalang,’ started on October 27, 1987 by the Malaysian police to crack down on opposition leaders and social activists. The operation saw the arrest of 106 persons under the ISA, including Abdul Latif and Jundullah’s leaders, to prevent ethnic tension and riots in Malaysia.

3.10 The Kumpulan Mujahidin Kedah (Kedah Mujahidin Group)

*Kumpulan Mujahidin Kedah* (KMK) was formed in February 1986 after a secret meeting held at Manir Mosque, Terengganu.\textsuperscript{510} This meeting was organised on January 24, 1986 by an ad-hoc team including Zainon Ismail.\textsuperscript{511} KMK played a crucial role in establishing KMM on April 1996 after it was instructed to do so by Abu Bakar Chik and Zainon Ismail.

Teachings formerly emphasized *Jihad* as a main goal and necessity for every Muslim. The true Islamic state can only be created by the ‘ruh Jihad’ (soul of *Jihad*). KMK also encouraged its members to find *Syahheed* as the highest point of faith in order to gain good reciprocation or rewards from Allah. On the basis of finding *Jihad*, this group attacked and set ablaze the Semarak\textsuperscript{512} stage in Sik, Kedah on June 5, 1988.\textsuperscript{513}

Malaysian authorities discovered this group after spying and monitoring KMK members following the Semarak incidents. In May 1989, KMK disbanded after 23 of their leaders and members were detained under the ISA. Eighteen of them surrendered within a few days of a thorough police operation. The entire operation took more than

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\textsuperscript{508} Ibid.

\textsuperscript{509} *Operasi Lalang* or Weeding Operation was carried out on October 27, 1987 by the Malaysian police under the Mahathir’s administration to crack down on opposition leaders and social activists under the accusation of stirring ethnic and social unity. The operation saw the infamous arrest of 106 persons under the Internal Security Act (ISA) and the revoking of the publishing licenses of two dailies, The Star and the Sin Chew Jit Poh and two weeklies, The Sunday Star and Watan. From Op. Cit., Liow, J. C. (2004), 241-256.

\textsuperscript{510} Ah Tarmidzi. (2007). *Interview on the 1st December 2007 with Head of Special Branch*, Baling District in Kedah at 11.00am, Baling District Police Station.

\textsuperscript{511} Ibid.

\textsuperscript{512} Semarak (loyalty with the people) movement was introduced by Mahathir in 1988 ostensibly to strengthen the rapport between the federal and state governments and bring leaders at all levels closer to the people.

28 days and its cost was estimated at around RM500,000. Three hand grenades and six pistols were found along with some quantity of ammunitions and bomb-making paraphernalia. PAS activists (from youth wing) such as Mohammad Rus Jaafar, Shahrul Fuadi Zulkifli, Samsul Bahrain Shaari, and Samsul Kamal Jamhari were detained.

However, a few figures escaped from arrest and were living in exile for some years. They went to places where they could get shelter and avoid being spied on by the police and authorities. Among them was Zainon Ismail and Zulkifli bin Mohammad who later flew to Argoon, Pakistan before entering Afghanistan to join Jihad against Soviet Russia. They took part in the war under the instruction of Commander Khalid Zubir from the Pakistani-Punjabi Camp.

3.11 The Kumpulan Perjuangan Islam Perak (Perak Islamic Movement Group-KPIP)

A month after KMK was established in Kedah, Kumpulan Perjuangan Islam Perak (Perak Islamic Movement Group or KPIP) emerged in Perak state in March 1986. KPIP was formed by Sidek bin Mohd Noor, a Chamber of Perak PAS Youth leader in correlation with establishing KMK. KPIP gathered at least 50 youths especially from Felcra Lekir, Pangkor Island, and Pasir Salak in Perak Tengah.

KPIP’s main objective was to physically and mentally prepare their members through intense military training. These preparations were vital in order for KPIP to topple the Malaysian government and ensure a pure Islamic-based government. To make sure these goals were achieved, they were involved in violent activities in Perak, such as 1) setting fire to the Sports Toto (Malaysian Legal Lotteries and Gambling) outlet at Jalan Silibin, Ipoh Perak on April 10, 1988 and again on October 15, 1988. 2) The

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521 Ibid.
arson of two cars outside of the Ipoh City Council in Perak to protest the Nation Lottery Concert on October 19, 1988. 3) Arson attacks on the Hilir Perak Malay Teachers’ Union building in Teluk Intan, Perak on October 31, 1988. 4) Setting fire to the temporary offices of the proposed Taiping Funfair on November 11, 1988 and 5) Attempting to set ablaze a bus from Roadways Company in Ipoh on November 27, 1988.522

This group was banned and dissolved in May 1989 after 27 people, including KPIP leaders and members, were detained by the police in *Operasi Kenari II* (Kenari Operation II) between October 1988 and May 1989.523 Although this group was broken down physically, but not destroyed, some of their members were believed to have fled to live in exile in Afghanistan rather than be arrested under the ISA.524

### 3.12 The Kumpulan al-Arqam (al-Arqam Group)
Ashaari Muhammad founded Al-Arqam in 1968.525 Al-Arqam was banned by the federal government in June 1993. This occurred after their Islamic teaching was considered too deviant based on the mystics of al-Aurad Muhamadiah.526 By August 1994, al-Arqam was officially blacklisted in Malaysia but had gained an estimated 100,000 followers.527 More than five Al-Arqam members including Ashaari Mohammad were arrested under the ISA after raids at the group’s main camp at Kampung Sungai Penchala, Kuala Lumpur.528

However, the main reason the government banned this group was due to al-Arqam’s persistence in building the "Badar" military unit. This special military unit consisted of 313 members, with the long-term aim of toppling the government in order to establish an Islamic nation.529 Al-Arqam established networking in almost all

522 Ibid. p. 48.
527 Ibid.
Southeast Asia countries including Thailand, Indonesia, and Singapore and also in Cairo, Egypt.\textsuperscript{530}

He cited as his inspiration the works of the Sufi Sheikh Muhammad Bin Abdullah as-Suhaimi, who died in Kelang, Selangor in the 1920s.\textsuperscript{531} By declaring as-Suhaimi as an awaited saviour, Ashaari was already manoeuvring into the realms of Islamic heresy. Ashaari also told his followers that he was receiving dreams directly from prophet Muhammad. Audio of Ashaari's conversations with prophet Mohammed had circulated in which it was suggested that Allah had chosen Ashaari to become the leader of Malaysia's Muslim community.\textsuperscript{532} He declared himself a prophet, saying he had the power to forgive people's sins. Members worked for small money at the numerous businesses which Ashaari owned\textsuperscript{533} and were permitted to live only in Al-Arqam "communes".\textsuperscript{534} By the time of Ashaari's arrest, he had established 48 of these communes across Malaysia. Each commune had its own school, business, and health clinic.\textsuperscript{535}

Al-Arqam members were intelligent and managed their company wisely. They gathered 400 trading companies, including 56 manufacturing companies, 20 department stores, 52 retail shops, and 18 restaurants, as well as several publishing companies. The company gathered assets worth $8 billion.\textsuperscript{536} During the 1980s, stress between the government and Ashaari increased. Al-Arqam was barred from operating in any government premises and its publishing permit was cancelled.\textsuperscript{537}

The end of the line for Al-Arqam had come in 1994, when Prime Minister Mahathir Mohamad decided the group posed a threat to national security.\textsuperscript{538} Al-Arqam had

\begin{itemize}
\item \textsuperscript{530} Ibid.
\item \textsuperscript{532} Morgan, A. (2006, 05 December). Al-Arqam: Heretical Islamic cult returns \textit{The Sun}.
\item \textsuperscript{533} Ibid.
\item \textsuperscript{534} Ibid.
\item \textsuperscript{536} Op. Cit., Morgan, A. (2006, 5\textsuperscript{th} December).
\item \textsuperscript{537} Ibid.
\end{itemize}
gathered a fighting force in Thailand and was ready to overthrow the government.\textsuperscript{539} Ashaari had openly stated his intention to come from Thailand and challenge the leadership in Malaysia. He stated confidently that he would lead the country one day.\textsuperscript{540} Furthermore, al-Arqam also informed the Badar military unit in the Kingdom of Thailand to prepare for the establishment of an Islamic country with Ashaari as the next Prime Minister of Malaysia.\textsuperscript{541}

Ashaari was officially detained under ISA on September 2, 1994. Interpol collaboration managed to arrest Ashaari and his entourage while they were in hiding at Chiangmai, northern Thailand.\textsuperscript{542} Then, Ashaari was deported to Malaysia and was subjected to interrogation by Islamic authorities, along with seven other prominent members of Al-Arqam. Ashaari Muhammad was then placed under a form of virtual house arrest on the island of Labuan, under strict supervision of the government.\textsuperscript{543}

With vast support from followers both domestic and regional, it was strong enough to create chaos and long running problems. Malaysian authorities acted carefully as they were well aware that this group had strong grass-root support and fanatical perspectives on Ashaari. Prime Minister Abdullah Badawi had said “legal action will be taken against anyone who tries to re-establish the Al-Arqam group.”\textsuperscript{544}

3.13 The Kumpulan Persaudaraan Ilmu Dalam Al-Ma’unah (Brotherhood of Al-Ma’unah Inner Power)

Al-Ma’unah was formed as a legal inner power group on April 15, 1999. Al-Ma’unah was an organization that "implemented the teaching of martial arts particularly the development of one’s inner power and the practice of Islamic customary medicine".\textsuperscript{545} The group declared membership of more than 1,000 people spread throughout

\textsuperscript{539} The Sun (2007, 14 September). Al-Arqam Followers give MB a Book of Banned Teachings. The Sun.
\textsuperscript{542} Ibid., 36-37.
Malaysia, Brunei, Singapore, Egypt and Saudi Arabia.\textsuperscript{546} It also claimed to be a Non Governmental Organization (NGO) involved in martial arts with international and local members, including civil servants, security service personnel, and even some members from UMNO coalition party.\textsuperscript{547}

Al-Maunah was led by Mohd Amin bin Mohd Razali, a former army corporal who came from Kampung Sauk, Grik Perak. This group became known by their audacious raid on July 2, 2000 at the Malaysian Army Reserve Camp at the Temenggor Dam, Grik Perak.\textsuperscript{548} Al-Maunah members, instructed by Mohd Amin, managed to enter the camp's security infrastructure by disguising themselves in military uniforms and driving jeeps painted in camouflage green, disguised to be Malaysian Army Jeeps. Masquerading as senior army officers, they claimed to be making a surprise inspection of the Battalion 304 in the Rejimen Askar Wataniah (Malaysian Army Reserve) camp.\textsuperscript{549} This group successfully removed a large cache of firearms and ammunition, including 97 M16 assault rifles, two Steyr AUG rifles, four GPMGs, six Light Machineguns, five grenade launchers, 182 M16 magazines, eight extra barrels of GPMGs, three extra barrel of LMGs, 26 bayonets, 9,095 rounds of 5.56mm, and 60 rounds of 40mm ammunitions.\textsuperscript{550}

Alongside this audacious raid, al-Maunah members attempted to detonate the ‘Carlsberg’ factory in Shah Alam with a rocket-launcher; causing damage to the ‘Guinness Stout’ refinery in Sungai Way and the Hindu temple in Batu Caves, Selangor.\textsuperscript{551} Al-Maunah strongly opposed the idea of elections; in his opinion, only true and pure Islam should be implemented in Malaysia by terrorist means as had been done by al-Maunah members.\textsuperscript{552}

Zabidi Mohamed, one of the defence counsels on the al-Maunah trial said al-Maunah members were manipulated by Mohd Amin. Al-Maunah members were loyal and

\textsuperscript{548} Ibid. p. 167.
\textsuperscript{549} Ibid.
blinded by their leader. Fanaticisms was cited among the reasons why people joined al-Maunah. As he said:

...In the promise of a better afterlife, and believe on their leader have a “mystical powers”, and the group would be assured of a better enrolment...the followers would believe that the leader is purist. They would idolise him. ‘Taksub’ [fanatic] with the leader can make them break the law as what had happened to Al-Maunah members...\(^{553}\)

Members believed Al-Maunah was the only way to set up an Islamic state in Malaysia. To achieve this, it must be done through force and use of terrorist tactics. Al-Maunah members became frustrated when the authorities refused to give Ulama a larger role in government and socio-politics.

Malaysian security forces launched a high-status action against the al-Maunah Camp in Sauk, Perak in July 2000.\(^{554}\) During the confrontation, 19 members were arrested and two deaths were reported. Al-Maunah took four hostages; two were police personnel, Sergeant Mohd Shah Ahmad and Detective Corporal Saghadevan, and the other two civilians, Jaafar Puteh, and army personnel, trooper, Matthews anak Medan.\(^{555}\) A judge presiding over the case, Zulkefli Makinudin, stated his opinion:

\begin{quote}
Mohd Amin was responsible for shooting to death Special Branch police officer R. Sagadevan, and in directing to Jemari to shoot to death Special Operation Force Ranger, Matthew anak Medan...Mohd Amin as a leader of the al-Maunah movement, was the mastermind behind the mission to overthrow the government by force in the name of Jihad.\(^{556}\)
\end{quote}

Following this, members of al-Maunah apprehended in the raid were later charged with treason and plotting to overthrow the government in order to bring into being an Islamic state. They were found guilty of waging a war against the Yang Dipertuan Agong (King of Malaysia).\(^{557}\) Mohd Amin Mohd Razali, Zahit Muslim and Jamaludin

\begin{flushright}
553 Ibid., 45.
555 Ibid.
\end{flushright}
Darus received the death penalty, while the remaining 16 were sentenced to life imprisonment.\textsuperscript{558}

\section*{3.14 The Kumpulan Militan Malaysia}

KMM was one of the crucial and influential militant groups that operated in Malaysia. Less than a month since the botched robbery of the Southern Bank Branch in Jalan Gasing, Petaling Jaya Selangor, nine members of a new militant group were discovered. The group orchestrated several criminal and militant acts and later claimed to be a defender of the creation of a purist Muslim society in Malaysia via 'Jihad'.\textsuperscript{559}

\begin{center}
\textit{Picture 2: Abdul Rashid Ismail shot by security guard, Abdullah Mahmood on the May 18, 2001 at the botched Southern Bank robbery. Both Rashid and Zainan Harith (back) were charged with offences under the Firearms Acts which carries a death penalty.}\textsuperscript{560}
\end{center}

The police discovered KMM, founded by Zainon Ismail, on October 12, 1995.\textsuperscript{561} KMM had roots with Halaqah Pakindo, a clandestine movement formed as an alumni association for Malaysian graduates from religious institutions in Pakistan, India, and Indonesia.\textsuperscript{562} Zainon Ismail, who was involved in the Semarak attack in 1988,

\begin{footnotes}
\item[558] Ibid.
\item[562] Ibid.
\end{footnotes}
established this group in conjunction with a meeting at Kuala Lumpur with Abu Bakar Chik in 1996. The evidence gathered from police interrogation and investigations consequently exposed the fact that these group members were Malaysians who were educated in the Middle East and India as well as Pakistan. They performed *Jihad* in Afghanistan during the Russia-Afghan war and more recently in the cities of Ambon and Maluku in Indonesia during the religious tensions that began in 1999. A newspaper article in The Malay Mail (7 June 2001) stated “...They were believed to have been indoctrinated and recruited into the Afghanistan based Mujahidin whilst studying in universities in Pakistan, Egypt and India...

![Picture 3: A picture of KMM member Zainon Ismail (right) learning to use Dasyaka during a stint in Afghanistan.](image)

KMM has been linked to an array of crimes since 1999, including the bombing of churches, an Indian temple, a video centre, an attack on a police station, the murder of a local politician, an attempt to attack the US Navy convoy, an attempt to murder two

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564 Ibid.
566 Ibid.
ethnic Indians, armed robbery and many more. Their aim was to weaken the government through acts of terrorism including agitating ethnic and religious divides.

3.15 The Jemaah Islamiyah

Jemaah Islamiyah (JI) has made Malaysia one of their important bases for orchestrating attacks and operating militant activities in Southeast Asia. Several months after the uncovering of the KMM, Malaysian police discovered another Islamist-militant group operating under-ground called JI. This group was uncovered after interrogation and further investigation by police on the arrest of KMM members for an attempted robbery at Southern Bank in Petaling Jaya Selangor in May 2001. Yazid Sufaat, a Bio-chemistry graduate from the California State University, Sacramento was detained on December 9, 2001 and uncovered as the real face of JI.

Historically, JI has strong roots with the Pertubuhan Darul Islam Indonesia (DII). Sungkar and Ba’asyir migrated to Malaysia in 1985 to avoid further prosecution by the Suharto regime. They established JI in 1993 after they laid foundations in Ulu Tiram, Johor and Kuala Pilah, Negeri Sembilan. The ideology for establishment of an Islamic State and the Jihad concept were preached by Sungkar and Ba’asyir from a series of Usrahs and religious classes. Furthermore, this group produced a book called Pedoman Umum Perjuangan al-Jamaah al-Islamiyyah (General Guidelines for the Jemaah Islamiyyah Struggle or in short PUPJI), a crucial source in their Jihad guidelines.

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According to PUPJI,\textsuperscript{576} JI was supposed to have been lead by Amir who appointed and controlled four councils, governing, religious, fatwa, and disciplinary councils.\textsuperscript{577} The governing council was headed by a central command that oversaw the leaders of four territorial divisions or \textit{Mantiqis}. The \textit{Mantiqis} followed by \textit{Wakalah, Sariyah, Katibah, Kirdas, Fiah} and \textit{Thoifah}. JI also comprised four major divisions, which were \textit{Mantiqi 1} – Peninsular Malaysia, Singapore and Southern Thailand. \textit{Mantiqi 2} – Indonesia (except Sulawesi and Kalimantan). \textit{Mantiqi 3} – Eastern Malaysia, Kalimantan, Sulawesi and Southern Philippines and \textit{Mantiqi 4} – Australia and Papua New Guinea.\textsuperscript{578} JI organized special tasks for every \textit{Mantiqis}. \textit{Mantiqi 1} had responsibility for fund raising, \textit{Mantiqi 2} was given the primary mission on the promotion of \textit{Jihad}, and \textit{Mantiqi 3} created a logistical and the place for \textit{Jihad}. \textit{Mantiqi 4} was never established but JI planned for them to develop future expansion.\textsuperscript{579}

Malaysia was the location for three meetings of the \textit{Rabitatul Mujahideen}, a coalition of \textit{Jihadist} groups from Southeast Asia organized by JI in 1999-2000.\textsuperscript{580} The alliance facilitated co-operation and the sharing of resources among the groups, in terms of training, procurement of arms, financial assistance, and terrorist operations. The objective was to unify the Islamic militant groups in the region, with the ultimate goal of realizing the Daulah Islamiyah.\textsuperscript{581} Members had short term military training in various places in Selangor, Negeri Sembilan, Johor, Pahang, Kelantan and Sabah.\textsuperscript{582}

From Malaysia’s perspective, JI’s radical ideology represented a threat to security. Their teachings intended to encourage militancy rather than attempting to keep society living in harmony and tolerance. To establish \textit{Daulah Islamiyyah} in Malaysia, Indonesia, Southern Philippines, Singapore and Brunei, JI preferred their members to

\textsuperscript{576} Copy of PUPJI is in my possession.
\textsuperscript{578} Ibid.
\textsuperscript{582} Respondent G (2007). \textit{Interview on 24 November at Luqmanul Hakiem Islamic School, Jalan Rabbani, Ulu Tiram, Johor Baru. Johor.}
only follow Salafus Soleh doctrine as the trueness of Islamic preaching.\textsuperscript{583} Others, such as contemporary sects like Ahli Sunnah wal Jamaah, Tareqad, and Shiah, were regarded as deviant.

They needed to establish a total Islamic State through Jihad and dakwah. Malaysia and Indonesia were recognized as un-Islamic countries because the Quran and the Sunnah were not implemented in the legislation or administration.\textsuperscript{584} JI’s members were willing to wage war on the Indians and Chinese in Malaysia because they were averse to accepting Islam\textsuperscript{585} and regarded a democracy as a Western tool in the new-colonialism era; in other words, as deviant from true Islamic teaching. Islamic caliphate has been broken down by British and Western super powers since the 14\textsuperscript{th} century, leaving Muslims and their territories weakened and paralyzed.\textsuperscript{586} JI sustained Osama bin Laden and al-Qaeda’s anti-US sentiment. JI also strongly believed that the Salafus Soleh approach was the only way to generate and enlarge an Islamic Caliphate again.\textsuperscript{587}

JI formally halted from active operation in Malaysia following the raids of 2001. But the threat of JI still exists, especially because some of the members are still at large in Indonesia and Southern Philippines.\textsuperscript{588} Malaysian police listed at least 337 JI members either still residing in Malaysia or who used to be in Malaysia including, Abu Bakar Ba’asyir, Nordin Mohd Top, Hambali, and the late Dr. Azhari Hussin.\textsuperscript{589} Only 68 have been detained, while most of the others have been released under the restriction order.\textsuperscript{590}

3.16 Conclusion
13 groups in Malaysia, engaged in militant activity, have appeared since Malaysian independence in 1957. These militant and extreme groups with various methods and different modus operandi all shared the same ideology; struggle to establish an

\textsuperscript{586} Ibid.
\textsuperscript{589} Ibid.
Islamic state through violence, create chaos and panic, and aim to cause national, social, and political instability. Most of these groups declined the constitutional law and the system of democracy implemented by the Malaysian government. They accused it of being inherited from the British system, which is based in Westernization and secularization and therefore, does not follow principles of Islam.

As alluded to above, the common goal shared by these radical Muslim groups in Malaysia is politically motivated. Their major aspiration is to change ruling government suited to their own definitions. Although the Mahathir administration declared Malaysia an Islamic country, there have always been sentiments of disagreement, dissatisfaction, anger, and resentment felt by the extremists; this action alone has not been sufficient enough to convince them. In their opinion, the Malaysian government only made this gesture in order to retain political power, rather than practising pure Islamic principles.

None of these groups have any association with a political party; however, Malaysian authorities have proof that most members of these groups are affiliated with Parti Islam Se-Malaysia (PAS). Yet others were leaders in PAS, such as Zainon Ismail and Nik Adli. Moreover, the electoral system has always associated itself with corruption and un-transparent methods, as accused by radicals.

KMM was regarded as the most dangerous group out of the 13 radical movements that operated in Malaysia. Its new paradigm as a radical movement can be seen in its thinking and operation. Other than KMM and JI, all of these groups were operated with Malaysian focus. JI operated in Malaysia but had no recorded attacks on the country; however, KMM successfully attacked and repeatedly threatened the country. Questions regarding KMM and its threats to the Malaysian government will be highlighted in Chapter four.

Chapter IV-

THE CORE RADICAL MALAYSIAN MOVEMENT

Violent Islamist groups include, al-Maunah, Kumpulan Militan Malaysia and Jemaah Islamiyah has close links with al-Qaeda, al-Maunah described as a deviant Muslim sect by the Malaysian government...\(^{592}\)

4.1 Introduction

Radical Islam emerged in Malaysia in the 1960s, however, few political groups such as Parti Islam Semalaysia (PAS)\(^ {593}\) and Angkatan Pemuda Insaf (API)\(^ {594}\) who worked for Malaysian independence, put Islam as a core centre in their struggle. These group struggles for independence in coalition with the United Malas National Organisation (UMNO), Malaysian Chinese Association (MCA) and Malaysian Indian Congress (MIC). Except for the API, all of these groups worked for independence without radical, religious thinking or actions\(^ {595}\).

But, Malaysia’s post independence history was to also witness militant groups operating nationwide.\(^ {596}\) Kumpulan Militan Malaysia (KMM), a home-grown Muslim movement played a significance role as a core radical movement during this period. Islamic revivalism was the group’s major focus.\(^ {597}\) In addition to cells in most Malaysian states, KMM also established its own regional networks. At least two groups were connected to KMM, the Jemaah Islamiyah (JI) and the Moro Islamic Liberation Front (MILF).

The KMM was also associated with a series of crimes including an attempt to attack a US Navy convoy, the murder of a Member of Parliament from Kedah, a series of

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bombings places of worship including churches and temples, an attack on a police station, armed bank robbery and lesser known incidents. KMM was the local Malaysian militant movement with the main objective of weakening the Malaysian government through militant means, if necessary. We will now turn to a detailed discussion of the KMM.

4.2 The Origins of the Kumpulan Militan Malaysia (KMM)

KMM was only exposed after an attempted robbery at Southern Bank, Jalan Gasing; Petaling Jaya was botched and discovered by police on May 18, 2001. The poorly planned robbery resulted in a member of the group being fatally shot and the rest arrested. Following that, 19 members of KMM were arrested nationwide including Nik Adli bin Nik Abdul Aziz, the son of Kelantan’s Menteri Besar. Arrests also uncovered the connection of the KMM to unsolved violent crimes of temple and church bombings, the murder of Dr. Joe Fernandez, and an attack on the Police Station, among others.

This group has created wider networks with JI and MILF, which are directly linked to al-Qaeda's network in Southeast Asia. The long-term plan was to establish the Daulah Islamiyah Nusantara and confirm the return of an Islamic Caliphate to Southeast Asian countries. Indonesian clerics in exile in Malaysia during the 1980s and 1990s established the foundation of returning this caliphate. Abdullah Sungkar, Hambali, Abu Jibril and Ba’asyir influenced young Malay Muslims with the ideology and wise understanding for the Daulah Islamiyah Nusantara (Regional Islamic Kingdom).

KMM was founded by Zainon Ismail, who was a member of the PAS Youth State Committee in the Kedah state from 1991 until 1996. Zainon, who is referred to as “Cikgu Non”, was very charismatic and respected both in his village in Kampung Memali, Mukin Siong, Baling Kedah and by the opposition party (PAS). He was in

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Afghanistan for a year between 1989 and 1990. He also had good writing skills and wrote at least three books, which were *Dagangnya Diterima Allah* (1990), *Jihad Anak Melayu di Afghanistan* (1997) and *Perisai Memali* (1989). These books have been banned by the Malaysian government because the government feared the spreading of radical Islamic ideology especially after KMM was uncovered in 2001.

Since then, Cikgu Non’s books have undergone refinement and elaboration and include hands-on experience either gathered by him or other *Mujahidin* in ‘medan Jihad’ (*Jihad* battle-field). People who really want to know and explore Islam endeavour to get information and search for the best way to follow Islamic teaching. In this search they may find moderate Islam or *Sufism-Islam* but they may also find radical Islam. As shared by respondent A:

*In the middle of the 1990s, I was looking for the true and pristine Islam after returning from Sabah, I was acknowledged as the naughty boy by my family, and had to build a new chapter in my life. Cikgu Non’s books were attractive and made me eager to know more about Islam and Jihad. Then, with three others we went to Kampung Memali in Baling to meet him [Cikgu Non] and asked how to join the Afghan war and become Mujahidin.*

On the way to exploring the trueness of Islamic teaching, inexperienced followers easily followed the ‘hard’ and ‘extreme’ Islamic pathway. In their understanding of Islam as a universal religion, KMM preached the need to practice Islam in a way known as *Islam Kaffah*. Within this framework, they hoped to achieve peace in the worship of Allah in the widest sense of the word by accepting the Quranic guidance not only towards the spiritual good of the hereafter, but also with regards to the spiritual, physical and social aspects of life. In pursuing this aim, KMM stressed the

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605 The writer has seen copies of these three books from un-revealeable sources.
606 Respondent A. (2007). Interview on December 17th 2007 at Cheras, Kuala Lumpur. Respondent A was ex-KMM and one of the members of the ‘Operation Unit’ under KMM. He was involved in the Southern Bank robbery, arms robberies, Dr. Joe Fernandez’s murder etc. He was arrested April 22nd 2003 for hiding Bali Bombing suspects. He was also involved in the Jakarta Atrium Hotel Bombing and Duren Sawit Church Bombing as reported by POLRI. Extradited to Malaysia and arrested under ISA. This writer met him just a week before the two years restricted order was lifted by the Malaysian government.
608 Ibid.
need for individual Muslims to be in a group focused on establishing an Islamic state. The concept of *Iman* (belief), *Hijrah* (emigration in the way of God), *I’dad* (preparation for the struggle on the way of God) and *Jihad* must be carried out by KMM members.\(^611\)

KMM was influenced by the Indonesian *Ustazs* who were imacted by the *Wahhabism* ideology. These *Ustazs* were successfully propagated by KMM members to follow the orthodox interpretation of Islam.\(^612\) Furthermore, KMM urged its followers to go to war against the enemies of Islam especially to the people or institutions and governments who resisted the application of Islamic law and applied secularism and non-Islamism, by appealing to the *Jihad*, emphasizing the meaning of armed struggle.

### 4.3 The connection between the KMM and ‘MASSA Pakindo’

KMM had strong connections with KMK and KPIP.\(^613\) Although these two groups were dismantled by ‘*Ops Kenari*’\(^614\) between October 1988 and May 1989, the key radical idealists were able to flee to Middle Eastern countries and avoid arrest. They participated in the Afghan-Russian war as *Mujahidin*.\(^615\) Some of these idealists were Zainon Ismail, Solehan Abd Ghafar and Zulkifli Mohammad. Zainon and Zulkifli believed they were the first Malaysians there as Mujahidin and they were ordered to join the Punjabi Mujahidin Camp.\(^616\)

In the Afghan-Russian war, they presented themselves as Filipino.\(^617\) The main reason they claimed to be Filipino was to hide their identity from the public. They were

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\(^{613}\) Ismail, Z. (2007). Interview on December 2nd 2007 at Kampung Memali, Mukim Siong Memali, Kedah. He was KMM leader in 1996-1999 before hand over the administration to Nik Adli Nik Abdul Aziz.

\(^{614}\) *Ops Kenari* or ‘Kenari Operation’ was a massive raids in 1988 by Malaysian Police, it was end up with several PAS leaders have been detained under the accusation of given threat to national security. From Op. Cit., Liow, J. C. (2004), 241-256.


always suspicious of the police from the Special Branch Unit who were sent to spy on their activities.  

Zainon Ismail however returned to Malaysia because of health problems. He was too old to continue fighting in Afghanistan. Zulkifli and Solehan remained in Afghanistan between 1989 and 1993. Besides taking part as Jihadi fighters, they also recruited new students, who joined the war during the school holidays. Some of these students funded their study by doing part-time work while studying; others were sponsored by their family. Most of the students who studied in Pakistan normally took part in the Afghan-Russian war at the Mujahidin Camp. Most of these were PAS children who did not have enough money to travel back to Malaysia during holidays and spent their time at the Mujahidin Camp. Zulkifli aka Musa Khir, Haji Murad Halimuddin, Abu Bakar Che Doi (ABCD), Md Lotfi Ariffin, Asfawani Abdullah, Nik Adli Nik Abdul Aziz and Alias Ngah were among the students who trained and took part in the battle in Afghanistan as Mujahidin between 1988 and 1995.

Islamic madrasahs (institutions) and universities such as the University Abu Bakar in Karachi, Pakistan; Maahad Salman al-Farisi in Peshawar, Pakistan; Da’wah Academy in Islamabad, Pakistan; and Darul Uloom Madrasah in Lucknow, India had a Salafus Soleh approach in their method of teaching. These lecturers, who follow salafi-wahhabism ideology, implemented the hard and radical concept of understanding Syariah and Jihad. Muallim (lecturer) also urged students to join the Jihad fi sabillullah and gain experience during school or university breaks. Zainon illustrated this idea in his book:

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\text{Two days after the attack, we were visited by more than a hundred students and leaders from the Harkat-ul-Jehad-el-Islami umbrella based in Islamabad, Pakistan from various ages as early as ten years until age 70...they came for}\]

They held the training in Konar, KhaIadan and Khost in Jalalabad during the university break for at least two weeks and up to two months with Malaysians and Indonesians who were searching for a martyr.626 They learned and were trained using small weapons such as M16s and AK47s. They were also taught how to use a Dasyaka (the anti-tank weapon from Russia), along with the important components of bomb-making, including how to make pipe bombs.627 Students learned how to make bombs from Potassium Chlorate or KClO₃ and operate Runchnoi Putemyot Detyaryev (RPD-a type of anti missile weapon), mortar and many more Russian-based weapons from either the Indonesian JI-link camp or the Malaysian Halaqoh-Pakindo link camp.628

In September 1993, 18 Malaysian students from Maahad Salman al-Farisi in Peshawar were invited to join the military training at Kunjab, in Afghanistan. The training was held with Arab Mujahidins. The Malaysian students who participated were, among others, Faizul Anisham (who was shot dead by police in the botched Southern Bank Robbery), ABCD, Mat Taiwan, Pak Teh Mat Piah, Alias Ngah, Md Lotfi Ariffin and Muhammad Azian bin Abdul Rahman.629 After finishing their training, these students stayed in Afghanistan and fought alongside the Mujahidin until Russia was defeated in 1993. Then, political anarchy continued for three years until the Taleban took over the country in 1996.

After returning from Afghanistan, Zainon and his Malay-Jihadist friends were surprised the Mahathir administration was trying to stop the use of the word ‘Islam’ in any NGOs and political parties in Malaysia.630 This proposal was viewed by Zainon and his friends as a gradual attempt to demolish the Islamic movement. PAS had been regarded by Zainon and his friends as the only party that struggled for the overall

627 Ibid.
implementation of Islamic Law based on the Quran and Sunnah in Malaysia. Any attempt to weaken PAS meant an attack on Islam. 631

Later in April 1996, initiated by Zainon Ismail and an ad-hoc team including Alias Ngah and Solehan Ghafar, MASSA-Pakindo was founded. MASSA Pakindo was also previously known as Halaqoh-Pakindo. Its main objective was to play the role of the right-wing of the PAS Youth Section. 632 Under Abu Bakar Chik’s command and along with seven more local ex-Mujahidin members, MASSA-Pakindo was formed to protect PAS leaders from attack and arrest by police, similar to what had happened in the ‘Ops Kenari’ in the 1980s. 633 Halaqoh-Pakindo was established in the early 1990s in Afghanistan to gather students who were studying in Pakistan, Indonesia and India in one Jamaah (together in one group). 634 Halaqoh-Pakindo had coordinated training and organized suitable Jihad camps for Malaysian students to join.

The MASSA-Pakindo was first mooted as an underground movement by Abu Bakar Chik in the late 1980s in Malaysia. 635 He suggested the idea by inviting ex-Mujahidin and Alumni Halaqoh-Pakindo (Persatuan Bekas Pelajar Pakistan, India dan Indonesia) or the Alumni of the Malaysian Graduate Students Association from Pakistan, India and Indonesia to join the movement. The MASSA-Pakindo was set-up with several characteristics such as the requirement for all the meetings to be organised in ‘secrecy’ and not be publicly mentioned regardless of family, society or the PAS itself. Thus, in the early stages, MASSA-Pakindo was only known by Abu Bakar Chik and his teams. 636 Members believed that if they raised this kind of movement and activities as planned with the PAS leaders, they may not be granted approval for such activities. 637 To this end, their meetings and Usrah were not even mentioned to their closed family members such as fathers, mothers or wives. 638

632 Dollah, M. Z. (2007). Interview at Level 8, Department of Islamic Understanding and Development of Malaysia (JAKIM), Wilayah Persekutuan Putrajaya.
All of the members needed to perform Jihad during their life. It was stressed in every meeting by Abu Bakar Chik, Zainon Ismail and other ex-Mujahidin members. The spirit of Jihad was invoked amongst KMM members and was shared and discussed deeply in the Usrah. Opportunities to gain more experience and to perform Jihad were discussed extensively at every meeting. 639 The racial-religious tension in Maluku and Ambon in Indonesia was regarded as a good chance to revive Jihad after Afghanistan. To some extent, they discussed how to perform Jihad in Malaysia as they wanted to seek religious purity, and in the future planned to implement Shari‘ah law and subsequently create an Islamic state. 640

As part of the Jihad operation, KMM was also willing to launch an attack on Muslims who were regarded as an ‘apostate’. Being an apostate was seen as a betrayal to Islam. KMM took radical action in Malaysia on the considered “infidels” in Hartina Kamarudin and Noraishah Bokhari attacks in January 1998 and June 1999. 641

The involvement of ex-Mujahidin fighters in MASSA-Pakindo was crucial - they were already exposed to military training and weapon handling during the Afghan-Russian War. 642 Ex-Mujahidin used their expertise to train protégés for long and short term use, as illustrated in their secret meetings. 643 KMM members had to be prepared to do any radical activities in organized Jamaah if needed, even if force had to be used. This was important because some of the members were influenced by JI leaders who envisaged an Islamic state in Southeast Asia, which included Indonesia, Malaysia, Southern Thailand, Singapore and Mindanao in the Southern Philippines. 644

KMM believed PAS could achieve their Islamic agenda through democracy using elections as a tool. 645 On this matter, KMM and JI took different standpoints. JI totally denied the usefulness of the democracy system and the value of elections in an

642 Abdullah, K. (2008). Interview on January 7th 2008 at The Strategic Studies and International Relations Centre, Faculty of Humanities and Social Sciences, Universiti Kebangsaan Malaysia, Bangi. Selangor.
643 Ibid.
Islamic country.\textsuperscript{646} JI recognized \textit{Jihad} with radical means as the only way to establish an Islamic state. Mahathir’s cabinet had been engaged with the opposition parties in an ideological contest over representations of authenticity.\textsuperscript{647} MASSA-Pakindo also mentioned that they would consider radical and extreme action in order to protect their ideology, especially in response to Mahathir’s harsh policy against opposition in the late 1990s. KMM could become \textit{the man behind the scene} to help PAS achieve this target especially with the involvement of Abu Bakar Chik and Nik Adli.

MASSA-Pakindo operated in Malaysia without any problems during the early stages of their establishment. However, due to his fear of police monitoring and arrest for involvement in \textit{‘Semarak 1988’}, Zainon handed over the MASSA-Pakindo leadership to Nik Adli Nik Abdul Aziz in 1999. At this stage, KMM agreed not to be recognized as MASSA-Pakindo, or with any other name. This was done to avoid raids and arrest by authorities.\textsuperscript{648} Since then, without a proper name, KMM organized their meetings, \textit{Usrah}, and some small ‘projects’ such as donations, a series of talks, and visits including discussion for the establishment of a Malaysia-Jihadi camp in the Southern Philippines, in total secrecy.\textsuperscript{649}

Operating without a name, KMM gathered support from PAS Youth and people who wanted to know more about \textit{Jihad}. Later, KMM insisted that some of the followers attend \textit{Jihad} in Maluku and Ambon.\textsuperscript{650} For them, it was important to get exposure and \textit{Jihad} experience to continue the struggle to establish an \textit{Islamic state} in this region.

MASSA-Pakindo members always denied that they were members of KMM. Even without a name, this group was easily identified because most of its members were ex-Mujahidin. Whether they had a proper name or not, it was clear they operated secretly and were willing to topple the government via a long-term plan to create domestic chaos.\textsuperscript{651} Thus, what started out as MASSA-Pakindo later came to be called

\begin{thebibliography}{9}
\item \textsuperscript{646} Op. Cit., Imron, A. (2007).
\item \textsuperscript{650} Mughirah (2007). Interview on 24 November 2007 at Jalan Rabbani, Ulu Tiram, Johor.
\item \textsuperscript{651} Baharudin (2007). Interview on 15 November 2007 at Jabatan Gerak Saraf Perang Saraf (GPGS), Prime Minister Department, Putrajaya
\end{thebibliography}
Kumpulan Mujahidin Malaysia by the Malaysian government. As it became more militant, the name was changed to Kumpulan Militan Malaysia (KMM).652

The Malaysian government tried to keep the word ‘Mujahidin’ pure as it has a good meaning in Islam.653 It means “a military force of Muslim guerrilla warriors engaged in a Jihad”654. Some countries call them Mujahidin Islamic warriors but others just call them terrorists.655 The Malaysian government understands that not all Mujahidin are militant, and for this reason, the government wanted to avoid the use of “Mujahidin” in KMM's title.656

Furthermore, there was a tendency for the Royal Malaysian Police (RMP) to sort out the case of militancy domestically. Malaysian police were confident they had enough strong manpower to counter radicalism and terrorism amid the ‘war on terrorism’ launched by the US. RMP proved their capability through massive raids and arrests around the country. There was a main problem in ‘grouping them’. To make the ‘work’ easier, police put all of them in one group called “Kumpulan Mujahidin Malaysia”. Not only KMM, but also JI members were detained as a Mujahidin Group and a few months later, it was separated into KMM and JI.657

Malaysian authorities also grouped them into Kumpulan Mujahidin Malaysia in order to avoid these people being extradited to the US as al-Qaeda linked group members.658 Close ties between the US and Malaysia will be challenged as the US has always asked Malaysia to hand over these detainees to be interrogated and detained in US custody. But most of these Mujahidin members were grouped as KMM, which is a home grown militant group. This can be seen in the case when the US asked Malaysia to extradite Yazid Sufaat to the US to be detained in Guantanamo Bay.659 Malaysia refused, and convinced the US that the authority needs Yazid for local investigation and to help in the rehabilitation program. This issue ended with the U.S sending a

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655 Ibid.
656 Ibid.
CIA team to go to the Kamunting Detention Centre in Kamunting, Perak for investigations and interrogation.\textsuperscript{660}

In the early stages, the Malaysia authorities were confused about the differences between KMM and JI. KMM was discovered earlier than JI. Within the first few months of interrogations, unclear differences between these two groups emerged, for example, both KMM and JI were influenced by the same clerics - Hambali, Abdullah Sungkar and Abu Bakar Ba’asyir. A media report released on April 6, 2002 clearly stated that “\textit{14 More KMM Members Detained}”.\textsuperscript{661} Later the 14 were charged as being members of JI and claimed to be JI as told to the writer by Nasir Abas and Ali Imron.\textsuperscript{662}

The emergence of KMM was denied by its members especially from the right-wing section of KMM (formed from Nik Adli’s group). Although KMM worked under the Halaqoh-Pakindo and MASSA-Pakindo banner from the beginning, its efforts to remain secret and avoid publicity about its operations confused its members. Most of them reluctantly revealed the existence of KMM after a series of arrests and interrogations. However all of them agreed that they were in the group as ex-Mujahidin and had several operations planned including the establishment of a KMM \textit{Jihadi} camp in the Southern Philippines. This plan was later abandoned because of a lack of money and logistic issues.\textsuperscript{663}

This group also held an Annual General Meeting with representatives from all over the country.\textsuperscript{664} \textit{MASSA-Pakindo} established an organizational structure headed by Zainon Ismail, followed by a Deputy Head, then Lujnahs and Cells.\textsuperscript{665} Lujnah was divided into five sections which concentrated on Economy, Operations, Tarbiyyah (Training), Communications and Mu’askar (Military).\textsuperscript{666} Because of the small number

\begin{thebibliography}{99}
\item\textsuperscript{665} Ibid.
\end{thebibliography}
of members from Perlis, Negeri Sembilan, Penang, Melaka and Pahang, cells were not created in these areas; however, six cells were established with representatives from Kedah, Perak, Kelantan, Selangor, Terengganu and Johor as below:

The chart above shows the KMM was led by Zainon Ismail’s before handed to Nik Adli. Nik Adli was elected leader by the KMM at a meeting of 12 senior members in Kampung Seri Aman, Puchong, in early 1999. However, the government contends that the real leadership came from Abu Bakar Bashir and Hambali. Aside from his image as the son of Kelantan Menteri Besar (Chief Minister), Nik Adli was recognized as transparent and moderate in administration but somewhat extreme in action. He was reportedly willing to launch a war against the government if the

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667 Ibid.
669 Ibid.

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Barisan Nasional (BN) coalition government decided to announce an emergency decree in the states of Kelantan and Terengganu.

Zainon Ismail was known as slow and unaggressive in his actions but radical in thought. This was put down to his advanced age and the fact that he avoided extreme actions that might make him detectable to the authorities. During the four years that KMM was commanded by Nik Adli, little positive movement was identified. During this time the Selangor cell was influenced and transformed by Indonesian clerics into a much more militant and separate group – later to become known as K3M or KMMM (Kumpulan Mujahidin Militan Malaysia).

4.4 The Separation of the ‘Puchong Group’
Under Nik Adli’s leadership, the structure of KMM became better organized. His good image made it easier for him to gather support from society and to organize KMM competently; he was also under considerably less pressure than Zainon. Under Nik Adli’s administration, five lujnah sections were successfully created, which are Economy, Operations, Tarbiyyah, Communications and Muaskar:

- Lujnah Muaskar
  This Lujnah was headed by Tajuddin Abu Bakar. He was a leader of KMM’s Perak branch. Tajuddin and Respondent E were given the task of obtaining weapons, explosives and ammunition gradually from 1996. With the main target to get prepared to overthrow the ruling government, they had to find suitable weapons either from trade or robbery as they did at Guar Chempedak Police Station in the Kedah state in 2001. As early as January 1997 and until June 2001, at least 10 deals of arms trading were made between KMM members under Lujnah Muaskar with arms traders from Thailand and Indonesia.
Tajudin, Zulkifli aka Musa Khir, Adnan Mohd Daud, Zainuri Kamarudin Zainon Ismail, Nik Adli, Fauzi, and respondents A, D, E, F and J were involved in dealing arms, especially with representatives from Southern Thailand who were believed able to help them find arms. Respondent D with Zainon Ismail bought Smith & Wesson .38 revolvers and a large number of bullets from Southern Thailand in the early 1990s.

They also bought one more revolver, two M16s, gun magazines, more than 200 M16 bullets, 4 kilograms of TNT explosive materials, and one hand grenade from Southern Thailand, in total costing over RM20,000. Ten detonators, two timers, four tons of Ammonium Nitrate and 2 kilograms of TNT were smuggled in by Zainuri Kamarudin and Musa Khir from Batam Island, Indonesia. Imam Samudera, one of the Bali bombers, handed over those weapons to KMM for operations in Kuala Lumpur in October 2000. The explosives were afterwards used to bomb Sri Ganesha Hindu Temple at Puduraya Bus Station, Kuala Lumpur on October 25, 2000.

We bought weapons from Indonesia, but not many. I am not the person who did the deal maybe Zainuri and a few leaders in Puchong made it, that’s why when we saw that al-Maunah got heaps of weapons through the raid at Grik in year 2000, we felt bad and imagined if that kind of weapon was on us at that time.

Respondent A was involved in the deal to buy a hand grenade from a person in Kuala Lumpur. It was handed over to Zainuri Kamarudin for bombing the US Navy convoy at Lebuhraya Shah Alam (KESAS) Highway in April 2001. That bomb was later hidden at the Batu 12, Puchong Selangor under a number of cement bricks to avoid being identified by people or police. Lujnah Muaskar also bought several big bags of Ammonium Nitrate (fertilizer) from Kelantan for bomb-making purposes. Nik Adli and Alias Ngah were believed to be the people

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682 Ibid.
683 Ibid.
684 Ibid.
685 Ibid.
686 Ibid.
687 Ibid.
responsible for purchasing this fertilizer and storing it at Manir in Kuala Terengganu in 2001.688

KMM members were involved in smuggling some of the weapons and bullets for future projects in Malaysia.689 Faizul Anisham, who was shot dead by a security guard at the Southern Bank robbery in Jalan Gasing in May 2001, smuggled a Smith & Wesson .38 revolver together with four rounds of ammunition and 148 rounds of ammunition for the 9mm Colt semi-automatic pistol and more than 100 M16 bullets from Indonesia after returning from Ambon in 2001.690

Besides automatic and other modern weapons, KMM members also bought and kept traditional weapons such as arrows, *keris* (traditional Malay swords), *parang* (machete) and *lastik* (slingshot) as alternative weapons for *Jihad* preparation.691 Alias bin Ngah reportedly had an archery set at his house in Wakaf Tembusu, Kuala Teranganu as a tool for ‘life protection’ and for urgent needs including *Jihad*.692 Some of the KMM members were encouraged to bring small weapons with them for their instant protection and preparation for any danger.693

In addition, with support from Lujnah Muaskar, Zid Sharani made more than a dozen hand-made pipe bombs for KMM projects in various places such as the bombing at Dataran Seni, Klang on July 20, 2001.694 During that bombing, one female Indonesian was injured after glass from a nearby building broke and fell on her leg. Zid Sharani, recognized as KMM’s expert on making home-made pipe bombs, was detained by the Indonesian police in September 2001 after police discovered pipes, detonators and an amount of sulphur at his residence.695 Taufiq Abdul Halim aka Dani along with Zid Sharani was accused of an attempt

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692 Ibid.
694 *Utusan Malaysia* (2002d, 05 January). Zid Sharani Ditahan Dua Tahun Bawah ISA. *Utusan Malaysia*.
695 Ibid.
to bomb the Atrium Mall in Jakarta and was detained under the ISA for two years and later under a Restriction Order which ended in December 2007.\footnote{Ibid.}

- **Lujnah Communication**
  Solehan Abdul Ghafar headed the Lujnah Communication and the Terengganu cell under the command of Nik Adli from 1999 until 2001.\footnote{Op. Cit., Respondent J. (2008).} Solehan was the deputy head of KMM from 1996 until 1998 under Zainon’s administration and these two closely knew each other as they had both been involved in the Afghanistan war between 1989 and 1993.\footnote{Op. Cit., Hashim, R. (2008).}

  Nik Adli instructed Solehan to recruit new students, who had come back from Pakistan and India, to be trained as new KMM members.\footnote{Op. Cit., Respondent J. (2008).} The established contacts between Solehan and people in Afghanistan and Pakistan as well as India were able to know every movement of the students. The students were also instructed to find Solehan and join KMM when they went back to Malaysia.\footnote{Op. Cit., Respondent B (2007).}

  Malaysia was regarded as a place to continue their aim as Jihadi fighters and to fulfil objectives in establishing an Islamic caliphate in the region.

- **Lujnah Economy**
  This Lujnah was an important section of KMM as it generated funds for social and militant activities. It was headed until 2001 by Zainuri Kamarudin, the Second Deputy Head of the KMM Puchong division, which carried out a number of militant operations in the Klang valley and the northern part of Malaysia.\footnote{Straits Times (2004, 02 October). Militant Gets 10 Years' Jail for Possessing Arms. The Straits Times.}

  Zainuri was sentenced to 10 years’ jail and 18 lashings for unlawfully possessing firearms, explosives and ammunition by Kuala Lumpur High Court on October 1, 2004 and remains the only KMM member still in jail.\footnote{Op. Cit., Respondent B (2007).}
Zainuri and his Lujnah members were involved in collecting money through donations by people who were sympathetic to the movement. They collected donations through a series of speeches given by visitors from Afghanistan, Kashmir, the Southern Philippines, Southern Thailand, Ambon and Maluku.\footnote{703} This does not indicate, however, that KMM had close contact with such separatists or fighters, but members showed their sympathy and tried to let people know about the current situation in these places.

Zainuri also gathered money from contributions and membership fees from KMM members. Each member was required to contribute at least 30 to 50 Ringgit Malaysia (RM) a month or a donation equal to one day's salary a month.\footnote{704} They had to contribute this money to show their trust in the Jamaah (movement) and it was considered as part of their Jihad. Most of the KMM members were poor and did not have a good salary or consistent income every month, but their willingness to help the community and movement was great.

The funding situation also affected KMM’s plans to have their own training camp. Nik Adli is reported to have gone to the Southern Philippines in 1998 to establish the KMM Jihadi camp after a secret meeting held in Puchong with Hambali.\footnote{705} However, this project was abandoned after KMM was unable to afford the amount of money requested by Salamat Hashim of the MILF. Salamat Hashim asked for RM3,000 for each person sent to their camp.\footnote{706} Norian Mai, the Inspector-General Police of Malaysia, said that 19 of the 23 KMM members arrested had received training in Afghanistan and the Southern Philippines. Nine of them had received training at the Ubaidiah and Abu Bakar camp in Mindanao which belonged to the MILF.\footnote{707}

But it was clear KMM members were in the Southern Philippines for military training, performing Jihad in the name of Islam and to help their brotherhood.

The establishment of a *Jihadi camp* was not easy due to lack of money and the unstable situation in the Southern Philippines. The struggle and negotiation to establish the camp was evidence that KMM aimed to make sure their members had enough preparation and alternative ‘*medan Jihad*’ (*Jihad* battle-field). Respondent A, who had not studied in Pakistan or India and had not performed *Jihad* in Afghanistan, went to the Southern Philippines in order to gain *Jihad* and help *Moro* Muslims, who were suppressed by Manila.\(^{708}\)

KMM also had no direct funding from al-Qaeda or Osama bin Laden compared to their similar ideological and political partner, JI.\(^{709}\) It is known that JI was funded by al-Qaeda through Hambali for a series of attacks in the region.\(^{710}\) But KMM only gathered a small amount of money through monthly members' contributions and donations for activities as respondent A said:

*I strongly believe that KMM had no funding from Osama bin Laden, because we contribute our pocket money for various activities, I do not know whether Musa (Zulkiifli aka Musa bin Khir) contacted Osama Bin Laden or not, however if he did, it does not mean that all KMM members were involved on that deal.*\(^{711}\)

- **Lujnah Tarbiyyah**

Nik Adli headed KMM from 1999 and led Lujnah Tarbiyyah at the same time. Because of his credibility and charisma, he was accepted as the *Naqib* (leader) for *Usrah* between KMM members. Nik Adli was not keen to speak with strangers and preferred to keep quiet rather than talk too much. He was very respected for such behaviour. However, some of the KMM members, especially the Puchong group, did not really agree with him and he was accused of being too slow and a reluctant leader.\(^{712}\)

Nik Adli was engaged in persuading university students, especially from Pakistan and India, to join the KMM when returning from their study.\(^{713}\) He also

\[^{711}\] Ibid.
tried to get local university students to join KMM.\textsuperscript{714} Nik Adli and his team used talent-spotting approaches where prospective, capable student leaders were trained through their \textit{Usrah} activities, especially in the Selangor cell located in Puchong and Kelantan cell located in Kota Bharu in Kelantan.

- Lujnah Operation

Besides Lujnah Muaskar, the Lujnah Operation was considered a crucial section in KMM as a special unit for special tasks. This Lujnah was headed by Zulkifli aka Musa Khir, who is still believed to be hiding in a remote area of the Southern Philippines or safely protected by MILF fighters.\textsuperscript{715} Zulkifli Khir was born in Jeram Masjid, Bakri, Muar Johor. He then settled down in Seksyen 17, Shah Alam Selangor and strengthened this Lujnah with help from Hambali, Abu Jibril and Abu Bakar Ba’asyir in the 1990s.\textsuperscript{716}

The Lujnah Operation was responsible for at least four projects including armed attacks on the Guar Chempedak Police Station which left two policemen injured in February 2001: the gunning down of Dr. Joe Fernandez on November 4, 2000 at Jalan Maju Bukit Mertajam, Penang, a bomb blast at Sri Ganesha Temple in Jalan Pudu Lama on October 25, 2000, the botched robbery at Southern Bank on May 18, 2001 in Petaling Jaya, Selangor and many more.\textsuperscript{717}

With a science background and experience working as a Senior Engineer with Maxis Telecommunication Sdn. Bhd. in Kuala Lumpur, Zulkifli showed his tendency to evaluate the world in black and white – or as only ‘Positive or Negative’.\textsuperscript{718} The likes of people such as Dr. Azhari, Nordin Mat Top, Wan Min Wan Mat and Zulkifli believed Muslims must do the good things, avoid the bad and that there is no \textit{wasatiah} (in between or border line). Muslims must perform

\textsuperscript{714} Ibid.
\textsuperscript{717} Morais, L. (2001a, 07 June). RM100, 000 Rewards for Abdullah: Bank Guard Inadvertently Gave Police the Breakthrough in Fernandez Case. \textit{The Malay Mail}, p. 5.
ma’ruf or what Allah commands them to do and abandon mungkar which is what Allah tells them to avoid.

Zulkifli strongly opposed any non-Muslims because for him, they did not follow what Allah revealed to human beings as ‘the way of life’. Moreover, Zulkifli became very angry with people who denounced Islam or left Islam for another religion or ‘murtad’ (apostate). 719 People who committed murtad were subject to being killed as commanded by Zulkifli to his KMM counterparts. The attempted gunning down of Rajeswaran a/l Jeyaraman on the May 20, 1998 (conversion to Hindu) and Noraishah Bokhari (conversion to Christian) clearly showed their anti-infidel ideology. 720

The military and operation experience Zulkifli got from Afghanistan in the late 1980s and support from young lujnah members made this section effectively able to carry out a series of projects. 721 Zulkifli and Adnan Daud worked together to establish secret agents in their lujnah to collect information and plan new projects. 722 Some KMM members worked undercover as normal citizens and followed their suspects for long periods of time until they reached their target and gathered the information they needed. 723

Utusan Malaysia newspaper’s headline published on January 25, 2002 blatantly stated KMM had a new branch or leftist branch which was more radical and had militant ideology. 724 The ‘Puchong Group’ was referred to as the KMM Selangor branch led by Zulkifli Khir centred in Puchong, Selangor. This group was involved in various serious criminal activities in Malaysia starting from 1998 until their last bank robbery, discovered by police in May 2001. 725

In the early stages, the Malaysian government called the ‘Puchong Group’ KM3M which means Kumpulan Militan Mujahidin Malaysia. At the beginning, the

720 Ibid.
722 Ibid.
723 Ibid.
statement confused the public, but after further explanation and evidence, it became understood especially after a number of press releases published through government mainstream newspapers. Zulkifli was responsible for the duty as *Naqib* for Lujnah Operation. He also headed this branch with Zainuri Kamarudin and Adnan Mohd Daud and established connections with Abu Bakar Ba’asyir and Hambali.

This writer's research found there was a separation between KMM and K3M sometime in 1998. Some of the KMM members in Kelang Valley thought that KMM was too slow under the apparently reluctant leader Nik Adli. They felt that while KMM was under Zainon Ismail, and later under Nik Adli, few improvements were gained by KMM either through public support or funding and activities. Although Nik Adli did manage to establish five more Lujnah sections, he was still shackled with PAS ideology to establish an Islamic state through democratic means. After some time, K3M openly opposed the idea of democracy, and they felt more comfortable with the *Salafi-Wahhabism* approach to the arms struggle in Malaysia.\(^{726}\)

The Indonesian clerics cleverly influenced the members of K3M to act differently with their counterparts in northern and eastern Malaysia. Nik Adli was based in Kelantan, which is about 350 kilometres away from Kuala Lumpur so communication and administration between KMM Selangor cells was difficult. Members in K3M often followed the direction from Zulkifli Khir, Zainuri and Adnan rather than Nik Adli.\(^{727}\)

The ‘operations’ were the big problem regarding separation of KMM and K3M. The Puchong group under Zulkifli actively planned their operation from time to time with advice and guidance from JI leaders. Zulkifli, Zainuri and Adnan had an aggressive plan and were eager to perform another *Jihad*.\(^{728}\) They believed the place for *Jihad* was ‘open’ widely in Malaysia since independence in 1957. But under the leadership of Nik Adli, KMM concentrated on only two actions that would open the way to *Jihad*. Firstly, if PAS leaders were arrested by police as had occured in ‘*Ops Lalang’

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in 1987 and second, if the government declared an ‘emergency’ in Kelantan or any PAS ruling state as had happened in Kelantan on February 10, 1978.\textsuperscript{729}

As a result, on May 29, 2001, police successfully seized guns, ammunition, a Smith and Wesson .38 revolver, an M-16 rifle and home-made explosives including pipe bombs and bomb-making paraphernalia from Taman Tenaga, Batu 9, Puchong Selangor.\textsuperscript{730} Police discovered arms and home-made bombs believed to have been prepared for use in future attacks and acts of sabotage. All these weapons were hidden in the bush near the \textit{Surau} at Batu 9, and at a secondary jungle near Taman Tenaga, Puchong Selangor.\textsuperscript{731} The assault rifle and several rounds of ammunitions were found in a guitar case hidden in one of the spots in Puchong, Selangor, while the revolver together with several rounds of ammunition was found in a bag at another location.\textsuperscript{732}

\begin{figure}[h]
\centering
\includegraphics[width=\textwidth]{picture.jpg}
\caption{Petaling Jaya (PJ) police chief Senior Assistant Commissioner Sheikh Mustafa Sheikh Ahmad and PJ CID senior investigating officer, Assistant}
\end{figure}

\textsuperscript{729} After the riot in 1969, the PAS agreed to join the National Front to assist national unity but with the increasing profile of international Islam from the mid-1970s, some of the younger members of PAS become dissatisfied with the party’s politics of accommodation. As a result, in 1978, PAS withdrew from the National Front which responded by declaring a State of Emergency in Kelantan, dismissing the elected government and calling a snap election. From Chin, J. (1997). Politics of Federal Intervention in Malaysia, with Reference to Sarawak, Sabah and Kelantan. \textit{Commonwealth & Comparative Politics}, 35(2), 109.


The bomb-making paraphernalia which included an assortment of chemicals, wires, detonator caps and night goggles were found in separate bags. That raid identified K3M as being one of the biggest threats to national security and resulted in a couple dozen KMM members being arrested and jailed under ISA for several years. Zainuri Kamarudin as the mastermind in K3M’s arms activities was arrested in May 2001 and was charged with possession of an assortment of arms and sentenced to ten years imprisonment under the Firearms Act of 1960. He is currently due for release in 2014.

4.5 The Influence of the Indonesian Ustaz in ‘K3M’

There are two methods for differentiating between KMM and K3M. Nik Adli in the Kelantan and Terengganu cell as well as the Kedah and Perak cell under Md Lotfi Arifin and Ahmad Tajuddin, concentrated on finding the purest Islam and at the same time acted as a special unit to protect PAS leaders during a series of speeches on those states. However K3M under Zulkifli Khir in Selangor, indirectly shared the same spiritual leaders as JI who were Abu Bakar Ba’asyir, Hambali and Abu Jibril aka Muhammad Iqbal Abdurrahman. On January 5, 2002, the Inspector General of Police, Tan Sri Norian Mai stated:

Investigation into K3M exposed the fact that these three masterminds successfully moulded this group to become combined with Malaysia-Indonesian and Malaysia-

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734 Ibid.
Singaporean wings. A few months after exploration and interrogation, Malaysian and Singaporean police believed there had been KMM, which was led by Nik Adli and had a mixed membership of Malaysians and Indonesians, was based in Malaysia and was responsible for a series of crimes including robberies and murders.\textsuperscript{739}

At the beginning, \textit{Usrah} was a key activity for the K3M members organized by Zulkifli Khir in his house at Taman Selasih, Fasa 1, Gombak Selangor.\textsuperscript{740} Abu Bakar Ba’asyir, Hambali and Muhammad Iqbal were appointed as permanent teachers to guide the K3M members in every \textit{Usrah}. Sometimes, if the three preachers had their own activities or were ‘out stationed’ (teaching in other places or having meetings), Abu Umar, Abu Yusof and Ishak aka Umamah were called to assist the \textit{Usrah} as commanded by Abu Bakar Baasyir and Hambali.\textsuperscript{741} But all these teachers were actually Indonesian and part of the DII leaders and had the same objectives to establish \textit{Negara Islam and Indonesia} and later \textit{Negara Islam Nusantara}.

However, after a few months of organizing their \textit{Usrah} in Gombak, Zulkifli agreed to change their meeting place to Puchong, despite the fact that many of the K3M members were staying in the vicinity of Puchong.\textsuperscript{742} Furthermore, Hambali and Abu Bakar Ba’asyir also lived in Banting Selangor, which was situated half an hour away from Puchong and preferred this new location for preaching activities as getting to Gombak took an hour's drive.\textsuperscript{743} Faizul Anisham, who was shot dead in the attempted robbery at the Southern Bank, Jalan Gasing, Petaling Jaya, Selangor in May 2001, allocated his house in Kampung Sri Aman, Puchong as an alternative \textit{Usrah} place for the K3M members.\textsuperscript{744}

Zulkifli Khir, Zainuri Kamarudin, Faizul Anisham, Respondent A, Respondent J, Zainan Harith, Adnan Daud, Sobri Hassan, and Rasid Ismail were among the active members who attended most of the \textit{Usrah}.\textsuperscript{745} There were regular and occasional

\textsuperscript{739} Razak, A. A. (2001, 09 September). Militant Member Tell of his Experience and Beliefs. \textit{News Straits Times}.
\textsuperscript{741} Ibid.
\textsuperscript{742} Ibid.
\textsuperscript{743} Ibid.
\textsuperscript{744} Ibid.
\textsuperscript{745} Ibid.
attendees who joined and supported the ideology implemented in the *Usrah*. This *Usrah* lasted about five years, and before the Lujnachs were formed by Nik Adli in 1998, this group was influenced by these Indonesian preachers indirectly. But after Zulkifli Khir was appointed as the head of the Lujnah Operation, the role of these preachers became crucial in every meeting.⁷⁴⁶

Following the establishment of the JI camp in Ulu Tiram, Johor in 1991, Abu Bakar Baasyir and Hambali flew to Selangor to get a new base to expand their NII ideology. The *Maahad Ittibaussunnah* at Kuala Pilah, Negeri Sembilan, established by *Ustaz* Hashim Ghani, was not competent at gathering mass support and gaining funds for their critical agendas. After several discussions and *Usrah*, both decided to find a new base and to new protégés. Via the sympathy and support from followers who had worked with Jabatan Bekalan Air (JBA) Selangor (Selangor Water Supply), they rented the house in Banting, Selangor.⁷⁴⁷ The handy location in Kelang Valley helped them to expand their teachings and directly influence K3M especially after Adnan Daud and Zulkifli Khir were attracted to their teaching methodology and radical ideology.⁷⁴⁸


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⁷⁴⁷ Ibid.
Hambali and Abu Bakar Ba’asyir always made *Jihad* a priority in their teachings. Nothing was more important in the *Shari’ah* system than *Jihad* and performing this was crucial for every Muslim regardless of ethnicity or geographical border.\(^{750}\) Abu Bakar Ba’asyir and Hambali impressed on their followers, in either JI or K3M, to believe there was no Islam without *Jihad* and urged them to carry out *Jihad* in areas of conflict such as Ambon, Maluku, Southern Thailand, Southern Philippines as well as the Middle East and throughout the world where Islam was suffering from oppression and interference from ‘infidels’.\(^{751}\)

Abu Bakar Ba’asyir and Hambali also stressed *Jihad* as the only political way for Muslims in Malaysia and the entire world. They were strongly opposed to democracy and acknowledged the democratic system was purely secular and should be thrown away.\(^{752}\) They believed Muslim countries that followed democracy as the political system should be toppled through *Jihad* and replaced with the *Syariah* system.\(^{753}\) This differentiated greatly with KMM’s political ideology, as Nik Adli and his followers (except those in the Puchong cell) struggled to create an Islamic country through election and via allowing people to make decisions by ballot. PAS struggled with the same concept since independence until the last election held on March 8, 2008. To summarise, KMM agreed with democracy and accepted the electoral system but K3M opposed democracy and urged its followers to perform *Jihad* as the true Islamic political way.\(^{754}\)

Hambali and Ba’asyir made a religious edict about the possession of non-Muslim properties. It said banks and businesses owned by non-Muslims, which operated without following Islamic *Shari’ah* principles, could be confiscated and seized by Muslims.\(^{755}\) All of the seized property could be shared by Muslims for the sake of Islam and 20 percent of it must be contributed to the *Jihad* agenda. This is why Zainuri Kamarudin, Zulkifli Khir, Faizul Anisham, Rafi Udin, Zid Sharani and Adnan


Daud robbed the bank twice in December 2000 at Hong Leong Bank, Petaling Jaya and May 2001 at Southern Bank Jalan Gasing, Petaling Jaya Selangor. They believed the money in the secular banks could be taken and later channelled to Jihad in Maluku and Mindanao.

Hambali and Ba'asyir also urged K3M members to perform Jihad in Ambon against Christians who were trying to carry out ‘Muslim cleansing’ or ethnic cleansing. Besides this, K3M believed Muslims needed to help their brotherhood in any conflicted areas in the world, especially in Malaysia. Jihad was stressed as Fardhu ain, which means an action which is obligatory for every Muslim.

Hambali and Ba'asyir implemented the method of ‘secrecy’ in K3M. Everybody was obliged to be ‘secretive’ in order to protect the Jemaah from penetration by enemies. Besides this, KMM would take any suspicious acts to the Special Branch (SB), which was always trying to infiltrate the K3M organization. Whether JI or KMM and K3M members, they all sought to be careful in any action taken and avoid publicising what they did, where they went or who they met. For these reasons, some of the KMM members never understood or knew exactly what had happened in their group until they shared all the information in a detention camp, were told by an interrogator or saw information released by the media.

Most of the ‘militant’ members had this kind of ‘secrecy’ concept in their minds. They also believed that if they freely or actively talked about their daily movements, especially their projects, to anybody, it would cause takabbur (feeling snobbish). As a Muslim, avoiding this kind of attitude is compulsory and needed especially when united in Jemaah with special objectives likes JI and KMM as well as al-Qaeda and many more militant organizations in the world.

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756 Ibid.
757 Ibid.
At this stage, it is crucial to understand the relationship between ‘secrecy’ and ‘bai’ah’. Both K3M and JI followers were required to pledge allegiance through a bai’ah laden with religious recitation. They were cautioned against questioning their leader’s guidance, orders and actions. Absolute loyalty was further cemented through Zulkifli Khir and Adnan Daud as directed by Hambali’s concepts of ‘secret within a secret’. Followers were often directed to attend Usrah and occasionally physical training courses, tailored to improve their individual confidence and preparation for future Jihad. Details of these courses were often revealed by Zulkifli Khir or Adnan and Zainuri only at the last minute along with the operation they carried out.

Moreover, K3M members were also taught to understand the principles of war in Prophet Muhammad’s era in 600 B.C. Creating stratagem and tricks were important in the movement as shown by Muhammad and his companions before him. The strategy to keep the leader protected was crucial in every war attended by Prophet Muhammad and his companions. That’s why Nik Adli and Zulkifli Khir agreed KMM must protect the PAS leader in every public occasion nationwide or any ‘emergency’ decree that might be declared by the Malaysian government in the future.

In addition, US policy in the Israeli-Palestinian conflict was shown by the KMM to be unequal and more beneficial to Israel rather than Palestine. A US Military Base was placed in Singapore and the Southern Philippines and has patrolled the Malacca Straits since 9/11. This military base was regarded by KMM as an attempt to launch a war on Islam in this region. The feeling of ‘hatred’ towards the U.S people regardless of where they were or what they were doing as well as boycotting American products has seeped into many Muslims, especially the members of KMM. They are willing to attack any US-linked properties such as factories, bars, firms, hotels and restaurants to show their anger. Bombings and attacks on the J.W. Marriott

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764 Ibid.
767 Ibid.
770 Ibid.
Hotel and the US Embassy in Jakarta showed an attempt at revenge taken by JI and KMM members for their suppressed Muslim brotherhood.\textsuperscript{771}

As we know, the long term agenda for the Indonesian preachers was establishing Darul Islam Nusantara. An Islamic Caliphate consisting of Malaysia, Southern Thailand, Indonesia and the Southern Philippines, can only exist with strong material and spiritual support from local Malaysians. Malaysia was acknowledged as having good access to a large labour market and freedom to do da’wah (preaching). To achieve this, four stages have been implemented in KMM by Hambali and Abu Bakar Ba’asyir.\textsuperscript{772}

Stage one was to obtain any province or Indonesian state which was granted independence by the government such as Acheh and many more in the future.\textsuperscript{773} In order to achieve this, JI and K3M had to help each other create chaos in Indonesian society and politics. Abu Bakar Ba’asyir was appointed as the person to be responsible for achieving total independence from Indonesia.\textsuperscript{774}

Stage two was gathering support from Malaysian people to help in the realization of K3M's agenda. Relations between Hambali and Abu Bakar Ba’asyir with Zulkifli Khir, Adnan Daud and Zainuri Kamarudin were crucial on the basis of K3M as the JI proxy especially in the Lujnah Operation. Furthermore, Hambali organized K3M to help the struggle in Maluku Indonesia.\textsuperscript{775}

Stage three was to force K3M to make preparations for the future struggle in establishing an Islamic Caliphate.\textsuperscript{776} Most of the JI members had comprehensive military training in Afghanistan.\textsuperscript{777} K3M members were trained during the school holidays whilst studying in Pakistan and India. Recently, most of the new K3M members such as Respondent A and J never had such training. This is why Hambali

\textsuperscript{772} Ibid.
\textsuperscript{773} Ibid.
\textsuperscript{774} Ibid.
\textsuperscript{775} Ibid.
\textsuperscript{776} Ibid.
\textsuperscript{777} Ibid.
encouraged them to go to Maluku and Ambon in Indonesia or Mindanao in the Southern Philippines to gain experience in performing *Jihad*.

The last stage involved the toppling of the Malaysian government after JI successfully established NII. K3M commanded members to create chaos and stir the stability in Malaysian society to phase in the coming of JI. Later JI and K3M combined to create *Daulah Islam Nusantara* headed by one Caliphate before expanding their territory to Mindanao and Pattani.

K3M members were initially given a month’s military training by the Indonesian Mujahidin in Pulau Moti Halmahera, North Maluku Island in April 2000. This course was requested by Hambali. The Ambon incident occurred on March 2, 2000. This incident finally opened the door of *Jihad* for the JI and K3M. As a result, 10 K3M members were identified to be sent to Ambon for military training. Rafi bin Udin, Zainuri Kamarudin, Zainan Harith, Rasid Ismail, Zid Sharani and Taufik Abdul Halim were sent to Ambon as the first batch of *Jihadi* fighters from KMM.

In addition to actively taking part in battle between Muslims and Christians in Maluku, they were taught how to make home-made bombs and constantly had military and physical training during their breaks. They were taught by Hambali and JI members about jungle survival-knowledge such as cooking, farming and catching fish as a value added to their life for future use, especially if they had to attend another *Jihad* after Ambon. At the end of the year 2000, some of them, including Rafi bin Udin, returned to Malaysia from Batam Island with an arrangement by Amran aka Saputra (JI members from *Wakalah* Johor). This command came from Zulkifli after being instructed by Hambali.

The second group headed by Zulkifli Khir and accompanied by Murad Halimudin, Faizul Anisham, Md. Lotfi Arifin and two more K3M members went to Ambon at the

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778 Ibid.
780 Ibid.
782 Ibid.
end of the year 2000.\textsuperscript{785} Aside from Ambon, they also participated in various attacks and a series of bloody clashes between Muslims and Christians in Poso, Sulawesi, Indonesia. These group members were reported to have returned to Malaysia after spending two months in Poso for another operation in Malaysia as directed by Hambali.\textsuperscript{786} Only married KMM members were directed to go back to Malaysia while single members had to continue their \textit{Jihad} journey to Jakarta and later meet with the now late Dr. Azhari.\textsuperscript{787} This is why we can see most of the attacks carried out by Taufik Abdul Halim aka Dani and Zid Sharani as well as Rafi Udin were coordinated by Dr. Azhari. KMM members and Dr. Azhari came from the same country and spoke a similar dialect, which made communication and relationships stronger among them especially with regards to completing ‘operations’.\textsuperscript{788}

With the soul of \textit{Jihad} and shared sympathy to help the Muslim brotherhood in Ambon and Maluku, these two groups were united and carried out an armed robbery in Guar Chempedak Police Station in February and a bank robbery in May 2001 to get enough weapons and money to be channelled into the ‘\textit{medan Jihad}’.\textsuperscript{789}

After the bank robbery was botched and all their activities as well as their members were tracked down by authorities, the third group, known as the ‘\textit{exile group}’ of K3M fled to Indonesia. Rafi Udin, Zid Sharani and Nurmiswari aka Nurdin arrived in Indonesia via Batam Island with help from JI.\textsuperscript{790} This ‘migration’ was arranged by Imam Samudera\textsuperscript{791} and this ‘exile group’ was protected by the Banten and Sunda separatist movements before it silently travelled to Sulawesi to take part in the Poso incident.\textsuperscript{792}

After the Atrium building blew up in August 2001, some of the K3M members were detained by the Indonesian Police and handed over to Malaysian Police in November the same year. Zid Shaarani, one of the detainees, was extradited to Malaysia and later

\textsuperscript{785} Ibid.
\textsuperscript{787} Ibid.
\textsuperscript{791} Ibid.
charged and imprisoned under the ISA for two years.\textsuperscript{793} Meanwhile Rafi Udin and Nurmiswari were detained on April 23, 2003 at Palu, Sulawesi with 17 JI members including Nasir Abas and Abu Rushdan.\textsuperscript{794}

\textit{The man [Taufik Abd. Halim], who studied housing, building and planning at ITM, graduated last year but travelled with 10 other Malaysians to Ambon to attack Christians......Malaysian police, who confirmed the arrest, are investigating if the man had links with the Kumpulan Mujahideen Malaysia (KMM), whose members were arrested under the ISA because they were deemed to be a threat to national security.}\textsuperscript{795}

At this stage, we can see how Hambali and Abu Bakar Ba’asyir manipulated KMM especially K3M to achieve their political goals. Extreme Indonesian preachers influenced K3M members to become JI’s new proxies in Malaysia especially through Zulkifli Khir and Adnan Daud. They also successfully persuaded K3M members to act violently through robbery, murder and bombing. All of these operations were crucial to obtaining KMM’s main objective which was to stir social stability and ethnic relationships in Malaysia.

4.6 The Involvement of the KMM in a Series of Attacks

In the name of \textit{Jihad} and believing there was no other way to establish Islam except by performing \textit{Jihad}, K3M members were persuaded by JI’s leaders (Hambali and Ba’asyir) to launch several attacks between 1998 and 2001. During that time, KMM burned four churches and one Hindu temple, robbed two banks, attempted to steal arms from a police station, murdered one of the Kedah State’s assemblymen, attempted to kill two ‘infidels’, attempted three attacks on the US Navy convoy and committed at least one bombing in a public area.\textsuperscript{796} They had the capacity to launch a massive attack on this country and were always well aware of every step taken. Documents seized by the police in June 2001 revealed the KMM’s forty week training schedule covering ideology, guerrilla warfare tactics, weapon training, and the

\textsuperscript{793} Ibid.
collection of intelligence on police depots and laboratories at tertiary institutions around the country.\textsuperscript{797}

This is strong evidence showing KMM’s intelligence, operating in Malaysia with support from Indonesian clerics and mixing science and religious prodigy students, making this group ‘exciting’. The writer will explain some of the attacks done by KMM but not all the cases can be shown here because of a lack of evidence or to protect respondents’ identities and this writer.

There was a report about ten politicians who were on the list of KMM’s ‘prospective victims’ including the former President of Indonesia, Megawati Sukarno Putri and the leaders of Malaysia and the Philippines.\textsuperscript{798} KMM is believed to have wanted to replace Megawati with someone ‘more favourable’ to them in order to install an Islamic state in this region.\textsuperscript{799} The Malay Mail (5 October, 2002) reported “They were not targeting Megawati alone. The same group plotted to kill other top leaders in the Philippines and Malaysia who had openly criticized the JI operative.”\textsuperscript{800}

KMM was accused of working hand in hand with their JI counterparts in Singapore and the Philippines to carry out these assassination plots\textsuperscript{801} through bombings in Indonesia, however this accusation was questionable. Rohan Gunaratna said one of the assassins who wanted to kill Megawati lost his leg when the bomb blew up prematurely at Atrium Mall in Jakarta. But Taufik aka Dani who lost his leg in the incident said he just wanted to kill Christian followers who were holding a conference in that building rather than kill Megawati.\textsuperscript{802} The truth was that Megawati was not in the Atrium building on the day the bombing occurred.\textsuperscript{803}

\textsuperscript{798} Gunaratna, R. in Chua, E. (2002a, 05 October), p. 2.
\textsuperscript{799} Ibid.
\textsuperscript{800} Chua, E. (2002a, 05 October). Megawati on KMM Hit List: Other Southeast Asian Leaders Also Targeted. \textit{The Malay Mail}, p. 2.
Furthermore, incidents such as a mini-market robbery at Shah Alam in 2001, the Dataran Seni Park bombing in Kelang, brothel and gambling centre attacks and many more incidents may not be revealed in detail here. As stated before, there was a lack of evidence and some of the cases were closed by the police. Respondents also refused to talk more regarding this issue, but were not denying their role in the incidents.

4.6.1 The Attempt to Bomb Places of Worship

A Christian community center in Malaysia set ablaze by suspected Muslim extremists was reported in July 2001 and it was later reported that KMM carried out the attack. The Marthoma Christian Community Center was primarily used for community gatherings and Christian services. A fire gutted the Marthoma Christian Community Center in Sungai Petani, a city located about 190 miles northwest of

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808 Ibid.
Kuala Lumpur in the Kedah state on the Malaysian peninsular. Damage to the center was estimated at RM300, 000.\textsuperscript{809}

The church caretaker filed police reports on July 19 and 20 after noticing two windows had been broken and homemade petrol bombs were found near the premises.\textsuperscript{810} A similar modus operandi on attacking churches was implemented by KMM members in Indonesia such as Taufik Abdul Halim, who had lived in exile since June 2000. Taufik was alleged to have been involved in the bombing of two churches in Semarang and central Java as well as the Atrium Shopping Mall in the Indonesian capital in 2003.\textsuperscript{811}

Taufik Abdul Halim was arrested in Jakarta after a bomb he was carrying prematurely exploded in a shopping mall. It exploded in a phone booth in a car park outside the Atrium Mall.\textsuperscript{812} The bomb seriously injured four people and blew off one of Taufik's legs. He was sentenced to 20 years imprisonment at Cipinang Prison Centre in East Jakarta. Taufik admitted he carried out the attack because of the ‘hatred’ he felt towards the Christians and to seek revenge for every Muslim killed by the US military since the declaration of the ‘war on terrorism’ by Bush in October 2001.\textsuperscript{813} Respondent B9 said during the interview "Our motivation…was revenge… In Eastern Indonesia, many Christians are involved in slaughtering the Muslim population."\textsuperscript{814}

The second attack was on October 13, 2001, where chairs and other church equipment was burnt and destroyed in the Christ the King Church, also in Sungai Petani, Kedah.\textsuperscript{815} The attack only succeeded in burning some furniture near the windows. Collective work and effective strategies on gathering information especially from the ‘secret agent’ led by respondent J and his unit made KMM successful in planning such attacks.\textsuperscript{816} Since the assassination of state assembly representative Dr Joe Fernandez on November 4, 2000, KMM actively operated in the Kedah state with commands coming from the K3M leader, Zulkifli Khir. Some of the attackers

\begin{footnotesize}
\textsuperscript{809} Ibid.
\textsuperscript{810} Ibid.
\textsuperscript{812} Ibid.
\end{footnotesize}
travelled from Kuala Lumpur to Kedah, collected the necessary information, carried out the operation and later went back to Kuala Lumpur.

The third attack involved Molotov cocktails being thrown at St Philip’s Church in Segamat, Johor. The door was burned, but not the tabernacle, where another Molotov cocktail failed to explode. The fourth or the last attack occurred at the Christ Community Centre church in Subang Jaya, which was completely destroyed by a fire. At first place, police had been called out to the building in the early hours after the burglar alarm went off. However, finding nothing suspicious they left. Three hours later the building was engulfed in flames.

On October 25, 2000, one attack on a Hindu temple was recorded in Kuala Lumpur. The Sri Ganesha temple at Jalan Pudu Lama, near Pudu Raya Kuala Lumpur Bus Station, exploded from a home-made bomb. It was planted by Zainuri Kamarudin and Rasid Ismail on the Deepavali Festival day. In that incident, the premise was rocked by an explosion which damaged some parts of the building with smoke and left burn marks. The blast also damaged its side grilled gate, an electric switchbox, part of an overhead canopy and two communal bins outside. Elina Noor (2007) wrote “What is particularly interesting is that like al-Maunah, KMM planned to spark strife between Muslims and non-Muslims as a prelude to an all out religious conflict within Malaysia and beyond”.

As reported by Morais, Raja & Eds. (2001c), “two men on a motorcycle placed a package near the bins just before the blast which sent minor tremors to the surrounding area as devotees were getting ready to usher in the Deepavali festivals”. A passer-by suffered slight injuries after being hit by flying debris.

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818 Ibid.
819 Deepavali or Diwali is a major Indian festival, and a significant festival in Hinduism, Sikhism and Jainism. Many legends are associated with Diwali. Today it is celebrated by Hindus, Jains and Sikhs across the globe as the ”Festival of Light,” where the lights or lamps signify victory of good over the evil within every human being. From Subramaniam, M. (2006). Hindu Festival among Indian in Malaysia: An Introduction. Paper presented at the 32nd All Indian Sociological Conference.
bomb disposal unit was dispatched to the temple later, but failed to locate any wiring device to identify the type of explosive used. Police later summoned experts from the Chemistry Department to investigate. The outcome revealed that two unidentified men were seen walking to the scene of the blast several minutes before the explosion took place. It was later surmised that the attack was carried out by KMM members.

Abu Omar aka Imam Samudera, the members of JI, were responsible for helping Zainuri Kamarudin and Zulkifli Khir in getting the materials for making the bomb. In October 2000, for instance, Imam Samudera smuggled 10 detonators, two timers and TNT explosive materials through Batam Island to Layang-layang Island before landing at Johor Bahru. The materials were later protected by JI members before being handed out to K3M leaders. Zid Sharani, who police considered an expert in home made bombs, helped create the bomb used by Zainuri and Zulkifli in that bombing.

4.6.2 Bank Robberies

Hong Leong Bank in Petaling Jaya, Selangor was the first bank to be robbed by KMM members. On December 14, 2000, five members of KMM, including Zainuri Kamarudin, Adnan Daud, Zainan Harith, Abdul Rasid Ismail and Rafi Udin, broke into the bank, justifying it is a legitimate target because the bank was not an Islamic institution. They are reported to have taken about RM98,000 to fund Jihad activities around the region. Some of the money was sent to Mindanao to support Jihad between MILF and the government of the Philippines. They used part of the money to buy weapons and home-made bomb materials. Some of the money was also spent on Eid Adha (Islamic second biggest festival) and for Moro humanitarian purposes.
Inspired by the success of the first robbery, KMM desperately broke into the Southern Bank in Jalan Gasing, Petaling Jaya on May 18, 2001. As stated previously, the robbery was botched when a security guard shot one of the robbers dead, injured two others and later police launched Ops Southern, arresting nine of the KMM members.

During the incident, Faizul Anisham (who was pronounced dead upon arrival at University Malaya Medical Centre-UMMC), Adnan Daud (dead on June 25, 2001 at UMMC) and Zainan Harith ended up being shot by the guard who quietly retrieved his pump-gun while they were busy with their loot. The drama unfolded when the two security guards were closing the shutters. Faizul Anisham and Adnan Daud armed with a Colt 9mm Semi-automatic pistol rushed in, while another, also armed, stood guard outside. The robbers pushed the two guards inside and went to the counter demanding money from the cashier. One of them used a hammer to break the glass partition beside the counter. They forced a bank officer to open a vault. Two accomplices got the bank teller to place all the cash collected at the counter into a bag.
While they were preoccupied, Abdullah (the security guard) stealthily made his way to his counter for the pump gun.\textsuperscript{837}

Abdul Rashid Ismail, who was able to escape but was arrested a few days later in his mother’s house in Felda Kampung Awah in Temerloh, Pahang, was waiting outside the entrance, and, on hearing gun fire, rushed in to find his accomplices lying in pools of blood.\textsuperscript{838} Grabbing another security guard as a human shield, Rashid, who was also armed with a pistol, opened fire at the armed guard but missed and hit a wall. He then shoved his 64-year-old ‘human shield’ aside and escaped on one of two motorcycles parked outside the bank.\textsuperscript{839} After making the arrests, police seized a semi-automatic pistol which was believed to have been used to shoot at the security guard.\textsuperscript{840}

\textit{Picture 8: Police investigate the Yamaha RXZ, one of the motorcycles parked and abandoned by Abdul Rashid outside the Southern Bank. Police also found a Colt pistol and a motorcycle believed to have been stolen.}\textsuperscript{841}

The deceased, who was identified as Faizul Anisham Abdullah, had recently (two months before the robbery) returned to the country after studying in Pakistan for four years and another year in Turkey.\textsuperscript{842} Adnan Daud had graduated from al-Azhar University in Egypt, while Zainan and Abdul Rashid had only received a local

\textsuperscript{838}Ibid.
\textsuperscript{840}Ibid.
\textsuperscript{842}Ibid.
intermediate-Islamic education. They were believed to have been influenced by the concept of *al-Fai*, where all assets belonging to non-Muslims can be considered as *al-Fai* and therefore could be confiscated. *Al-Fai* must however be used in the general interests of Muslims and not for personal gain. For this reason, money successfully gained from the first robbery was channelled to the Mindanao people and used to fund the *Jihad* war against the US and Manila administration.

Besides KMM, another militant group, JI, had also done the same thing when they robbed the Central Bank of Asia, Jakarta in 1999 and the perpetrators of the Bali bombing reportedly committed a robbery at the Elita Gold Shop in Serang, West Java for the same reasons – justifying the behaviour by referring to the concept of *al-Fai*. Their understanding or rather misunderstanding of the idea of *al-Fai* is a typical illustration of the misrepresentations and alterations of Islamic lessons that some *Jihadist* choose to use in the pursuit of what they view as *Jihad*. In relation to KMM’s robberies, they believed the banks were operating within a secular-capitalism system and could be robbed because they paid *Riba*’ (interest).

There is no validation in Islamic jurisprudence (or *fiqh*) for robbing any banks or institutions which are run by non-Muslims or on non-Islamic principles. On the contrary, since prophet Muhammad and his companions recognised non-Muslims in Islamic countries as being protected people or *Zimmis* who not only had property and commercial rights but also the autonomy to live out their religion provided that they paid a tax. The bank robberies carried out by KMM in 2000 and 2001 violated the rights of non-Muslims to practise their way of life, even though Malaysia, as a multi-ethnic country allowed non-Muslims to operate outside of Islam.

### 4.6.3 The Armed Robbery at Guar Chempedak Police Station
KMM also aimed to have more weapons for future-planned operations and with this objective they attacked Guar Chempedak Police Station on February 4, 2001. KMM

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843 Ibid.
845 Ibid.
847 Ibid.
already knew that most of the police stations in Malaysia had their own armoury or weapon depot. KMM hoped to emulate the success of al-Maunah's raid on July 2, 2000 where, in a pre-dawn weapon heist on a Malaysian Army Reserve camp in Grik, Perak, al-Maunah not only confiscated the contents of four trucks loaded with weapons, but also murdered a policeman, an army commando and one civilian.

After witnessing an operation simulation shown by Adnan Daud, KMM believed that this was the best and easiest way to get weapons. This operation was illustrated easily through simulations done in Puchong. KMM desperately needed weapons, especially after being frustrated with the lack of success of previous arms trades. The Puchong cell put significant effort into buying pistols, rifles, hand-grenades, bullets and many more from Thailand but always ended up frustrated. Zainuri Kamarudin, Zainan Harith and Adnan Daud from K3M's Puchong cell, travelled to Perak to pick up Muhammad Azian prior to that incident. They were believed to have stayed and discussed the operation at Murad Halimudin bin Hassan’s house in Pengkalan Batu Hampar, Pendang, Kedah. Guar Chempedak Police Station was located only 30 kilometres from Murad Halimudin’s house (both in Pendang district).

In that incident, four masked men (Adnan Daud, Abdul Rashid Ismail Ismail, Muhammad Azian and Zainuri Kamarudin) entered the premises. One was armed with a pistol and two others with a crowbar and cutter. In this pre-dawn (4.15am) incident, they shot Lance Corporal Ahmad Tarmizi Mat Changgong and Lance Corporal Nik Aziz Nik Kobu. The attackers walked into the police station through a gap in the perimeter fencing behind the police station, entered the reception area and attacked the two policemen seated there. One of them fired two shots at Lance Corporal Ahmad Tarmizi Mat Changgong while another hit Lance Corporal Nik Aziz

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852 Ibid.
853 Ibid.
854 Ibid.
856 Ibid.
857 Ibid.
858 Ibid.
Nik Kob with a crowbar to the head.\textsuperscript{859} Ahmad Tarmizi, however, managed to pull out his revolver and return fire.\textsuperscript{860} Although the shots did not kill or injure the four attackers, it successfully hastened their actions. Zainuri, Adnan, Rashid and Azian were startled by the shot, and ran outside in a panic to escape the situation.

The simulation shown by Adnan Daud prior to the operation had differed significantly from what actually occurred. They were especially affected by the reality of the head wound they inflicted on Lance Corporal Ahmad Tarmizi:

\begin{quote}
\textit{The main objective is to gain weapons not to kill innocent people especially police, when that happened, they panicked and ran away from the scene, what was discussed and illustrated by Adnan was really different from what really happened.}\textsuperscript{861}
\end{quote}

The two policemen, Ahmad Tarmizi and Nik Aziz, chased the attackers but they managed to escape through the back door of the station.\textsuperscript{862} Using a white Proton Iswara Aero-back parked outside the station, they made their get-away from the scene.\textsuperscript{863} Police investigations revealed the attack’s motive was to steal weapons including M-16 assault rifles, pump-action guns and revolvers stored at the armoury but the quick response by Lance Corporal Ahmad Tarmizi and Lance Corporal Nik Aziz changed the situation.\textsuperscript{864}

\begin{quote}
\textit{We really wanted to get lots of weapon as what al-Maunah had before, if we were successful in the raid (Guar Chempedak Police Station weapon heist) we may have carried out more operations and projects as we had previously planned.}\textsuperscript{865}
\end{quote}

4.6.4 The Murder of Kedah State’s Assemblyman

Dr. Joe Fernandez, who turned 54 in 2000, was the deputy chief of the Kedah Malaysian Indian Congress (MIC). He was shot dead by KMM members at the Jalan Maju-Jalan Harapan junction in Bukit Mertajam, Penang.\textsuperscript{866} Adnan Daud rode a

\begin{footnotes}
\textsuperscript{860} Ibid.
\textsuperscript{863} Ibid.
\end{footnotes}
motorcycle with other KMM members and shot Dr. Joe Fernandez with a .38 colt pistol while he was driving home to Taman Bukit on November 4, 2000.\textsuperscript{867}

For a while the case seemed destined to become an unsolved murder. Finally, the unsuccessful Southern Bank robbery on May 18, 2001, gave clues to police that helped them to track down Dr. Fernandez's killers after a seven-month manhunt. Nine suspects, including Adnan Daud who was said to have fired the shots, were arrested after several raids in Kelang Valley.\textsuperscript{869} During interrogation of the suspects, police obtained information that linked KMM to the killing of the former state assemblyman. Through media releases, police explained the motive behind the killing as ‘ideological differences’ involving an extremist sect.

\begin{quote}
\ldots Police have detained nine members of a self-styled religious militant group responsible for a spate of headline-making crimes, including the murder of politician Dr Joe Fernandez last November... the gang was also responsible for another robbery at a Hong Leong Bank branch, an attack on a police
\end{quote}

\textsuperscript{868} Utusan Malaysia (2000, 05 November). Lunas State Assemblmen Shot Dead. \textit{Utusan Malaysia}, p. Front Page, from
\url{http://www.utusan.com.my/utusan/arkib.asp?y=2000&dt=1105&pub=utusan_express&sec=front%5Fpage&pg=fp_01.htm&arc=hive}
Two months after the murder, Penang police and a special task force set up at the Bukit Aman Police Headquarters to investigate the case, but had still not made any headway.\textsuperscript{871} In relation to this incident, the MIC Subang Jaya Town Centre branch had put up a reward of RM100,000 on behalf of a group of Dr. Fernandez’s friends who wanted those responsible brought to justice.\textsuperscript{872} Utusan Malaysia (2000) reported “Dr Fernandez had stopped his four-wheel-drive vehicle at the junction when two men on a motorcycle went close to the driver's side window and fired three shots. Two shots hit his head and the third his body.”\textsuperscript{873}

The nation was shocked by this high-profile murder. Dr. Fernandez was a Lunas state assemblyman and was well-respected by the public. However from the KMM's perspective, he was considered corrupt and to have converted a number of Muslims to Christianity.\textsuperscript{874} He was also accused of being responsible for convincing his patients, especially women and factory workers who worked at his clinic, to leave Islam or became \textit{murtad} (apostate).\textsuperscript{875} For these reasons, KMM members made him a primary target to be killed along with some other apostates, as shown through incidents that occurred before and after this incident.

4.6.5 The Attempt to Kill ‘Infidels’

At least two attempts to kill apostates were carried out by KMM between 1998 and 2001. As explained previously, KMM strongly opposed any Muslims who turned apostate. Furthermore, KMM was willing to kill any person who tried to persuade other Muslims to be non-Muslim (as Dr. Fernandez had done). In Malaysia, Ustaz Harussani Zakaria, a Perak state mufti (or Muslim legal adviser/expert) once announced that more than 250,000 people were committing apostasy with 100,000 of


\textsuperscript{871} Ibid.

\textsuperscript{872} Morais, L. (2001e, 07 June). Breakthrough in Joe Fernandez’s Slaying: Motive for Murder is Ideological Differences. \textit{The Malay Mail}, p. 3.


\textsuperscript{875} Ibid.

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them still in the process of gaining declaration from the *Shari‘ah* Court. This statement had a significant impact on the radicals and was treated seriously by KMM members. Apostates among Malays were also discussed broadly in KMM’s *Usrah* especially in the ‘Puchong group’ coordinated by Abu Bakar Ba‘asyir, Hambali and Abu Jibril and Zulkifli Khir.

The first attack on an ‘apostate’ was recorded in January 1998, after several KMM members including Respondent A and J monitored the movements of Hartina Kamarudin. The case of Hartina binti Kamarudin, who had converted to Hindu and changed her name to Nivashini Jeyaraman, shocked Malaysian Muslims in 1997. Kamarudin (Hartina's father), a satay seller in Kampar, Perak, was detained by the police because of an assault he committed on his daughter. Hartina was accused by her father of being rude in front of him when he asked her to return to Islam, he then hit her, resulting in his arrest.

...other cases believed to have links with this militant group (KMM) which is robbery at a Hong Leong Bank branch on the 14th of December last year, bomb at Hindu Temple in Jalan Pudu on the 26th of October last year, bomb at Dataran Seni Public Park on the 20th of July last year, bomb at the church located in northern Malaysia, robbery at Shah Alam’s mini-market and attempts to kill an Indian couple in Brickfields...

The statement extracted from Utusan Malaysia newspaper above clearly shows that KMM took part in an attempt to kill a Hindu couple (one of whom was Hartina binti Kamarudin) who had converted from Islam to Hindu. They were attacked by KMM when they were caught in a traffic-jam near the busy road at Brickfields in Kuala Lumpur. KMM members were riding a motorcycle and shot Hartina's boyfriend while he was seated in the front of their car but only caused a minor injury. Luckily several shots pointed at him missed because of the road conditions and the fact that the traffic light turned green just after the attack. This case was not publicly

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878 Ibid.
880 Ibid.
highlighted by the media and was hidden by the authorities in order to ensure ethnic stability in Malaysia.

A second attempt to kill an ‘infidel’ took place in 1999. Noraishah binti Bokhari, later known as Noraishah Felicia Bokhari (Aishah), converted from Islam in 1998. This controversial case was covered by most Malaysian mainstream newspapers at that time. It was regarded almost as seriously as the Maria Hertogh incident in 1950.882 This incident occurred when Noraishah declared she had already converted to Catholicism and planned to get married to Joseph Arnold Lee.883 Joseph worked at the same place as Aishah at Citibank Kuala Lumpur.884 Police accused him of eloping and caging his ‘girlfriend’ at Seremban and a few places nationwide from December 30, 1998.885

After successfully running away from her house, Aishah made a writ of habeas corpus by a statutory declaration claiming that she was detained involuntarily by her own family members for the purposes of converting her to Islam before marrying her Roman Catholic boyfriend.886 She subsequently escaped and has since left the country. She is believed to have been living in Melbourne since 1999.887

KMM was attracted to the Aishah issue after it was covered by mainstream media. A mass gathering and ‘solat hajat’ (special prayer) held at Jamek Mosque in Kuala Lumpur catalyzed this sensitive issue around the country.888 Several KMM members, including Adnan Daud, had planned an attack on Aishah and Joseph while they travelled back from Melbourne.889 They targeted Aishah’s entourage when they travelled from Kuala Lumpur International Airport (KLIA) to Joseph’s home at Seremban. However, the attack was abandoned after the KMM’s ‘peeping’ unit gave the wrong information and they became confused with the target.890

884 Ibid.
885 Ibid.
886 Ibid.
887 Ibid.
889 Ibid.
890 Ibid.
4.6.6 The Attempt to Attack the US Navy

The U.S and Malaysia share a diverse and expanding partnership. The US is also the largest foreign provider of training courses at various departments in Malaysia such as Royal Malaysia Police (RMP), Southeast Asia Regional Center for Counterterrorism (SEARCCCT) and Institute of Strategic and International Studies (ISIS). The U.S and Malaysia share a strong military-to-military relationship with numerous exchanges, training, annual joint exercises and visits.

However, such a close relationship between these two governments was regarded as not Islamic and a kind of ‘betrayal’ to the Muslim community in the eyes of KMM. They believed any supporters of the relationship, whether Malaysian or American, should be punished with some kind of attack. This attack would make both countries realize that their collaborations were unsatisfactory to some groups and some people in Malaysia. In order to achieve this, KMM carried out at least three spy missions on the groups of US Marine and Navy who were anchored at Kelang and Lumut Port between 1999 and 2001.

The first attempted attack was planned in 1999 when the US Navy were spending their day off at the Bukit Bintang shopping area in the heart of the Kuala Lumpur city centre. The U.S Navy, on their way to Singapore from the US stopped at Kelang Port and had special joint training with the Malaysian Navy. The spare time on their trip was used to enjoy themselves in Kuala Lumpur and almost ended in tragedy. KMM members led by Adnan Daud and armed with pistols monitored their movement but finally abandoned their target. One of the main reasons was to avoid killing innocent people as the U.S Navy personnel were walking and mingling in a public space. Besides this, the U.S Navy also moved in big groups consisting of at

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894 Ibid.
896 Ibid.
897 Ibid.
898 Ibid.
least three people. This movement made it hard for KMM to attack, as they had only planned to attack personnel who were alone or in pairs.

A second attempt occurred in 2001 when a battalion of the US Navy landed in Kelang Port again. KMM monitored all the US Navy’s movements including where they went and with whom they met. But they still did not dare to attack the US Navy ship anchored in Kelang Port because of a lack of weapons and the high numbers of the US Navy. Led by Adnan Daud, KMM established the ‘peeps unit’ to gather as much information as possible on US Navy activities while they were in Malaysia.

Some of the KMM members followed US Navy buses that were used to transport them from Kelang Port to Kuala Lumpur City Centre (KLCC) in April 2001. The movement through KESAS Highway was considered a good point to attack because fewer vehicles used the highway and there were a lot of exits to villages and palm oil plantations on both sides of the highway. However, KMM decided to abandon their attack because of the numbers and weapons capacity. Four KMM members who were involved in the attempt were thinking of attacking four buses containing at least 120 US Navy personnel. In addition, KMM had a very limited weapons capacity with only one .38 Colt pistol and one M-16 as well as half a dozen home-made bomb pipes. They realized the U.S Navy could have more sophisticated and a greater number of weapons compared with what they had.

The third attempt to attack the U.S Navy was to occur somewhere at Lumut Port in 1999. According to the news aired nationwide, the Malaysian government had allowed the U.S to build their base at Lumut Port. KMM remarked that this kind of action was an attack on the country’s sovereignty and the U.S was trying to demolish the Muslim movement in the region. A few KMM members travelled from Puchong

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899 Ibid.
901 Ibid.
903 Ibid.
904 Ibid.
905 Ibid.
906 Ibid.
907 Ibid.
to Lumut to monitor U.S Navy movements, but they did not receive much information. The attempted attack on the U.S Navy was fully planned, but man-power and numbers of weapons remained the main constraint. Once more, KMM abandoned their attack in Lumut.

At this stage, we can see how radical KMM’s thinking was about attacks and acts of sabotage, regardless of the identity and number of victims. They were still willing to do that kind of attack. But when it came to reality, they kept logistics in mind and clearly were not willing to become syaheed (martyrs). It is easy to imagine the bad reputation the Malaysian government would have gained if that kind of attack had taken place. Furthermore, it would have had big implications on the security and diplomatic relationship between Malaysia and the US. But KMM were confident that the abandonment of the attack did not mean they were cowards or not willing to be a syaheed. They decided to do more preparation for other, more significant, operations in the future.

4.7 The Demise of the KMM

What differentiated the KMM from other militant organisations uncovered in Malaysia was the alleged regional scope of its networking and activities. KMM was established in Malaysia, but enjoyed close links with JI in Indonesia. The botched robbery on May 18, 2001 was a crucial clue for police to uncover the most Islamic-related militant group in Malaysia since the Tentera Sabilullah group emerged in 1967. Police connected the attempted robbery to the well-planned web of international terrorism that had caused murder and mayhem since 1999 and 2001. Concomitantly, the Malaysian security forces launched a nationwide operation to capture remaining KMM members after the unsuccessful bank robbery. Eighty-nine KMM and JI members were detained without trial under the ISA for allegedly trying to overthrow the government through violent means in the name of Jihad.
Furthermore, an investigation into the group has exposed alleged links to Muhamidin and militants in Ambon. They had been indoctrinated and recruited into the Afghanistan-based Muhamidin whilst studying at universities in Pakistan, Egypt and India, as explained previously. The Malaysian government also revealed that the KMM was led by Zainon Ismail, who was believed to be the first Malay to go to Afghanistan to be a Muhamidin. The leadership of KMM was handed to Nik Adli Nik Abdul Aziz in 1996. More than that, the influence from Abu Bakar Ba’asyir and Hambali had a significant impact on the ideology and the activities done by KMM previously. The charisma of the Indonesian clerics helped them to successfully attract people, especially the ex-Muhamidin, to join the group and later implement the radical ideas the group imposed.

Although the KMM no longer exists in Malaysia, the emergence and existence of KMM a decade ago provides strong evidence that radical ideology may emerge again in this multi-racial society. Experienced and qualified leaders may influence and turn good Muslims into radicals and later into potential terrorists. This could happen whilst they are on their search to find pure Islam. Efforts put in by the government to eliminate physical radical groups such as KMM are welcomed, but efforts to counter militarist and radical ideology are more crucial. As reported by The Washington Institute for Near East Policy (2009), “Even as a military success against al-Qaeda grows, the ideological challenge, unless confronted, will continue to metasize”. To some extent, we can congratulate the Malaysian police for the victory they gained against this home-grown militant group, but this does not mean that Malaysia will remain free from threat.

KMM was completely paralyzed because the continuation of monitoring and rehabilitation programmes by police in collaboration with the Department of Islamic Understanding and Development of Malaysia (JAKIM). KMM and JI look like they have no ability to regroup again, but their capability to re-brand or re-name should not be underestimated. It is not impossible for KMM and JI to combine and form a new

914 Ibid.
915 Ibid.
group as they have similar ideologies and activities. Not only Malaysia, but all Southeast Asian countries will be in big trouble if KMM and JI work together to organize violence and attacks on societies and property.

It is also unfair to generalize that all of the JI members knew every movement of their leaders. Most of them didn't know exactly what happened at the top level. JI’s ordinary members only obeyed the leader of their Fiah. Most of the Fiah leaders did not know the exact decisions made by Kirdas, and Kirdas only followed the direction of the Wakalah leaders. The concept of Tanzimul Sirri (secrecy) was paramount. Wakalah leaders would not talk in detail to their members either at Kirdas or Fiah stages. This is why, after JI was uncovered through raids and interrogations between 2001 and 2004, most of the links and networks came out through those in leadership positions and not via lower level followers.

JI’s violent activities must be seen to have been carried out by the members in top positions; they made the decisions and planned the targets. Most of the followers in lower ranks were innocent and did not know exactly what was happening. However Malaysian, Singaporean and Indonesian authorities detained all of the JI’s related members regardless of rank or how much they contributed, or did not contribute, to attacks. Some of them were given the same level of punishment as those with more responsibility. In Malaysia and Singapore, the detention law ISA was widely used to arrest, punish and rehabilitate innocent followers along with the real instigators. Indonesian authorities were more transparent with an open trial in every case.

A big issue when dealing with militancy and extremism is evidence, or lack thereof. It is hard to find evidence of terrorist ‘projects’ or attacks as they are always carried out in secret. Little communication between attackers took place either before or after the attacks. In some cases, they did not know the details of the whole project; they only did as directed by their leaders. For example, Respondent B7, carried a box containing a Smith and Wilson pistol and bullets from Kelantan to Johor by an Express Bus. Respondent B7 didn't know what the box contained and he never asked. Azmi, a member of the JI Kelantan cell, gave Respondent B7 the box wrapped in newspaper

919 Ibid.
and a plastic bag. Respondent B7 then showed the box to Wan Min Wan Mat, the JI Wakalah Johor leader. Instructed by Wan Min, he smuggled the box to the Batam Island through Sungai Layang, Johor and Teluk Mata Ikan before handing it over to Imam Samudra. This gun was used for the Christmas Eve bombing carried out by Imam Samudra as directed by Hambali.

At this stage, it is hard to prove Respondent B7 should suffer the death penalty under the Firearms Act (increased) 1971. Even though Respondent B7 goes through an open trial, there will be an issue between committing crime or ‘only obeying orders’. If convicted, he deserves less punishment because of he was only doing his job. Many cases may end up without a fair trial if brought up in an open court because of the lack of evidence.

In Indonesia, many JI-related cases were concluded with only a light punishment, such as a few months in prison, or release with bail. If there was no strong evidence of violence, the accused might have only been charged with breaches of immigration or other related laws. Nasir Abas, who was known as the JI Mantiqi Tsalis leader and trained large numbers of NII and JI members during his period at Camp Sadda and Towrkhan, only spent nine months in prison charged with breaching Indonesian immigration law. There was no clear evidence to connect Nasir Abas with the act of terrorism. Furthermore, two of Abu Bakar Ba’asyir’s accusations were dropped due to a lack of evidence. This highlights the weaknesses of open trials, in that it is hard to prove and punish without clear evidence.

Does this mean that the ISA is the best answer? The ISA can be one part of the answer but it is not a complete solution in itself. To some extent, the ISA is a good remedy to counter radicalism in cases where there is no strong evidence to be proven. JI and KMM were a good example of how ISA was used to demolish the most dangerous radical groups in Malaysia. To generalize that all KMM and JI members are dangerous and threaten the country’s security is unfair. Some of them, specially those at the top and the followers of the KMM Selangor cell were clearly involved in

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921 Ibid.
922 Ibid.
923 Ibid.
violence, but not all of them. There should be different methods of punishment concordant with members’ involvement as some of them were barely followers and only obeying orders.

The deadliest terrorist networks in Southeast Asia have suffered significant setbacks in the past six years. These radical networks weakened by aggressive strategies, improved intelligence, enhanced military operations and an erosion of public support, government officials and counterterrorism. Two years after the region's most dangerous man, the late Dr. Azhari Hussin and his entourage were killed in the Batu Malang incident, American and Asian intelligence analysts said financial and logistical support from Al Qaeda to other groups in the region had long dried up, and the most lethal were scrambling for survival.

Since 2005 in Indonesia, authorities have arrested more than 200 members of *Jemaah Islamiyah*. In the Philippines, an American-backed military campaign has the Abu Sayyaf Group, an Islamic extremist organization with links to Jemaah Islamiyah, clinging to footholds in the jungles of a handful of southern islands. In Malaysia, at least 19 KMM and 68 JI members were detained under the ISA.\(^{925}\) Networking, financial and logistical capabilities of these two groups were dismantled by the Malaysian authorities. Massive raids and effective strategies by various departments in Malaysia were crucial in tackling the threat.

In the Malaysian context, KMM was totally paralyzed and no longer posed a threat to the Malaysian government.\(^{926}\) Since the leaders, Zainon Ismail and Nik Adli were in prison for four years, no violent activities have been recorded. The thorough surveillance by the Malaysian police weakened KMM and made them ineffective. Moreover, KMM members also fled to neighbouring countries such as Indonesia and the Philippines. The very significant KMM members such as Taufik Abdul Halim and Ibrahim Ngah have been in an Indonesian prison since 2003. Zulkifli Khir, the alleged leader of K3M and the middle man between the KMM Selangor cell with JI are still at large. Hambali, the indirect spiritual leader of KMM has been at Guantanamo Bay

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since 2003. Meanwhile, Abu Jibril, the most influential KMM Ustaz was back in Indonesia after spending six years in a Malaysian detention camp.

JI had suffered greatly as a result of the crackdown by governments in the region and beyond. The series of arrests to its operatives and key leaders greatly disrupted its activities. JI was considered illegitimate in Malaysia since the breakdown in 2001 and 2002. But there was a different story concerning JI in Indonesia. It was still operating and was recognized as a legal organization in the country with the world’s biggest Muslim population. Indonesia still manages to control the threat of Islamic radicals especially after the murder of Dr. Azhari and the death penalty to the Bali bombers.

However, there are many reasons to believe the threat of KMM and JI in Malaysia still exists. Even with the arrest of Hambali (in US custody), Yazid Sufaat, Zainon Ismail, Nik Adli and many more, the JI and KMM has proven to be flexible and strong. There are a number of KMM and JI operatives who are still active in the region. Zulkifli Khir, the leader of K3M, Nordin Md. Top, a bomb expert and the late Dr. Azhari’s close aid, Amran aka Henry, are still at large in Indonesia and many more KMM and JI members who fled the country just before being raided by police. All of them are believed to be living in scattered places in Indonesia and in the Southern Philippines with MILF and ASG.

Although their operational base in Malaysia, Singapore and Indonesia has been dismantled, there are still training camps run by MILF and ASG indirectly in the Southern Philippines. KMM and JI members still in exile are believed to contribute to strengthening the camps, which could be a new factory for terrorists’ operatives. It was learned that Zulkifli Khir, Nordin Md. Top and Umar Patek were staying in the remote area of Mindanao with MILF and ASG members to avoid arrest by the authorities. Not only were ex-Mujahidin from Asia, but also the Arabian Mujahidin, believed to be in Mindanao and involved in training and planning for future attacks. Arabian Mujahidin shifted their ‘medan Jihad’ from Afghanistan and Pakistan to the Southern Philippines after their bases were closed down by the US and the Pakistani military for the war on terrorism. Kyodo (2008) wrote: ‘We are not sure whether we have crippled them, but the fact is that they are on the run and the fact that we

have uncovered various terrorist cells in the past few years means that they are within our reach.’

4.8 Conclusion
The government is acutely aware that social political grievances need to be adequately addressed to prevent exploitation by extremists. It also needs to allow political parties to have their say without worrying about diluting its own power. The latest general election result showed that increasing price of goods as well as religious and race tensions have contributed significantly to turmoil for the incumbent Barisan Nasional party and have resulted in its worsening performance for the 50 years it has been ruling Malaysia. It is clear the ruling government faces significant challenges in maintaining its political power and ensuring national stability in the future.

A strong connection between KMM and JI with MILF in the Southern Philippines has been recorded since the Afghan-Russian war ended in late 1980s. The Philippines were the first place chosen by al-Qaeda for overseas operations after the Afghan-Russia War ended in 1989. Khalid Sheikh Muhammad (KSM), the brother-in-law of Osama bin Laden was appointed as the key operations person for al-Qaeda’s Southeast Asia regional hub based in Mindanao. Besides planning militant attacks in the Southeast Asia region, Mindanao was also used as a new ‘medan Jihad’ for Arab Mujahidins after Afghanistan. To realize this objective, al-Qaeda established a network with the local JI militant operative.

Later, JI established Mantiqi Tsalis (3rd section) to conduct joint training and operations with MILF in Mindanao. JI also managed the transport of JI members for training and participating in Jihad against the Manila government. Tawau and Sandakan in Sabah was used to transfer JI members to and from Mindanao from 1993 until the crackdown in 2002. Mindanao was one of the areas that was to be included

in the wider Islamic caliphate planned by JI. The Southern Philippines also played a crucial role in helping to circulate *Jihad* funds. Money from Osama bin Laden, *sadakah* (donations) or *Fāʾi* (robbery) was used by MILF and JI to pay for *Jihad* and the costs involved in operating camps.  

KMM used a similar method and the same route to transport their members for military training and *Jihad* experience. Nik Adli Nik Abdul Aziz at one stage was in the Southern Philippines to negotiate military training facilities with MILF, but this project was abandoned due to lack of money and a logistics issues. However, KMM did manage to have some of its followers undertake *Jihad* in Mindanao. KMM and MILF representatives also took part in *Rabitatul Mujahidin* meetings in three places in Malaysia between 1999 and 2000.

Another goal was to have more opportunities for Islamic activists to channel their desires and thoughts about political Islam. At a regional level, KMM and JI’s aim was more about gaining political mileage. It cannot be denied that KMM had strong connections with PAS; however, JI’s affiliation with the NII struggle dated back to the 1940s. PAS was the earliest political party founded in Malaysia and tried to obtain power through democratic means.

Children of PAS’s first generation members were sent to India and Pakistan to gain a better understanding of Islam. These children were also needed to be the new generation to sustain the struggle of PAS. However, extra time during their studies was occupied with *Jihadi* experiences in Afghanistan. This generation regrouped in Malaysia and was named *Halaqah-Pakindo*, later known as KMM. The main objective behind the foundation of this group was to achieve the political aims of

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936 Ibid.
PAS. Despite believing in democracy, KMM was also willing to undertake war against the Malaysian government if their political objectives were denied.

To avoid expansion of radical thinking, the Malaysian government should give proper opportunity to PAS members or any Islamic political party to express their own perspective. Denying this will result in rebellion and vendettas. Their political needs should be channelled in a proper way and addressed as much as possible. If not, these highly motivated political members will only be able to express their agenda using extreme and radical methods. Then, what began simply as radical thinking may turn into radical action, as has occurred before.

In contrast to PAS and KMM, JI’s struggle is more related to political objectives formulated by DI for the establishment of NII. The Afghan-Russian war and the rise of al-Qaeda in this region had a significant impact on JI’s struggle. Apart from just Indonesia, the concept of a Negara Islam (Islamic State) was widened to consist of almost all countries in the region. JI's role in Malaysia was more to prepare funds for all of JI’s operations. Their political objective was for a future Islamic caliphate and not to establish an Islamic state in Malaysia.

Another issue that should be highlighted by Malaysian government is detention without trial or ISA. The Malaysian government should not generalize by saying all KMM members were committed to violence and criminal activities. Fair and open trials should be implemented for those who had either direct or indirect contact with KMM. In fact, only KMM Selangor and Kuala Lumpur branches or known as K3M were involved in militancy, other branches had only normal sermons, Usrah, and meetings. However, K3M has always been in contact with other branches for logistics and surveillance. Most ordinary followers, however, were not involved in any violent activities despite following radical ideologies.

Despite these facts, all KMM members were detained in Malaysia under the ISA for between three to seven years without trial. Regardless of the degree of violence and crime they were involved in, only one type of punishment was ordered – that of being
placed in a detention camp. There was no differentiation between individuals, as long as they were connected to KMM; they were detained under the ISA.942

Chapter V-
KUMPULAN MILITAN MALAYSIA (KMM) AND JEMAAH ISLAMIYAH (JI) IN MALAYSIA

There is a close link between the Jemaah Islamiyah (JI) and the Kumpulan Militan Malaysia (KMM). They share the aspiration of setting up an Islamic state in Malaysia through violence and by overthrowing a democratically-elected government. One person who was able to forge that link, was Hambali, the operations director of Osama bin Laden’s movement. ⁹⁴³

5.1 Introduction

Abu Bakar Ba’asyir and Abdullah Sungkar founded Jemaah Islamiyah (JI) in Malaysia in 1993 during their 1987 – 1998 exile. JI was in turmoil in 1993 after the ideological clash between Abdullah Sungkar and Masduki which resulted in Sungkar’s split over from DI. Moreover, after the death of Sungkar in 1998, ⁹⁴⁴ the top position was taken over by Ba’asyir. ⁹⁴⁵

JI’s main objective was to bring back the pristine notion of Islamic values and norms. In order to establish Islamic states, JI struggled to establish Shari’ah as the highest law for each nation in the region. ⁹⁴⁶ Islamic states were also called Daulah Islamiyah, incorporating Malaysia, Singapore, Indonesia, Southern Thailand and Mindanao. These countries were supposed to implement Shari’ah law throughout their administration, encompassing legislation, education and social aspects. Ba’asyir publicly expressed his radical ideology after returning from Malaysia, just after the Suharto regime’s downfall in 1998. ⁹⁴⁷ JI also had transnational links with the Moro Islamic Liberation Front (MILF) and Kumpulan Militan Malaysia (KMM) regionally, and al-Qaeda internationally. ⁹⁴⁸

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JI grew out of the DI movement in Indonesia in 1947. DI was founded by Sekarmadji Maridjan Kartosuwirjo (Kartosuwirjo) after he was influenced by the ideology of Sufism from Middle Eastern countries. DI's goal was to establish an Islamic state in Indonesia to be known as Negara Islam Indonesia (NII). Kartosuwirjo was alleged to have been an Islamic reformist because of his initiatives against Sukarno’s nationalist concepts and Dutch colonization. During this era, Sungkar and Ba’asyir were members of NII. They were angered by the execution of Kartosuwirjo by the Suharto regime in 1962.

The prominent Indonesian clerics who established JI were Abu Bakar Ba’asyir and Abdullah Sungkar. These men claimed to be descendents of the NII or DI ideology as put forward by Kartosuwirjo. They managed to establish a private radio station that advocated the imposition of Shari‘ah in Solo in the 1960s. They were also the founders of the Gerakan Pemuda Islam Indonesia (Young Indonesian Islamic Movement) at the Pondok Al-Mukmin Ngruki in Solo in 1972.

Sungkar and Ba’asyir continued to expand their radical ideology under the shadow of Pondok Ngruki. Pondok al-Amin, also known as Ngruki in Poso, Central Java, who was devoted to teaching Salafism and very conservative interpretations of Islamic principles. Sungkar and Ba’asyir were arrested on November 19, 1978 by the Suharto regime because of the sedition taught in their school. The salafi wahhabism ideology was implemented by both of them along with lecturers who had come back from the Middle East. The radical approach was confessed by Ali Imron in Ngruki as written by Sarlito Sarwono (2006) in his book “In 1988, Ali Imron managed to pass Madrasah Tsanawiyah…Ali Imron permitted to study in Ngruki, the teachers taught extreme idealism, such as anti government, anti Pancasila and Jihad which is OK with Ali Imron”.

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However, Sungkar and Ba’asyir were galvanized by the suppression during the Suharto regime (1965-1998). As a result, they fled to Malaysia to avoid being captured by the Indonesian authorities in 1985. Sungkar was detained briefly in 1977 by Indonesian authorities for urging the people not to vote in the national election. He was then arrested with Ba’asyir in 1978 on subversion charges for alleged involvement in Kommando Jihad and Darul Islam. At this stage, Sungkar and Ba’asyir found Malaysia to be a safe place and more tolerant with regard to the preaching of Islam. They took the opportunity to teach Jihad and radicalism through the narrow interpretation of Islam.

They continually expanded NII activities through Usrah and religious classes in the Klang valley and Kuala Pilah, Negeri Sembilan. Ustaz Hashim Ghani, who was responsible for establishing Maahad Ittiba’us Sunah in Kuala Pilah, invited both of them to teach in his Maahad. Ustaz Ghani knew Sungkar and Ba’asyir before they had migrated to Malaysia, mainly through Javanese-blood connections. Both of them had contributed to establishing the Luqmanul Hakiem Islamic School (LHIS) in Ulu Tiram, Johor, together with the Ustaz Ghani and Ustaz Latif in 1991.

One question was raised as to why the Malaysian authorities did not monitor the movements of Sungkar and Ba’asyir at this early stage, and why both of them easily moved freely in Malaysia to deliver their radical and militant ideology. The answer was that so many things were happening politically, socially and economically in Malaysia during 1985 and they created a distraction. At least five major incidents occurred in Malaysia in that year alone. First, there was the ‘Memali incident’ where clashes between police and the Ibrahim Libya’s followers in Kampung Memali, Mukim Siong, Kedah claimed 18 lives. Second, there was the suspension of tin trade on the London Metal Exchange (LME). This suspension paralyzed the Malaysian economy which was strongly dependent on tin trading in the 1980s. Third, there was a

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955 Respondent B7 (2007). Interview on 02 November at Jakarta International Airport, Bandara.
three day closure of the Kuala Lumpur Stock Exchange (KLSE) as a result of the Singapore-based Pan Electric Industries going into receivership. Fourth was the occurrence of the Bumiputra Malaysia Finance (BMF) scandals and fifth was the upsetting victory of Parti Bersatu Sabah (PBS) in the Sabah snap polls, which meant the Sabah state was to be led by a party that was not a member of the Barisan Nasional (National Alliance -BN) coalition parties.

Back to Sungkar and Ba’asyir, another question is why Ustaz Hashim and the society in Kuala Pilah easily accepted these clerics and their teaching approach. There were a few things that geared them towards accepting this kind of approach. Firstly, Ustaz Hashim was attracted to the struggle and ideology of NII. Ustaz Hashim also indirectly supported the idea of establishing an Islamic state in the region. This idea appeared to be more compatible with the Malays who gradually sought Islam as a way of life. The Islamization policy by the Malaysian government encouraged Malays to be more ‘Islamic’ in daily life.

Second, Malays were regarded as a society that was very accommodating and respectful towards its visitors. Malays always welcomed their guests regardless of who they were or where they came from. Alongside that, sharing the same religion with their visitors also made the interaction more effective and convenient. Islamic teaching favoured honouring and welcoming guests and respecting their rights, thus with the Malays’ already accommodative characteristics, Ba’asyir and Sungkar were accepted without reservation from the society in Kuala Pilah. Ba’asyir and Sungkar’s oratory skills and teaching techniques were attractive and followed by the Malays without hesitation.

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958 Bumiputra Malaysia Finance (BMF), a subsidiary of the Bank Bumiputra Malaysia, which operated in Hong Kong, lost about USD1 billion when the property market collapsed in 1983. In 1985, the scandals publicly disclosed that some of the BMF’s top positions had accepted corrupt payment. BMF was uncovered lending money to a Hong Kong property holding company in amounts that exceeded the bank’s capital. A Bank Bumiputra internal auditor sent to investigate the deal was found murdered in Hong Kong. From Gomez, E. T. (1997). Privatization and Public Enterprise Reform in the Asia Pacific Region. Journal of the Asia Pacific Economy, 2(2), 183.


Sungkar and Ba’asyir's approach was accepted by locals and expanded to the Kelang valley in the late 1980s. Both were given Malaysian Permanent Residence (PR) status in 1987 through the support of local and Kelang valley students. On top of this, Ba’asyir and Sungkar also received approval from the Majlis Agama Islam Negeri Sembilan (Negeri Sembilan’s Islam Religious Council) to deliver Islamic teaching. This approval not only allowed Ba’asyir and Sungkar to deliver Islamic sermons in that state but also in any state in Malaysia as long they did not go against Sunni teaching. This kind of ‘privilege’ gave them huge opportunities to expand Wahhabism ideology in Malaysia.962

Their radical ideology expanded in Malaysia and was popular with students who had returned from study in Afghanistan. K3M in Selangor was influenced by their ideology because they shared similar understandings of the Salafus-soleh approach and the concept of an Islamic state. Sungkar also drew attention to his regional vision when he spoke of “the obligation of Jihad within the framework of an Islamic state in Southeast Asia” with the development of Quwwatul Musollaha or military strength being essential. At this stage, it appeared that Malaysia could play a major task in realizing Daulah Islamiah Raya with Indonesia as the axis of the Islamic Caliphate.963

5.2 The Emergence of JI in Malaysia

JI was called the Jemaah or ikhwan (brotherhood) movement when it first began in Malaysia in 1985 and this continued until 1993, when it was officially named JI. Sungkar was called ‘Abah’ (father) by his students as a sign of respect of his age and knowledge. Meanwhile, Ba’asyir was called ‘Ustaz Abu’ during his exile in Malaysia. JI Malaysia or KMM members and the general public knew him only as Ustaz Abu. They recognized him as Abu Bakar Ba’asyir after the Bali Bombing in 2002 when Ba’asyir was wanted by the Indonesian and Malaysian governments as well as the U.S.964

Ustaz Hashim Abdul Ghani (Ustaz Ghani), a mudir (headmaster) at Maahad Ittiba’us Sunnah, hosted the emigration of 50 Wahhabism Indonesian clerics including Sungkar and Ba’asyir. Pak Adung (arrested in June 2004 by POLRI in Jakarta, and involved in hiding Nordin M. Top), Abu Jibril (detained under ISA until 2004, returned to Indonesia and detained by POLRI), Pak Solihin, Ustaz Afif (teacher at Pondok al-Mukmin, Ngruki), Pak Agung Biyadi (arrested in Selangor on April 17, 2002 and detained under ISA until June 2006), Ferial Muchlis Abdul Halim (arrested April 17, 2002, detained under the ISA until June 13, 2004, extended two more years) and Pak Ristan (died). These men were among the Indonesian ‘emigration’ that sheltered in Maahad Ittiba’us Sunnah in 1985.

The group was involved in teaching at various places nationwide to gain money to over their own expenses. Some of them worked at palm plantations or did farming jobs in the vicinity of Kuala Pilah, but their most common work was as book sellers, particularly selling books about Islam, ideology and the Islamic movement including Hassan al Banna’s Ikhwanul Muslimin book. Just a year before Hambali was granted Malaysian permanent residency in November 1989, Darul Islam’s ideology expanded outside Kuala Pilah, Negeri Sembilan.

Hambali, who was already making regular trips to Kuala Pilah to attend the Ba’asyir’s sermons, was welcomed as a host for the expansion of DI ideology in the Kelang valley. Hambali spent two years in Maktab Al Kidamah (MAK) in Jaji, Afghanistan. He also trained at the Camp of Abdul Rasul Sayyaf, leader of Ittihad-I-Islami, the Islamic Union for the Liberation of Afghanistan, one of the seven Mujahidin forces fighting the Soviets. He was taught bomb-making and guerrilla warfare and spent less than two years in Afghanistan, but had a great impact on the Mujahidin and Jihad movement. Hambali became a key figure in the Indonesian Mujahidin camp. He was responsible for bringing in new Jihadis from Southeast Asia and also for managing Mujahidin’s logistics. This kind of opportunity led him to have direct contact with Osama bin Laden.

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965 Ibid, p.28.
967 Ibid, p.128.
Sungkar and Ba’asyir not only expanded their Wahhabism ideology and Jihadi teaching in Malaysia, they also managed to send batches of JI’s next generation to ‘medan Jihad’. JI organized at least 10 groups of JI’s protégé to Sadda Camp in Afghanistan for training. The Sadda Camp operated until 1992, and then all training was transferred to Towrkham Camp in Peshawar. These two camps were organized by JI members. At least 15 people were involved in these camps either as instructors or Ustazs. Malaysia could be considered as a meeting and selection point for JI’s future fighters before they were sent to Afghanistan.

Through Maahad Ittiba’us Sunnah Kuala Pilah, Baasyir and Sungkar sent batches of Malaysian and Indonesian students to fight against the Russia occupation of Afghanistan. Near the end of 1985, the Indonesian clerics in Malaysia readied an initial contingent for travel to Pakistan. Showing foresight, the idea was for this group to be trained as instructors for later waves. This meant that candidates would need to be of a sufficiently high intellectual and physical calibre in order to be effective understudies.

Later, JI built the Luqmanul Hakiem Islamic School (LHIS) based in the Johor state, as a feeder for this movement. LHIS was important for planting the seeds of Wahhabism and DI in the younger generation. This generation would play a big role in this form of struggle; JI should be driven by new young people and not remain on the shoulders of the members of the older generation such as Ba’asyir and Sungkar. Ali Ghufron, an Islamic preacher and close affiliate of Baasyir and Sungkar, became the master of the LHIS, where several of the Bali Bombers were trained. LHIS was an important transit station for just returned JI members before they were channelled to the Philippines, Indonesia, Singapore or Malaysia.

However doomsday for JI came after KMM was uncovered in May 2001. Through massive raids and interrogations between June 2001 and March 2002, at least 68 JI members were detained. The Malaysian government was considered successful in managing and halting JI from growing further. The return of JI’s ‘key player’,

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Ba’asyir, and the arrest of Hambali aided the abatement of JI in Malaysia. Nevertheless the threat of JI to the country’s security still exists, and the radical ideology could easily be spread again. Malaysian authorities take ongoing precautions because JI still exists at its crucial base in Indonesia. As Respondent B8 pointed out, JI can be detained physically but not mentally.

Ba’asyir and Sungkar, who had returned to Indonesia after the fall of the Suharto regime in 1998, maintained ties with like-minded groups in Malaysia and the Philippines. JI Malaysia played a direct role in establishing contact and activities throughout Hambali. JI members saw Ba’asyir as a reluctant leader. Ba’asyir was recognized as being more suitable undertaking spiritual rather than operational leadership. Hambali and Imam Samudra as well as Mukhlas and Amrozi were keen to have more effective operations rather than just attending sermons.

5.3 JI in Malaysia: Hambali the Connector

Hambali was born in 1964 into a family of 13 children in the village of Sukamanah, West Java to parents who were respected religious teachers. In 1985, when Hambali was 21, he decided to move to Malaysia to continue his studies but failed to secure a scholarship. He settled in Kampung Batu 3 ¼ in Banting, Selangor. He took several odd jobs, including slaughtering chickens at the Kelang market and selling kebabs, religious books, books and carpets. With some of the money he made, Hambali managed to attend Sungkar’s sermons at least once a month in Kuala Pilah, Negeri Sembilan.

Hambali was directed by Sungkar to expand DI’s ideology in Selangor in 1988. Hambali, helped by Muhammad Iqbal Abdul Rahman (also called Abu Jibril), managed to set up a JI base in Surau al-Huda, Sungai Manggis, Banting, Selangor. Later, it was moved to Surau Jabatan Bekalan Air Selangor (Selangor Water Department-SWD). This was the first step of the expansion of DI’s ideology on the Malaysian government staff before the JI Johor cell took its beliefs to the lecturers at

Al Bakry Mohamad Alias was an engineer with SWD and was responsible for bringing DI’s ideology into his department.  

Meanwhile, Hambali was building a good rapport with Sungkar through his monthly visits. Hambali’s sacrifice (money and time) was not considered as Jihad in the eyes of Sungkar, for him true Jihad is to take part in the battle in order to establish an Islamic caliphate. Hambali’s commitment was rewarded by Sungkar after he appointed Hambali to do missionary work at Tawi-Tawi Island in the Southern Philippines. He spent eight months on this small island with a stipend from Sungkar and lived with a Muslim family there. He offered sermons and taught the Quran to people as had been done with Afghan veterans before. Hambali took this opportunity to travel to Mindanao to establish contact with MILF.  

After coming back from Tawi-Tawi, Hambali continued to build his connections through regular contact with Sungkar and Ba’asyir in Kuala Pilah. Hambali managed to visit his Indonesian DI’s exiled members in Sabah sometime in 1991. This group was later called Darul Islam Sabah (DIS) by the Malaysian government. DIS appears to have played a logistical support role for JI.  

The role of Darul Islam Sabah was to help Indonesian militants transit to the southern Philippines, smuggle weapons from the southern Philippines to Indonesia and obtain military training in the southern Philippines...with their  

976 Afghan veterans, either of Philippine or Indonesian origin, came from Sadda Camp (Southeast Asia Mujahidin Camp) in Afghanistan which was organized by Hambali and a few Indonesian Mujahidins some years before. Most of them did missionary work on small islands in the Southern Philippines and sometimes took part in war with the Manila government. Op. Cit., Inron, A. (2007).  
978 On March 16, 2006, 12 people from DIS were arrested by Malaysian police on the coasts of Sandakan and Tawau, on the eastern coast of Sabah, on the island of Borneo. Tawau is near the Indonesian port city of Nunukan, which has always been a center of smuggling and illegal immigration. Tawau and Nunukan are both jumping points for trips across the Sulu archipelago into Mindanao, where JI has had sanctuary in territory controlled by the Moro Islamic Liberation Front (MILF). Among the people that the group helped to move to Mindanao were two of the Bali bombers, Dulmatin and Umar Patek. The group was arrested while in "transit" in Malaysia, according to authorities, en route to an un-disclosed neighboring country. The 12 men were captured with firearms and documents, including bomb-making instructions, although the Malaysian government did not believe that Malaysia was the target of the group's operations. From Jones, S. (2005). The Changing Nature of Jemaah Islamiyah. Australian Journal of International Affairs, 59(2), 169-178.
arrests, the police have crushed the underground network of militant group Darul Islam Sabah who had collaborated with Indonesian militants.\textsuperscript{979}

Darul Islam Sabah (DIS) was made public after the arrest of 12 militants (most of whom were Indonesian nationals) on May 29, 2006 at Sabah, Malaysia.\textsuperscript{980} The militants were arrested on suspicion of planning attacks on neighbouring countries and claimed to be members of a group known as DI. This group may potentially pose a greater threat than ASG as a result of their superior training and resources and their willingness to deploy terrorism against civilians, demonstrated in the movement’s connection with the bombings in Bali in 2002.\textsuperscript{981} A source in the Malaysian intelligence forces has commented:

\textit{The regional intelligence agencies had been keeping tabs on the group, particularly with its links to Abu Sayyaf, a small violent group operating in the Southern Philippines. Several of its leaders had reportedly fought in Afghanistan during the Soviet war and were students and proponents of radical Islamic teaching.}\textsuperscript{982}

Hambali’s was not a normal visit but actually ended with his marriage to a Chinese convert, Noralwizah Lee binti Abdullah. Noralwizah was 21 years old at the time; she had just come back from LHIS after spending a few years studying there.\textsuperscript{983} Later, Hambali came back to Selangor with his wife and resettled in a simple semi-detached house in Sungai Manggis, Banting Selangor. Hambali also managed to get Ba’asyir settled down beside his house sometime in 1997. Ba’asyir's presence in Banting was crucial to the management of Usrah and religious classes for locals. Later, this migration (from Kuala Pilah to Kelang) was followed by Dadang Surahman Zainuddin, Abu Jibril and Solihin Ahyamanullah, Abu Yusuf and Abu Omar. Sungkar, who already had a base at Kuala Pilah, visited Ba’asyir and visited Hambali’s place from time to time upon invitation or during special occasions.\textsuperscript{984}

\textsuperscript{981} Ibid.
In 1988, Hambali managed to set up a base in Surau al-Huda, Sungai Manggis, Banting Selangor. He taught Sungai Manggis’s community through weekly classes in the Surau, situated just a few kilometres from his house. One of Hambali and Ba’asyir's students was an engineer who worked with SWD. All Bakry Mohamad Alias from Selangor arranged for Wahhabism ideology to be spread in his workplace. The classes were run by the two clerics, with the support of Abu Jibril and Dadang Surahman when needed. Hambali also conducted religious talks and Usrah at the Kampung Baru flat in Kuala Lumpur.

At the same time, Muhammad Jamal Khalifa established a new Mujahidin base in the Southern Philippines after the Russia-Afghanistan war ended in 1989. Bin Laden, who formed al-Qaeda from its original MAK, started to show heightened interest in different parts of the world, especially Southeast Asia. Before Jamal Khalifa and al-Qaeda’s plans were continued, they looked to establish a commercial front and networking in this region. In need of local faces, they turned to the Afghan Jihadi network. This immediately led them to Sungkar who vetted hundreds of Southeast East Asians who had passed through Sadda and Towrkhan camp during the previous decade and Jamal requested Sungkar to be a local partner to help open a business as a cover to give them the means to shift funds around the region.

In 1999, Hambali was asked by Sungkar to establish a joint business venture with a Middle Eastern man. On June 2, 1994, Hambali and Nor Alwizah went to the newly opened office of the import and export company, Konsojaya Enterprise. Konsojaya was registered as an import and export company in palm oil as well as construction materials. Hambali was on the board of directors, along with Wali Khan and Nor Alwizah Lee. Most of the funds came to the Southern Philippines via Konsojaya, after the Bojinka plot was foiled by Manila police. After Konsojaya closed, it was transferred to Lim How Ming and Voon Pei Lee on 17 May 1999, both stayed in Kuala Pilah, Negeri Sembilan. In Malaysia, a newly-opened company would be easier to register with existing names that were already in the system. Lim How Ming and Voon Pei Lee registered Konsojaya as their name to recycle the company name for importing and exporting building materials and electrical products. The original documents are in my possession and are printed in Appendix 5 in page 260 and 261.

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985 All Bakry bin Mohamad Alias was previously employed as a District Engineer (DE). He obtained a degree in Civil Engineering at the Institute of technology Malaysia (ITM), later known as University Technology Malaysia (UiTM). Arrested in Selangor on January 12, 2002 and detained under the ISA, his son, Muas was detained by Pakistani Intelligence Unit in Karachi after being sent by Hambali to be a feeder for JI. From Op. Cit., Hashim, R. (2008).
986 Hambali was believed to not have operated Konsojaya after 1999, after the Bojinka plot was foiled by Manila police. After Konsojaya closed, it was transferred to Lim How Ming and Voon Pei Lee on 17 May 1999, both stayed in Kuala Pilah, Negeri Sembilan. In Malaysia, a newly-opened company would be easier to register with existing names that were already in the system. Lim How Ming and Voon Pei Lee registered Konsojaya as their name to recycle the company name for importing and exporting building materials and electrical products. The original documents are in my possession and are printed in Appendix 5 in page 260 and 261.
especially those used for (later foiled) the Bojinka operation in 1995. Konsojaya provided the perfect cover for planned violent activities and also provided a legal platform for the transfer of funds throughout Southeast Asia.

Together with Kuwaiti terrorist, Wali Khan Amin Shah, now serving jail sentence in the US for his role in the 1993 bombing of the World Trade Centre in New York, Hambali set up Konsojaya as a front company for al-Qaeda. It was supposed to import and export palm oil to Afghanistan but checks by intelligence sources found that a telephone call was made to the company by Mohd Jamal Khalifa, a brother-in-law of Osama bin Laden.987

Due to the conflict between Sungkar and Masduki in January 1993, an urgent meeting was held at Kumpung Serting Ulu, Jempol Negeri. It was held at Ba’asyir's house and concluded with the affirmation that they would continue the DI’s struggle. In the middle of 1993, Sungkar began to systematically organize JI. Sungkar split his followers into Mantiqi or regional clusters. Mantiqi 1 (Mantiqi Ula) covered Singapore and Malaysia. Mantiqi 2 (Mantiqi Tsani) covered Indonesia. Mantiqi 3 (Mantiqi Tsalis) covered the Philippines, Brunei, eastern Malaysia (Sabah and Sarawak), Kalimantan and Sulawesi in Indonesia. A final cluster, Mantiqi 4 (Mantiqi Uhro), was developed to establish cells in Australia and Papua (Irian Jaya). Each Mantiqi controlled up to four sub regional branches (Wakalah). Each Wakalah controlled one or more compartmentalized cells (Fiah).988

Subsequently, a guidebook called Pedoman Umum Perjuangan Al-Jemaah Al-Islamiyah (General Guidelines for the Struggle of Al-Jemaah Al-Islamiyah), known as the PUPJI, was issued. The PUPJI outlined the role of clandestine cells (tanzim sirr) and described the struggle using the language of guerrilla warfare.989 PUPJI was also known as ‘Pedoman Dharma Bakti’ (Dharma Bakti Guide) and ‘Qanun Asasi’ (Basic Law) as explained by Ba’asyir and Pak Harits through their visit to the Towrkhan camp (Negara Islam Indonesia camp) sometime in 1992.990

JI had a formal structure with Sungkar serving as the amir or spiritual leader who had full authority over JI’s operations. Ba’asyir, who was already in Malaysia, was

responsible as the leader of *Mantiqi Ula*. In the second half of 1997, Hambali was appointed to head *Mantiqi Ula* after Ba’asyir was elevated to deputy *amir*. At this stage, Hambali showed his mettle as a strong and charismatic leader in operations as he had done when managing the Southeast Asian Mujahidin in Sadda Camp a decade previously. Hambali not only managed JI in Malaysia, he also established local networks with KMM and regional networks with MILF and the Rohingya Solidarity Organization (RSO).

### Table 2: Malaysia’s *Jemaah Islamiyah* (JI) administration, training, communication, information and education structure.

Hambali travelled to the Southern Philippines in 1997 and spent a month at Camp *Abu Bakar* - the camp that was established by his partner Nasir Abas who was ranked as the leader of *Mantiqi Tsalis*. Hambali also visited Mindanao and West Java several times between 1997 and 1999. As well as this, he managed to visit Cox’s Bazar in Bangladesh with Nasir Abas in 1998 under orders from Sungkar. They had gone there

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to meet leaders of RSO in order to establish networks to find new training fields. This visit was established to discuss the possibility of RSO’s inclusion under the JI umbrella for an Islamic Caliphate. But the project was cancelled because of the danger in the area and a series of attacks by Myanmar soldiers against Arakanese rebels. The lack of suitable areas for training purposes was also among the factors contributing to the cancellation.  

Hambali began preaching the need for *Jihad* to rise against the U.S and Israel. He also worked as a mediator between JI and al-Qaeda through KSM from 1998 until the JW Marriott Jakarta bombing in August 2003. Hambali played an important role in connecting Khalid al Mihdar and Muhammad Atef (the 9/11 hijackers) with Yazid Sufaat and many more. Abuza (2003) also wrote “Hambali, operationally more important than Abu Bakar Ba’asyir”.  

After JI and KMM were unearthed in Malaysia, Hambali fled to Thailand for safety. Using Ayutthia, small towns in northern Thailand, Hambali moved in and out to Cambodia. Hambali also planned to use Cambodia as a base for launching attacks in the region. Between September 2002 and March 2003, Hambali stayed in Phnom Penh before his arrest. Hambali had spent much of his time in Phnom Penh living in backpacker’s accommodation at Boeng Kok Lake. He travelled between Phnom Penh and Bangkok under the false name ‘Mizi’ and ‘Ibrahim’. Hambali probably targeted Western properties in Phnom Penh for future violent attacks. A small cell was built in Cambodia and probably in Vietnam to establish an Islamic Caliphate in this region. Cambodia is one of the most attractive “countries of convenience” because of the lack of administration. Cambodia is a leading centre of money laundering.

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994 Hambali went on trial on 28 December, 2004 with eight other alleged Muslim militants on charges of attempted murder in a suspected plot to bomb Western targets in Cambodia. Hambali and four other foreigners identified as Rousha Yasser, Ibrahim, Zakariyya and Zaid were tried in absentia. However, an Egyptian, Esam Mohammed Khidir Ali, two Thais, Abdul Aziz Haji Chiming and Muhammad Yalahadin Mading and Sman Ismael were tried at Phnom Penh’s municipal court. From Mersch, S. A. V. D. (2003). Success in Southeast Asia: Hambali and the National Strategy for Combating Terrorism. *Perspectives Journal*, XVII (2), 45-64.
995 See Appendix 40 at page 291.
laundering, especially from drug proceeds from Myanmar and Laos, and is well known as a centre for illegal arms trading, particularly from the former Khmer Rouge regime, and corrupt bureaucracy.\textsuperscript{997}

During Hambali’s exile in Bangkok and Phnom Penh, the main player who protected information was Noralwizah Lee, Hambali’s wife. Noralwizah knew everything about Hambali as they lived together for 17 months during exile. Noralwizah knew every person met by Hambali, movement between Ayutthaya and Phnom Penh and also the series of attacks planned by Hambali and his network.

\textit{At one juncture when he (Hambali) left Thailand to go into hiding in Cambodia, she stayed back in Bangkok and waited for him to return. The source said Hambali and his wife moved to at least five different places in Bangkok, staying in different houses to evade detection. She knew whom he had been dealing with, talked to and met during her stint there and it is more than just a pillow talk.}\textsuperscript{998}

Hambali was captured in August 2003 along with Farik Amir Zubair aka Lily and Nazir Lat in the Ayutthaya city, about 40 miles north of Bangkok.\textsuperscript{999} After two weeks of surveillance, Thai police burst in on Hambali’s one bedroom apartment and found Noralwizah (his wife, later deported to be detained in Malaysia) and a large amount of money, allegedly supplied by al-Qaeda for violent activities in this region. When arrested, Hambali was wearing a pair of jeans, a T-shirt, a baseball cap and sunglasses. Hambali had also undergone plastic surgery and was clean shaven. Thai police also seized firearms and explosives from the apartment.\textsuperscript{1000}

Lily and Nazir were believed to be KMM turned al-Qaeda members assisting Hambali during his exile in Thailand.\textsuperscript{1001} Lily was accused of channelling at least RM190, 000 (USD50, 000) for the J.W. Marriott bombing in Jakarta in 2003.\textsuperscript{1002} Nazir and Lily
were believed to have planned for the Library Tower bombing in the U.S in 2003.\footnote{US President George Bush on February 9, 2006 announced for the first time that Hambali was crucial to a plot to hijack an airplane, and fly it into the tallest building on America's west coast. Bumbling his statement, Bush said the building was the "Liberty Tower" in Los Angeles, but that was later corrected to refer to the Library Tower. The 73-story building has since been renamed the US Bank Tower. The original of Bush's speech is "We believe the intended target was Liberty Tower in Los Angeles, California. Rather than use Arab hijackers as he had on September the 11th, Khalid Sheikh Muhammad sought out young men from Southeast Asia -- whom he believed would not arouse as much suspicion". From McDonell, S. (2006). Bush Tells of Foiled Terrorist Attack. From Australian Broadcasting Corporation: http://www.abc.net.au/lateline/content/2006/s1567519.htm and Op. Cit., Gunaratna, R. (2007b).}

This was stated in the transcripts of the court proceedings dated March 13 and 17, 2007 by the US legislator at Guantanamo Bay.

5.4 Rabitatul Mujahidin – The Vital Faction for Southeast Asia Militant Groups

Hambali was responsible for establishing the meeting of the Rabitatul Mujahidin (Mujahidin League) in December 1999 at Kuala Lumpur. After Ba’asyir succeeded as JI’s amir, he initiated a Rabitatul Mujahidin meeting. Hambali as the leader of Mantiqi Ula, was appointed as the organiser for that meeting. Rabitatul Mujahidin was conceived as a discreet platform for Southeast Asian Jihadists. Hambali directed Faiz Abu Bakar Bafana (Faiz) to host the first Rabitatul Mujahidin meeting at Faiz’s house in Gombak, Selangor.

Attendees came from various groups of the region. From Indonesia came Ba’asyir as JI’s amir and Hambali. Abu Jihad represented the Acheh separatist movement, Lamkaruna Putra the Republik Islam Acheh (RIA), Agus Dwikarna the South Sulawesi movement, Abu Hurairah the Southern Philippines (MILF), Abdul Fatah the Southern Thailand, Salimullah the Burma’s Muslims Rohingyas (RSO), Pattani United Liberation Organization (PULO) and Laskar Jundullah (LJ). Some sources say more than 15 people were present at the meeting. At the Rabitatul Mujahidin meeting, JI hoped its alliance groups could cooperate and share resources for training, the procurement of weapons, and financial assistance along with the needs of Jihad.\footnote{Op. Cit., Conboy, K. (2006), p. 86.}

Soon after the first meeting, the Ambon tragedy occurred in Maluku. The seed of the conflict was discussed at the first Rabitatul Mujahidin meeting, but no action was
taken. JI saw Mantiqi Tsalis as having the ability to handle this situation however in the end, Hambali took action by collecting money to help the Ambonese Muslims through the Pertubuhan al-Ehasan (PAE) and the NGO he founded and operated openly at a shop-lot in Teluk Panglima Garang, Banting Selangor. PAE carried out welfare projects to conceal its motives but it was generally to co-ordinate activities of JI members who were sent for arms training in the Southern Philippines for Jihad in Ambon.

Within two weeks Hambali gathered around RM68,000 to be channelled to Ambon Mujahidin. Hambali was a clever leader. He collected money from JI members to fund their operation, but when the Ambon issue came, he managed to get funds from the Malaysian society in general, and not just JI followers.\textsuperscript{1005} Wai and Charles wrote in The Star newspaper (1 January 2003) “In the name of humanitarian missions, the PAE was also linked with another international NGO, with 70 affiliates worldwide, to help refugees in Afghanistan”.\textsuperscript{1006}

Hambali was also responsible for organizing two more Rabitatul Mujahidin meetings in Malaysia. In June 2000, Hambali organized a second meeting at a Park Avenue apartment - a luxury house owned by Yazid Sufaat in Ampang, on the outskirts of Kuala Lumpur. This meeting was attended by the same participants as the first meeting except for Faiz Abu Bakar Bafana, the new Malaysian JI representative. It is believed that it was just an informal meeting, but even so the possible creation of an Islamic Caliphate in the near future was discussed.\textsuperscript{1007} If Rabitatul Mujahidin was successful, this group would have an active member base of more than 400 million people including 75 million men who were ready for military service. The greater group would also have access to the shipping lanes in the South China Sea, virtually guaranteeing unlimited access from Asia through the Indian Ocean to India, Africa and Oceania.\textsuperscript{1008}

\textsuperscript{1005} Respondent B8 (2007). Interview on 02 November at Jakarta International Airport, Bandara. Jakarta.
\textsuperscript{1006} Wai, W. C., & Charles, L. (2003, 01 January). Hambali used RM2mil collected from donations to fund his extremist operations. \textit{The Star}.
The third *Rabitatul Mujahidin* meeting was held in November the same year at a resort in Sungkai, Perak. Zulkifli Marzuki aka Ibrahim, a Malaysian accountant and a JI secretary, rented a villa at this resort for the meeting. Zulkifli took on the responsibility of getting the meeting started. All who were involved in the first two meetings was present, but there were few new faces from Indonesia and Malaysia. The main points discussed at this meeting were cooperation and joint training as well as logistic aids.\(^{1009}\)

![Rabitatul Mujahideen Logo](image)

*Picture 10: A Rabitatul Mujahidin Logo was found on Fathi Abu Bakar Bafana’s [a brother of Faiz Abu Bakar Bafana] computer disk. Hambali handed over a hand-drawn Rabitatul Mujahidin logo for him to re-design. Fathi drew the logo on his computer and handed it over to Mas Salamat Kastari as directed by Faiz.*\(^{1010}\)

This meeting was recorded as the last *Rabitatul Mujahidin* meeting held in Malaysia. After that, JI was more involved in operations including a Christmas Eve bombing that successfully took place a month after the meeting. A Philippines intelligence officer claimed the Bali bombings, an attempted assassination of the former Indonesian president, Megawati Sukarno Putri, and the spate of bomb blasts in Manila and Jakarta were planned at a secret *Rabitatul Mujahidin* meeting in Perak. Nasir Abas claimed the *Rabitatul Mujahidin* meetings were more about establishing an


Islamic Caliphate than planning violent actions. But all the bombings were discussed by a few select JI members who were led by Hambali secretly out of the meeting.  

Contact with Muslim groups in *Rabitatul Mujahidin* was established by Hambali as approved by JI’s top position. Hambali created contact through his Afghan-alumnus network and at some stage through his personal contacts. This arrangement was carried out by Hambali and the top leaders as requested by *Tanzim Sirri* (secret movement). Not all of the JI members knew about the *Rabitatul Mujahidin* meetings. Most of them were not informed about nor invited to the meeting. As ordinary members, they had to obey all commands from leaders without question.

5.5 JI and al-Qaeda in Thailand

From this research, the writer never found strong ties between al-Qaeda and Southern separatists. However, a few incidents had happened which were related to international terrorist organizations. The failure of the bombing operation of the Israeli Embassy in Bangkok on March 2004 has proven links with al-Qaeda. General Surayud Chulanont of the Thailand army, admitted military intelligence was monitoring a ‘small number’ of Bin Laden operatives operating in Thailand. It is known that al-Qaeda has shifted its training base and financial operations from the Middle East to Southeast Asia following 9/11.

Several Thai Muslims have been detained because of their links either to al-Qaeda or JI. For example, on May 28, 2003, two Thai nationals, who were affiliated with the al-Qaeda front *Om al-Qura Foundation*, were arrested in Cambodia. On June 10,

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1014 Surayud Chulanont was the Prime Minister of Thailand and head of Thailand's Interim Government between 2006 and 2008. He was a former Thai military officer, Army Commander, Supreme Commander, and Privy Councilor to King Bhumipol Adulyadev.
2003 Ariffin bin Ali (John Wong Ah Hung) was arrested in Bangkok.\textsuperscript{1018} Ariffin ran the JI Singapore operative at Bangkok and had plans to attack Western embassies and tourist venues in Pattaya and Phuket Island. In 2002, Dr. Ismail Lutfi rector of Yala Islamic College was detained because of his radical ideas.\textsuperscript{1019} In March 2002, 25 Middle Eastern men were arrested in Bangkok, suspected of involvement in money laundering of al-Qaeda funds.\textsuperscript{1020}

Hambali also suggested bombing a tourist centre in Phuket Island, Thailand, in early 2000. Hambali appointed Yazid Sufaat (a leader of the Selangor & Kuala Lumpur cell) to go to Phuket for surveillance. Hambali asked Fatah (who had attended the \textit{Rabitatul Mujahidin} meeting a year before) to provide assistance for this project. Hambali wanted Thai national assistance for Sufaat. Abu Hisham, an Afghan-alumnus was chosen for this two-week assignment. Later, a three-page surveillance report was forwarded by Hambali to KSM, but this operation was abandoned after disagreement with Fatah. Fatah and his Afghan-alumnus were reluctant to get involved, fearing it would have a negative impact on his own Islamic network in Southern Thailand.\textsuperscript{1021}

At this stage, JI had no direct contact with Southern Thai insurgents. The contact mostly came from Afghan-alumnus such as Abdul Fatah and others. To generalize that most of the Southern Thai separatists had connections with JI is misguided. The leaders of the separatist movement in Southern Thailand were locals, only a few of them were ex-Afghans. JI only established networks with their Afghan members and not with the local leaders. However, JI tried hard to develop close contacts with separatists and were also willing to channel some funds for violent activities. But, Abdul Fatah, the JI mediator, was reluctant to make this initiative a reality. Fatah also worried that his close contact with local separatists would land him in trouble if he tried to stir up the situation there. Bringing in JI as a new faction and thus allowing for the possibility of new attacks would have worsened Southern Thailand’s situation.\textsuperscript{1022}

\textsuperscript{1018} Ibid.
\textsuperscript{1019} Ibid.
\textsuperscript{1022} Ibid.
Why did southern Thailand movements have no connection with JI? Was it because JI was not eager to influence the separatists or did the separatists not want to work together with them? The answer is that incidents in Southern Thailand did not have any relation to militants or terrorism. Incidents in Southern Thailand were related to insurgencies rather than terrorist activities. Fighting over unfair treatment and double standards practiced by the Bangkok administration had taken place for decades.\textsuperscript{1023} They wanted equal treatment in education, administration, the economy and society. Southern Thailand separatists also wanted to re-establish the Malay-Pattani Sultanate, which was dismantled in the early 20\textsuperscript{th} century by the Siam administration.\textsuperscript{1024}

This kind of movement was clearly different from the one in the Southern Philippines and Ambon as well as Rohingyaans. The Southern Philippines and Ambon were more about a religious clash between Islam and Christianity; Rohingyaans involved the conflict caused by ethnic and religious cleansing by the Burmese junta.\textsuperscript{1025} The situation in the Philippines, Ambon and Myanmar was considered paramount for Muslims to perform \textit{Jihad} against infidels. This is why JI wanted to get involved in Myanmar and the Southern Philippines - because the ‘\textit{Jihad} door’ was open. The Southern Thailand situation was more related to a nationalist movement rather than \textit{Jihad} against the Bangkok administration.

Two groups in Thailand, Gerakan Mujahidin Islam Pattani (GMIP) and Wae Ka Raeh (WKR), reputedly a veteran of the Afghan war, were alleged to have ties with JI and al-Qaeda. When JI suspects from elsewhere in the region fled to Southern Thailand in the aftermath of the arrests by Singapore and Malaysian police in December 2001, they were given a safe haven by Thai Muslims. In June 2003, Thai authorities picked up three Muslim community leaders on suspicion of planning major bomb attacks against foreign embassies and tourist spots as part of JI plots. They were religious teacher Maisuri Haji Abdullah, Mayahi Haji Doloh and Wae Mahdi Wae-dao; all prominent community leaders in Southern Thailand. Until his arrest on August 11, 2003, Hambali was able to get shelter from the Thai Muslim community especially from the Afghan-alumnus networking in Thailand.

\textsuperscript{1023} Che Man, W. A. K., Phone Interview on 30 January 2008 from Wellington, New Zealand.
\textsuperscript{1024} Ibid.
\textsuperscript{1025} Respondent A4 (2007). Interview on 06 and 07 December at Ba Gan Koey, Satun Town and Chemelung, Satun Southern Thailand.
In March 2002, Thailand and the U.S uncovered an important document related to an al-Qaeda operation in Bangkok. Later, 13 people were arrested for alleged involvement in al-Qaeda activities in Thailand. Following this, Thailand began the investigation of three firms that had suspected links to al-Qaeda in 2002. Ties between Thailand and ASEAN countries, particularly Singapore were established. A follow-up joint operation between Thailand and Singaporean officials with the help from CIA and FBI officials led to the arrest of three JI members in Southern Thailand on June 10, 2002. In the 16th of May, 2003, Arifin bin Ali, a senior JI leader from Singapore was detained in Bangkok. Arifin was extradited to Singapore immediately after the arrest.

5.6 Luqmanul Hakiem Islamic School as The Transit Centre

Sungkar also made contact with a few Ustazs and people who were committed to the Salafi teaching in Johor including Ustaz Latif (Ustaz Abu Suhut), Ustaz Harun Embong, Pak Abas, Pak Borhan and Ustaz Hafif. Most of these Ustazs had close contact with Ustaz Hashim Ghani, a mudir of Maahad Ittiba ‘us Sunah and also shared similar Wahhabism ideology. Sungkar and Ba’asyir had expanded their DI ideology indirectly to Johor from 1988 with their regular visits. In return, sometimes Johor followers went to Kuala Pilah to meet their spiritual leader.

Close ties between Kuala Pilah and Ulu Tiram made the idea of establishing Luqmanul Hakiem Islamic School (LHIS) a reality in 1991. Starting out under the title of the “ikhwan movement” in 1988, Sungkar, Ba’asyir and Abu Jibril visited their new brotherhood in Ulu Tiram. The visits and Usrah led them to come up with an

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1027 Ibid.
1028 Pak Abas is the father of Nasir Abas and also a father in law of Mukhlas aka Ali Ghuftron (was convicted and executed for his role in the 2002 Bali bombings).
idea for establishing a school to achieve their long term agenda. Jaafar Anuwarul and Mukhlas, both of them previous Afghani Jihadist fighters, were willing to pioneer a specific centre to expand their teaching.\textsuperscript{1032}

First, with no apparent end to their Malaysian exile, Sungkar and Ba’asyir established a modest Malaysia-based Ngruki clone, the Luqmanul Hakiem pesantren, in Johor state. In this way they could continue turning out impressionable, hard line adherents for as long as Ngruki was operating under less than optimal conditions.\textsuperscript{1033}

The idea to have an appropriate school for JI members came from several meetings held in Ulu Tiram and Kuala Pilah. Regular meetings at Ustaz Harun Embong, Ustaz Latiff and Ustaz Abu Suhut's house in Sungai Redan, Ulu Tiram between 1988 and 1990 were catalysed by the existence of LHIS.\textsuperscript{1034} In 1990, Sungkar and Mukhlas decided to build a school with support from ikhwan. The idea was discussed seriously in Usrah and every ikhwan meeting.\textsuperscript{1035} Jaafar Anuwarul, who owned a one-hectare section, along with Jalan Rabbani, Kampung Sungai Tiram, Ulu Tiram Johor agreed to waqaf (religiously endow) his land to build the school.\textsuperscript{1036} This land was at times alleged to be under the names of Pak Borhan and Ustaz Latiff instead of Jaafar Anuwarul. LHIS was successfully built by the ikhwan with some help from locals in 1991.\textsuperscript{1037}

LHIS was built on two main objectives, the first one being to create a true Islamic generation which would practice Islam in every aspect of life. This alternative school was also important to help protect ikhwan children from any maksiat (sinful acts) and secular influences implemented in the modern Malaysian school system as organized by the Ministry of Education (MOE). Respondent L1 said: “Students in the Luqmanul Hakiem School (LHIS) came from all over the country...also lots of students from Sabah, there were JI children and foreigners who wanted their children to be educated in the Islamic way and become a good human being”.\textsuperscript{1038}

\textsuperscript{1036} See Appendix 22 and 23 at page 282, Appendix 24 and 25 at page 283 and Appendix 26 and 27 at page 284.
LHIS's second objective was to provide a substitute educational system to *ikhwan* members in Malaysia and Singapore.\textsuperscript{1039} Children who would grow up under the *Jemaah* observation and follow a proper *ikhwan*-suit syllabus were to sustain JI's future movement.\textsuperscript{1040}

However, there are questions about who attended the school. Most of the students who studied in LHIS were the children of illegal Indonesian immigrants in Malaysia. There were also students from Singapore and Sabah as well as children of *ikhwan* members from all around the country. Some sources said that Muslim students from Southeast Asia also attended LHIS in the name of *ikhwan*\textsuperscript{1041} but there is no clear evidence of this. This writer, during fieldwork research at LHIS in December 2007, found documents stating students from only Sabah and Singapore attended the school.

The Darul Islam Sabah (DIS) was the main issue related to the higher number of students coming from Sabah. When Sungkar and Ba’asyir migrated to Kuala Pilah in the heart of peninsular Malaysia, their colleagues from the DI movement moved to Sabah, a big state in east Malaysia. Sabah was located on a porous border between Indonesia and the Philippines. Illegal immigrants either from Indonesia or the Philippines moved freely in and out of Sabah. This advantage was used by DI members to settle in Sabah and expand their ideology. Most of them married locals and sent their children to LHIS to study. LHIS's application of *ikhwan* was welcomed by DI members and thus it was regarded as the place to educate and enhance DI’s struggle for the new generations.

LHIS provided a radical approach to teaching and also acted as a feeder for the DI struggle. JI children were indoctrinated with radical ideology to make sure the struggle of DI was maintained. This “cadrerization” was considered a crucial tool in the *ikhwan* movement as discussed widely in *Usrah*, with the first batch of LHIS graduates reporting to Pakistan and later Afghanistan for *Jihad* training. In September 2003, 13 students were arrested in Karachi while studying at Abu Bakar Islamic

\textsuperscript{1039} Ibid.
University in Pakistan. Among them were Abi Dzar Jaafar, 18, from Johor, Eddy Erman Shahime, 19, from Kelantan, Mohd Radzi Abdul Razak, 19, from Selangor, Mohd Ikhwan Abdullah, 19, from Johor and Mohd Akil Abdul Raof, 21, from Perak.

The five were believed to have joined a secret group known as the *Al-Ghuraba* that was linked to JI. All of them were arrested for illegally continuing to stay in Pakistan after the expiry of their visa. They were detained for involvement in activities seen as prejudicial to the interests of Pakistan. Two Indonesians, identified as Gungun Rusman Gunawan from West Java (allegedly younger brother of Hambali) and Muhammad Saifudin from Central Java, were detained along with these students. They had been sent to Pakistan by Hambali through LHIS. They also attended sermons by Osama bin Laden while in Afghanistan on a ‘school holiday’ visit.

Evidence presented during the hearing showed that Hambali had been the operations chief of Jemaah Islamiyah and served as its main contact for al-Qaeda in Southeast Asia. He also helped recruit members for al-Ghuraba, the foreign student organization that helped develop Jemaah Islamiyah organization in Pakistan.

Four of the 13 students turned out to be the sons of JI members who were detained by Malaysian authorities under the ISA. Among them were Mohamad Radzi, a son of former school headmaster Abdul Razak Baharuddin, Tarmizi, a son of production executive Nordin Ahmad, and Muas, a son of All Bakry Mohamed Alias, an engineer attached to SWD. The name of the son of UTM lecturer, Abdullah Daud, one of the few alleged JI members to have admitted that the group exists, was not available. Besides the 13 Malaysians, Pakistani authorities also arrested six Indonesian students, including the head of al-Ghuraba, Gungun Rusman Gunawan.

With regards to the school, LHIS was built with two sections to differentiate *puteri* (girls) and *putera* (boys). Mughirah, as a LHIS warden, was responsible for the boys.

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1044 All five scored in Sijil Pelajaran Malaysia (Malaysia Education Certificate) examinations in 2005, four of the former students obtained between 6As and 8As while the fifth got through his STPM examinations. From Op. Cit., Pitchay, A. K. M. (2007).
and any contingencies needed. His house was located at the front of LHIS and played an important role as a meeting point. The car park beside the house was a playground for infants who were enrolled in the connected kindergarten. His wife was a chef and also responsible to the food for both puteri and putera. There was a *Surau* as a centre for every activity especially *Usrah*, sermon, prayer, motivational speeches and many more. The *Surau* also played a crucial role as a meeting point in case of emergency.

The male section was monitored by Mukhlas and his wife, Parida binti Abas, who lived at the office building. It was important for Mukhlas to look after every aspect of LHIS because he was appointed as the first *mudir* of LHIS by *Jemaah*. His house was located on the second floor of the main building and was surrounded by offices.

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1047 See Appendix 28 at page 285.
1048 The kindergarten was the first building established before LHIS was built. It was established for *ikhwan’s* children and Indonesian immigrants. From Op. Cit., Abas, N. (2007c).
1049 See Appendix 29 at page 285.
1050 This drawing was gained by this writer through a site visit guided by JI members. Most of the information was freely given to this writer through interview sessions on the 24th and 25th of December, 2007.
A guest house was also located in the same building to accommodate visiting Ustaz or outside delegations and Jemaah leaders (Sungkar). A bookstore was located in this building to provide students with books that were suitable and met the requirements set by the Jabatan Agama Islam Johor (Johor Islamic Department). LHIS had many Arabic books that were donated by sheikhs from the Middle East who sympathised with Jemaah. One koperasi operated in this building to provide students with all their daily needs such as stationery and toiletries at reasonable prices. An interesting aspect of the LHIS was its training fields, which were provided for both males and females, each having their own stages. LHIS students were exposed to martial art training as well as occasional spiritual and mental training. Once, they were trained by a Chinese Muslim who was a master in martial arts. Putera students were provided with ‘Minyak Chu’ (Chu Oil-imported from China) as a warm-up before training started. Female students were involved in theatre and drama presentations guided by the wives of Ustazs. Only female spectators could observe these activities. Both putera and puteri used their training fields effectively.

There was a playground in the female section complete with slides and swings. It was used by LHIS kindergarten children as well as Puteri students. Most of the equipment in the playground was donated by ikhwan members from Singapore. The playground was completed sometime in 1995 to provide an exercise area for students. Most of the funds for this came though the JI Singapore cell. The expansion of the ikhwan movement in Singapore was important both politically and economically. Singaporeans were known to have good and stable incomes and this was important in helping to fund ikhwan’s activities, like the playground.

1052 See Appendix 30 at page 286.
1053 See Appendix 31 at page 286.
1055 See Appendix 32 at page 287.
1056 Koperasi is from ‘co-operative’ in English and means people from various backgrounds integrating into one company. Basically this koperasi operated as a low profit company with its main focus being to work together through group synergy to achieve social and economic goals.
1057 See Appendix 33 at page 287.
1060 One of the principles in Islam is not to see the opposite sex in order to avoid being sinful. It is because when females or males do any activities, they will expose a part of their body to the opposite sex which is prohibited from seeing it.
1061 See Appendix 34 at page 288.
1062 See Appendix 35 at page 288.
Classrooms separated into *Putera* and *Puteri* areas. Male students were only allowed to move in their sections and learn in the classes located in their section.\(^\text{1063}\) the same applied to female students.\(^\text{1064}\) Only *Ustaz o Ustazah* were allowed to move between sections for teaching purposes or in cases of emergency. *Putera* and *Puteri* had their own living quarters located on the second floor, on the top of the classrooms.\(^\text{1065}\) A unique aspect of the female site was a *Bengkel Kratangan* (craft workshop). This workshop was organized and monitored by Mughirah’s wife. She was responsible for sewing, knitting, and cooking classes provided for *Puteris*.\(^\text{1066}\) Besides that, the female section also had its own *Musolla* (prayer hall) for female related activities.\(^\text{1067}\)

LHIS started with a roll of less than 30 students that gradually increased to more than 500. In 1995, it was felt that LHIS needed to filter students who were interested in studying at this school so at a board meeting in 1995, Nordin was forced to establish a standard operational procedure to filter students. Since then, a series of interviews for prospective students have been held every December, a month before school formally starts. Knowledge about basic Islamic teaching and reading of the Quran, as well as *jawi* writing are tested in order to make sure candidates achieve the minimum requirement needed by the board.\(^\text{1068}\) LHIS provided the *Surat Berhenti Sekolah* (Declaration of Completion of Study) to students who made the decision not to continue their study at this school.\(^\text{1069}\)

LHIS was organized by Mukhlas and Jaafar Anuwarul at the beginning with the help of two families who lived in the school area. Pak Rusdi and Pak Latiff, both Johorean and followers of Sungkar’s ideology, were responsible for LHIS at the first stage. At one time, the number of *Ustazs* or staff who were organizing and teaching at LHIS reached 40. *Jemaah* decided to build housing lots inside LHIS for the *Ustazs* in order to encourage them to contribute and concentrate more on building LHIS. A few *Ustaz*

\(^{1063}\) See Appendix 36 at page 289.  
\(^{1064}\) See Appendix 37 at page 289.  
\(^{1066}\) See Appendix 38 at page 290.  
\(^{1067}\) See Appendix 39 at page 290.  
\(^{1068}\) The original copies are in my possession and are printed in Appendix 6 in page 262.  
\(^{1069}\) The original copies are in my possession and are printed in Appendix 7 in page 263.
houses were built in the back area of LHIS to cater for Ustazs and their families. LHIS was surrounded by a simple fence made of wood and wire.

Electricity was connected to LHIS under the name of Jaafar Anuwarul for the male sections and Rafiee aka Fiee bin Hassan for the female sections. Jaafar Anuwarul had registered his name with Tenaga Nasional Berhad (TNB), the national electric provider for the Lot 1288T JR47/14/7 with TNB account number 00055480.1070 Rafiee Hassan was registered for Lot 1288Z4 R47/14/3 on the TNB account number 00055465.1071 Meanwhile, Wan Min Wan Mat1072 was responsible for connecting water to LHIS under his name with Syarikat Air Johor (Johor Water Company) account number 62815207J2792847.1073

Zulkarnain bin Alladent, who worked for LHIS as an Ustaz, was responsible for the LHIS phone bill. At least one mobile phone was purchased by Zulkarnain and was registered in his name. It was registered with Celcom (M) Sdn. Bhd. under account number 62444718 with the last outstanding bill being RM210.38. A land line phone was connected by Telekom Malaysia on account number A91025-654-0210 for LHIS at Lot 1288, Jalan Rabbani, Kampung Sungai Tiram, Batu 19, 81800 Ulu Tiram, Johor.1074

Wan Min Wan Mat and Abas bin Yusoff1075 were responsible for the LHIS bank account. Both of them opened Bank Islam Malaysia Berhad (BIMB) current account in Kota Tinggi, Johor. It was registered as account number 1-040-003357-28 at the address Lot 1288, Jalan Rabbani, Kampung Sungai Tiram, Johor. Transactions between the BIMB Kuala Pilah branch and BIMB Ulu Tiram were recorded between

1070 The original copies are in my possession and are printed in Appendix 8 in page 264.
1071 The original copies are in my possession and are printed in Appendix 9 in page 265.
1072 Wan Min Wan Mat was also known as Abu Hafis, Wan Halim and Abu Hidayah. A former lecturer at University Technology Malaysia, born on the 23rd of September 1960 in Kelantan and was arrested on the 27th of September 2002 in Kelantan. He was given a two year detention order under the ISA and was released in March 2005. Respondent I (2007). Interview on 31 December at Colonial Cup Cafe, Bangunan Mahkamah Persekutuan. Kuala Lumpur.
1073 The original copies are in my possession and are printed in Appendix 10 in page 266.
1074 The original copies are in my possession and are printed in Appendix 11 and 12 in page 267 and 268.
1075 Abas bin Yusoff was put under house arrest by Malaysian police for his involvement in JI dating back to the group’s founding in the 1980s. From Omar, I. (2007).
1991 and 2001. Both Wan Min Wan Mat and Abas bin Yusoff could use the accounts separately, except when making withdrawals – where both signatures were required.1076

This account is still active and contains more than RM110, 000. No-one intends to use this money now, because it was for LHIS operations and for Jemaah, not for other purposes.1077 LHIS was abandoned by JI members following massive raids by police in 2001 and 2002, so it no longer operates or requires funds. Some of the building sections were broken down by Respondent G because he did not want police to keep monitoring the school. Furthermore he wanted to avoid the allegation that he and his family intended to revive LHIS again.1078 No registration was made under the names of Sungkar or Ba’asyir (founders) or Mukhlas (the first headmaster) because of their citizenship status.

The biggest mistake made in LHIS’s operation was not getting support from locals. LHIS received students from all over the country, including international students who came from Singapore, but no single student was from Ulu Tiram. JI members refused to mingle with locals; they felt satisfied with the connections and networks in their Jemaah. Activities were only organised between JI members and their family and not outsiders. No Ustazs or other staff of the LHIS met with locals. Students were discouraged from freely meeting with locals as they had to understand that their vision in LHIS was to study, not interact with others. This was agreed by Respondent L1 as he said: “The paramount mistake for us was not to visit locals and that’s why we got no support from locals, we were suppose to ziarah (visits for sake) locals to gain support, but we did not do that”.1079

Mukhlas was appointed as the first LHIS mudir (headmaster) with the major task of laying the foundation and managing the operation of the school. Mukhlas was chosen

1076 The original copies are in my possession and are printed in Appendix 17 on page 274.
1077 A copy of the LHIS account at Bank Islam, Kota Tinggi Johor branch are in my possession and are printed in Appendix 18 on page 275.
1078 Respondent G and his family stayed beside LHIS. He said police still monitor his movements and often accuse him of trying to revive LHIS. He felt uncomfortable and decided to break down some of the LHIS roof and ceiling and organized an excavator to pull down part of the building to show to the police and locals that LHIS was over. From Respondent G (2007). Interview on 24 November at Luqmanul Hakiem Islamic School, Jalan Rabbani, Ulu Tiram, Johor Baru. Johor.
because of his vast experience in Islamic teachings and the practical training he gained while in Pakistan and Afghanistan in the 1990s.\textsuperscript{1080} Mukhlas graduated from Pondok al-Mukmin, Ngruki in Indonesia and was in the Sadda Camp in Afghanistan between 1986 and 1989.

Among the reasons why Mukhlas was appointed as LHIS mudir was the fact he stayed with Abas, his father-in-law in Ulu Tiram and was actively involved in JI Usrah in Johor. Mukhlas was seriously involved in a series of discussions on establishing LHIS from 1990 until the school formally opened in 1991. Paridah was committed to teaching at a Malaysian kindergarten while her husband raised money to open LHIS despite his tight schedule of preaching Islam at various Surau and masjid (mosque). After the main building was completed in 1991, Mukhlas and Paridah moved to LHIS and lived beside the Headmaster's Office. Paridah decided to leave the kindergarten and work at LHIS, where she taught maths, English and the Quran.

The top 20 JI tier, who were responsible for attacks in this region, was connected with LHIS. Under Mukhlas's administration, he managed LHIS as a ‘transit centre’ for JI members. Every Mujahidin who came back from Afghanistan, especially Indonesians, were placed in LHIS. This was important to ensure these Mujahidins were connected in Jemaah and exposed to the regional situation after spending a few years at war. Mujahidins were forced to contribute their knowledge and experience in Pakistan, India and Afghanistan for this ‘duplicate Ngruki’ in the name of JI. It was crucial for them to help Jemaah in establishing their feeder school. Moreover, all of the JI leaders stayed in Malaysia at that time. They were asked to see their leaders when they finished their study and before they went anywhere.

Abu Bakar Ba’asyir, Abdullah Sungkar, Mukhlas and Nordin Mohd Top all taught at LHIS. JI bomb maker Azahari Hussin served on the board of directors. Nordin Mohd Top was promoted to director when a Malaysian law was adjusted. However, Mukhlas continued to operate as leader by proxy. Nordin Mohd Top took over LHIS as director on paper because of a new rule relating to private institutions implemented by the Malaysian government: “All private institutions including schools should be

registered with Jabatan Pendidikan Swasta (Department of Private Education) under Ministry of Education Malaysia”. On that basis, Nordin Mohd Top was appointed as board director and Wan Min Wan Mat as chair of board.

Wan Min Wan Mat submitted an application to establish LHIS as a private Islamic school, with the support of Johor State Education Department (JSED), on December 15, 1997. This application was labelled as ‘pending’ by the Jabatan Pendidikan Swasta (JPS) with correspondence dating January 17th and 19th, 1998. The main reason was that Nordin had not put together all the required documents including board members’ curriculum vitae and the certificates of the teachers. Finally, LHIS was granted approval by JPS in 1999 with the reference number SRJ832. JSED granted RM100,000 as support for LHIS to develop an appropriate Islamic school.

Nordin Mohd Top, LHIS director, graduated from the University Technology Malaysia (UTM). Unlike other JI operatives, he did not receive training in al-Qaeda camps. Like many JI members, he married within the ikhwan family; he wed Rahmah Rusdi, a sister of Rais Rusdi, another JI member. Nordin’s house was located in front of LHIS, which allowed him to conveniently live near and operate the school.

Nordin organised fundraising and donations to enhance infrastructure in LHIS, for example, requests for playground and computer donations. Nordin also set up an agreement with Tele Dynamics ATEC Sdn. Bhd. for maintenance of the photocopier that was rented from a Toshiba dealer in Johor Bahru. At this stage, Mukhlas concentrated more on teaching and organizing the Ustazs and classes, whereas Nordin and Wan Min concentrated on administration and documentation. Nordin Mat Top did an excellent job of administering LHIS. He is still at large. Wan Min Wan Mat was responsible for the LHIS bank account and was accused of funneling money from Hambali for the Bali bombing. Indonesian authorities allege that Indonesian 3million

1081 Original copies are in my possession and are printed in Appendix 13 in page 269.
1082 Original copies are in my possession and are printed in Appendix 14 in page 270 and 271.
1085 Original copies are in my possession and are printed in Appendix 15 in page 272.
1086 The original copies are in my possession and are printed in Appendix 16 in page 273.
Rupiah seized from a Parida Abas account had originally come from Wan Min Wan Mat.\textsuperscript{1087}

One of the most wanted terrorists, Dr. Azhari Hussin, also spent time working at LHIS. Dr. Azhari was a technical expert who had learned how to build bombs in Afghanistan. Dr. Azhari taught science and maths subjects to LHIS students.

Mukhlas led the school until October 2001 before handing it over to Nordin Mohd Top. There was conflict during the power transition period between Mukhlas, Nordin and some JI members. Some of them did not really agree with the violent ‘operations’ discussed, which were scheduled to take place between 1999 and 2001. A conflict of interest between LHIS staff and Nordin’s administration went on for some months before the school was raided by police. Later, Mukhlas managed to enter Indonesia with his family on July 7, 2002 through Tanjung Balai Karimun, Riau. This legal journey was made from Kukup Port in Pontian, Johor - three months prior to the Bali bombing.\textsuperscript{1088}

5.7 The Crucial Role of the JI Malaysian Cell

Malaysia was a crucial element in the establishment of an Islamic Caliphate in the region. It had strong support from locals, and was to be an important place for organising JI attacks with violent means. At least 200 members were recorded in Malaysia and it was perhaps the second largest individual JI cell in the region.\textsuperscript{1089} Malaysians who also worked as the JI’s ‘key players’ were Yazid Sufaat, Wan Min Wan Mat, Faiz Abu Bakar Bafana, Dr. Azhari Hussin, Amran and many more.

The JI Malaysian cell also successfully recruited educated Malays as members. Twelve of these recruits who were arrested had university degrees. At least seven senior JI members were lecturers at Universiti Teknologi Malaysia (Technology University of Malaysian-UTM) including Dr. Abdullah Daud, Rosshelmy Md. Sharif,


Dr. Azhari Hussin, Wan Min Wan Mat, Nordin Mohd Top, Shamsul Bahri Hussein and Idris Salim. At least eight had graduated from higher institutions in the US, the UK and Indonesia.

Abdullah Daud had a local degree and held a Masters of Science from the University of Newcastle, in the geo-information science field. Dr. Azhari Hussin was an engineer with a Ph.D. in property valuation from the University of Reading, UK. Wan Min Wan Mat was a former UTM lecturer with a Masters of Science in construction from the University of Manchester. Shamsul Bahri was an engineering Professor who had graduated from Dundee University, Scotland. Roshelmy Md. Sharif and Idris Salim were also local graduates.

The JI Malaysian cell also secured indoctrinated professional Malays as assets. Besides lecturers, at least two accountants, two engineers who worked in local authority departments, two private company managers, and one bank officer (a UK graduate), wealthy businessmen, graduated teachers and many more were involved in JI.

Undeniably the JI Malaysian cell played a crucial role in laying down the foundation of the most dangerous terrorist group in the region. Malaysia was a transformational place from NII to JI in the early 1990s. Malaysia was a base for educating most of the regional bombers as well as a transit and planning centre for terrorist attacks including 9/11.1090 From research and interviews, at least six main functions of the JI Malaysian cell were recorded.

First, the Malaysian cell was the primary conduit between JI and Osama bin Laden through the al-Qaeda network and the Malaysian cell was the logistical hub for dispatching JI operatives to Afghanistan for training. At first, JI members were sent to

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1090 In January 2000, a key meeting for the 9/11 attack took place in Hazel Evergreen Park Apartment in Ampang, Selangor. This meeting was attended to by Khalid al-Mihdhar, Nawaf al-Hazmi, Tawfiq bin Attash, Khalid Sheikh Mohamed (KSM), Hambali aka Riduan Isamuddin, Yazid Sufaat, Fahad al-Quso and Rahim alNashiri. Other attendees were Ramzi bin al-Shibh, Ahmad Himat Shakir, Salem alHazmi, Abu Bara al-Taizi and unnamed members of the Egyptian-based Islamic Jihad. The CIA leaned of the meeting beforehand and had it monitored by the Malaysian Special Branch, but it did not realise the significance of the meeting until just before the attacks. From Zegart, A. B. (2007). "CNN with Secrets": 9/11, the CIA, and the Organizational Roots of Failure. International Journal of Intelligence and Counterintelligence, 20(1) 26.
Afghanistan for two objectives, one for training and the second to get involved in the 
*Jihad* war via the Mujahidin during the school holidays. More than 100 JI followers 
from Malaysia, Singapore and Indonesia were sent to Afghanistan for training in the 
Sadda and Towrkhan Camps between 1985 and 1995. Starting with a few JI pioneer 
operatives sent to Afghanistan in 1984, JI ended with their own instructors and camps 
in Afghanistan.\(^\text{1091}\)

Hambali established networks with MAK through KSM in the early 1990s. Later, at 
least ten *Jihadist* batches were sent to Afghanistan, consisting of JI members from the 
region. JI’s regional network including KMM, MILF and RSO members was sent by 
JI through Pakistan from Malaysia. Hambali secured visas for JI members from the 
Pakistani Embassy in Kuala Lumpur with some help from internal officers. After 
2000, most of the JI members went to Afghanistan through Pakistan via tourist visas, 
which only allowed them to spend three months there. For example, Yazid Sufaat 
spent three months in Afghanistan and was later granted three more months extension 
through the Karachi Immigration office. Most ordinary JI and K3M members were 
sent to the Southern Philippines to be trained by JI operative Camps *Hudaibiyah* and 
*Abu Bakar*.

The JI and KMM members were encouraged to take up arms training in Afghanistan 
where forged documents were made to help them pass immigration checkpoints. 
Hambali was the key person, using his Kampung Sungai Manggis house as a meeting 
point for those travelling to Ambon, Afghanistan, and the Southern Philippines. 
Airline tickets, visas and forged documents were handled by Hambali with help from 
Farihin aka Yasir and many more JI senior members.\(^\text{1092}\) Because of this, Thailand 
was used as a safe place for transit and obtaining false documents.

Second, the Malaysian cell was responsible for recruitment and education. Most of the 
recruiting was done through the LHIS in Ulu Tiram, Johor. LHIS also played a crucial 
role in educating and recruiting JI members and leaders as well as prospecting 
instructors. LHIS may not have been similar to the system that was developed at 
*Pondok al-Mukmin*, Nguki, but it was a good foundation base for JI outside of

Indonesia. LHIS was developed by blending Indonesia’s *madrasa* and Malaysia’s *sekolah rakyat* systems. The mixed education system from these two countries secured a good momentum for LHIS in its 10 years of operation. This has been proven by the number of students, which increased by fewer than 20 at the beginning to more than 500 before being raided by the Malaysian police at the end of 2001.\textsuperscript{1093}

Funding for the school and most of its bills were paid by JI managers through the money from *Infaq Fisabilillah* (contributions in the name of Allah). JI members usually contributed ten percent from their income for *Jemaah*, and that which came from Singapore and Malaysia was regarded as being a stable and good income. Ten percent of the *Infaq* also came from JI faction companies operating in Malaysia such as Konsojaya Sdn. Bhd, al-Mawasi Trading, Angsana Trading and many more. It is believed that no money from the fund was used for attacks and bombing. But most of JI’s operation fund came directly from Hambali, KSM or Osama bin Laden through al-Qaeda.\textsuperscript{1094}

Third, JI strategically made alliances with locals in order to secure the movement’s objectives. It may be coincidental, but JI clearly worked with KMM from the mid 1990s in the Kelang valley cells. Not all of the KMM members were involved in JI, but some of them were, especially through the KMM Selangor cell (also known as K3M).

JI influenced KMM through its spiritual leaders. Indonesian clerics such as Hambali, Abu Jibril and Ba’asyir were accepted by KMM without prejudice. Starting with ordinary Islamic classes at the KMM leader’s house, JI ended up sharing similar Islamic Caliphate objectives and carrying out joint operations. KMM members, who fled to Indonesia after massive raids by the Malaysian police, were sheltered by JI members in many places.\textsuperscript{1095} JI members such as Respondent B7 were involved in smuggling KMM members from Malaysia to Indonesia in 2001.\textsuperscript{1096} Rafi bin Udin, who was involved in a botched bank robbery in May 2001, was helped by Respondent

\textsuperscript{1096} Respondent B8 (2007). Interview on 02 November at Jakarta International Airport, Bandara. Jakarta.
B7 to enter Indonesia via the Batam Island. After this, other JI members helped Rafi Udin get safe shelter in Indonesia until he was arrested on April 22, 2003.\textsuperscript{1097}

Rafi bin Udin and Ibrahim Ngah are believed to have been sent to Ambon by JI after arrangements with Zulkifli Khir in Puchong, Selangor. JI also worked hand in hand with KMM in the training and military education at JI operated Hudaibiyah and Abu Bakar camps with MILF in Mindanao. Hence, at least two KMM members were arrested in connection with the Indonesian bombing. Taufik Abd Halim aka Dani, a KMM member was convicted of the Atrium Mall bombing in Jakarta on August 2001 and Respondent B8 was convicted in connection with the Kuningan bombing that took place in Jakarta on September 9, 2004.\textsuperscript{1098}

Fourth, the Malaysian cell was responsible for establishing a regional network, the so called “Rabitatul Mujahidin”. Headed by Hambali as the leader of Mantiqi 1, a meeting for establishing a regional network took place in Malaysia. At least three meetings are reported to have been held in Malaysia, starting with the first meeting in Ampang, Kuala Lumpur at the end of 1999 and followed by one in June 2000 at Kuala Lumpur and the last one at Sungkai, Perak in November 2000. Malaysia was a place for regional Jihadist meetings, with the main focus being to gather around all the leaders from various Islamic movements to be in one faction, JI.

JI tended to be a champion in Southeast Asia when directing all groups to establish an Islamic Caliphate. Hambali used his Afghan-alumnus network to get participants from Malaysia, Thailand, the Philippines, Indonesia, Aceh, Sulawesi, Singapore and Myanmar to come to Malaysia for Rabitatul meetings.

Hambali is believed to have used the last Rabitatul Mujahidin meeting in Perak to plan a series of bomb attacks in Indonesia. Altogether, 45 bombs were detonated on the December 24th and 25th, 2000 in 11 cities across Indonesia. The bombings took

place less than a month after the matter was discussed at last *Rabitatul Mujahidin* meetings. Al-Qaeda, by contrast, often took years to launch their attacks.

*But Hambali had bigger ambitions. Together with JI leader Abu Bakar Ba’asyir, he arranged a meeting of senior terrorist groups at a house near the International Islamic University...the two meetings were also held to discuss plans to set up an Islamic state as well as bombing activities in the region.*

Fifth, the Malaysian cell could be considered as an administration center for JI. All the ‘key players’ such as Hambali, Sungkar, Ba’asyir, Abu Jibril and many more had lived in Malaysia since 1985. After Sungkar and Ba’asyir fled Malaysia in 1998, Hambali managed JI from Kampung Sungai Manggis in Banting, Selangor. Not only did he manage to give direction to Malaysia, Hambali was also able to bring JI’s *amir*, Ba’asyir to Malaysia for *Rabitatul Mujahidin* meetings in 1999 and 2000.

The Malaysia cell also played a paramount role in establishing JI from the beginning until it was regarded as the second most dangerous terrorist group in the world. Malaysia, geographically situated at the heart of Southeast Asia, was ideally located for managing JI effectively. The locations of Singapore and Indonesia in the south, Thailand, Cambodia and Myanmar in the north, the Philippines, Sabah and Borneo in the east and Sumatra in the West, made Malaysia a crucial hub for connection from every direction. Lenient immigration policies for Muslims from other countries also made Malaysia important for JI’s movement.

*In 1985, Sungkar and Ba’asyir fled to Malaysia to avoid being sent to prison by the Suharto regime. They found Malaysia to be tolerant of their preaching of violent Jihad as the best path for achieving an Islamic state. They also were in good location to facilitate the travels of Indonesians and Malaysians to Pakistan and Afghanistan.*

Furthermore, Mahathir’s anti-Western statements also make him famous especially to the radical Muslims. It was what Mahathir intended and was perhaps sometimes misunderstood by both Muslims and the West. His negative rhetoric about the West made him appear as more of a radical Muslim than what he probably intended.

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Finally, the Malaysian cell was a financial centre for al-Qaeda and JI. The Malaysian cell was responsible for establishing several front companies that were used to channel al-Qaeda money for their operations. Malaysia also played a crucial role as a centre for allocation of money to every single al-Qaeda project in the region. Most of the money was believed to have been used to buy weapons and material for bomb-making such as ammonium nitrate and devices.

At least four companies were run by JI's Malaysian cell: Konsojaya Sdn. Bhd., Secure Valley Sdn. Bhd., Infocus Technology Sdn. Bhd and Green Laboratory Medicine Sdn. Bhd. Konsojaya Sdn. Bhd. Konsojaya was registered under the names of Hambali and his wife, Noralwizah Lee, along with Wali Khan on June 1994. It was established as a company doing palm oil trading between Malaysia and Afghanistan, but its real purpose was the channelling of al-Qaeda money around the region.

Yazid Sufaat, a former captain in the Malaysian army and a US trained biochemist, set up Green Laboratory Medicine, a medical testing facility on October 6, 1993 in Kuala Lumpur. Yazid was chosen to establish this company because of his expertise and previous experience as an army captain.

In 2000, Yazid, through his laboratory, was believed to have procured four out of 21 tonnes of ammonium nitrate that he was instructed to purchase. This main ingredient in bomb-making was hidden in Faiz Abu Bakar Bafana's house in Muar, Johor.\textsuperscript{1101} JI members tried to get 17 more tonnes of ammonium nitrate for a truck bombing in Singapore, but this plan was halted after 15 JI Singapore cell members were detained by the police.\textsuperscript{1102}

Yazid also set up Infocus Technology Company Sdn. Bhd. in July 1995 focusing on the information technology industry. This company was registered under his and his wife’s name, Sejarahtul Dursina aka Chomel's. Yazid was alleged to have signed a letter on the stationery of the computer company naming Massaoui as the firm's sales

representative, so he would have an excuse to do business in the United States. The federal indictment against Massaoui alleges in October 2000, he was named marketing consultant for Infocus Tech, and was to be paid $2,500 a month for working in the United States, the United Kingdom and Europe. During interrogation by Malaysian police, Yazid denied any contact with Massaoui and claimed that he never paid him any money and that the letter was a forgery.

Another example of a JI-run company was Ar-Risalah Trading. This company was registered under the name of Mohd Sha Sarijan, a JI member who was detained under the ISA on February 22, 2002. This company's registration number was 001040582-X. Ar-Risalah Trading was granted a Class-E contractor’s licence from January 16, 1996. Among the tenders that were awarded to Ar-Risalah Trading was one to supply stationery to a school in Banting, Selangor. Abdul Razak Baharudin, a headmaster at one of the schools in Banting helped Ar-Risalah to gain this contract.

The real manager behind the scenes was Feri Muchlis bin Abdul Halim, the son-in-law of Abdullah Sungkar. Feri Muchlis, a welder with Malaysian PR, did not have the credentials to establish a company in Malaysia. Hambali asked Mohd Sha Sharijan to register the company under his name and gave him RM25,000 as start-up capital. Ar-Risalah also secured a contract to install water pipes in Selangor. This contract was obtained with the help of a senior SWD engineer. All Bakry Mohammed Alias, the engineer who worked with SWD, was detained under the ISA on January 12, 2002. The company was also awarded contracts to build two Bestari (smart) schools in Selangor.

It is believed that Hambali in turn helped other JI members from the profits he made through his business ventures. All JI-run businesses had to contribute ten percent of their total earnings to the group. This money was to be channelled to the special fund, either to support Jihad or to help Muslims who were suffering. Hambali, as the Mantiqi Ula leader, also controlled the Infaq Fisabilillah money and channelled it to

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1105 The original copies are in my possession and are printed in Appendix 4 in page 258 and 259.
various operations. He collected more than RM800, 000 from many unsuspecting Malaysians, Singaporeans and JI-run companies. They thought the money was being used by NGOs to help needy Muslims, but the fund was actually used to finance Hambali’s extremist plans. Wai and Charles (2003) reported in The Star newspaper: “Malaysian police, who have painstakingly tracked Hambali’s movements and traced his financial backing, found that up till December 2001, the RM800, 000 was used to buy arms and send JI members for training in Afghanistan”.  

Hambali also managed to get outsider money, which came directly from the al-Qaeda organization. Records show RM95, 000 was awarded to Hambali by KSM to establish a radical network and carry out ‘deadly’ operations in the region as mentioned by Wai and Charles (2003) ‘he collected money from unsuspecting people, not only in Malaysia but all over the world’.  

The other JI-linked company was Excelsetia, directed by Abdul Manaf Kasmuri, a former Malaysian army colonel. Kasmuri also headed a UN peace-keeping operation in Bosnia in the mid 1990s. Excelsetia was a privately-owned general trading company that was run out of the offshore haven of Labuan. Two of the other four directors/shareholders were JI members, Zulkifli Marzuki and Faiz Abu Bakar Bafana. Zulkifli, an accountant, was the auditor for most of the JI-related companies including Infocus Technology and Green Laboratories Medicine. Meanwhile, Faiz Abu Bakar Bafana was a wealthy businessman based in Kuala Lumpur and Singapore. Faiz was arrested in Singapore before being handed over to Malaysian authorities in 2001.  

In June 2003, the US Department of the Treasury designated 18 individuals and nine Malaysian companies as terrorist funders. All of these firms were controlled by JI members and they had donated ten percent of their profits into the Infaq Fisabilillah. These firms included Angsana Agencies, Excelsetia, Marebina, Twin Two Trading  


1107 Ibid.  

1108 The original copies are in my possession and are printed in Appendix 21 in page 280 and 281.
Co., Gulf Shores, Shafate Niaga, Min Hwa Envelope and Mawasi Corporation. Some of the zakat money (giving alms) from these companies was channelled to JI, but most of the zakat was given directly to the state's Islamic department or to needy Muslims. However, JI members and its allies such as MILF, KMM and ASG became increasingly dependent on donations, including zakat, to finance bombings because the governments had tightened bank controls and monitored every suspicious financial transaction.

5.8 Conclusion
JI successfully operated in Malaysia under the clever management of Sungkar and his close colleague, Ba’asyir. JI did not emerge as part of the NII struggle in the beginning, but was a means to achieving NII objectives. JI absorbed all of the NII strategies but was enhanced with the support of some Afghan ‘key players’ such as Zulkarnaen, Hambali, Abu Jibril and many more.

The decision to send NII members from Malaysia, Singapore, Philippines and Thailand to participate in military training in Afghanistan was a paramount step in radicalizing NII. JI’s establishment in 1993 gave a new face to NII's struggle. Starting with sending NII fighters to Afghanistan, JI ended up establishing their own camp in Towrkhan. In addition to learning military and guerrilla warfare at the camp, NII and JI members also experienced Jihadist fighting in the Afghan-Russian war.

The end of the war in Afghanistan was a crucial catalyst for spreading radical ideology throughout the world. Jihad fighters came from all over the world to find martyrs including NII and JI members. Southeast Asian Jihadists who had all the fundamental knowledge about guerrilla warfare and bomb-making were seen as the new ‘medan Jihad’ to continue their Jihad. The war between Moro and Manila military in Mindanao was a good opportunity for these ‘war-hungry’ Afghan veterans.

1109 Copies the original are in my possession and are printed in Appendix 19 and 20 in page 276, 277, 278 and 279. Mawasi's company had some strange features as recorded by the CCM. Mawasi was registered as Mawasi bin Muhdi and Mawasi bin Majli. Both had Malaysian PR but with different Malaysian Identity Card (I/C) numbers. This writer was advised by the police, that there was something wrong with the record and police believed it may be a forgery – the same person with two names and two different I/C numbers. From Op. Cit., Omar, I. (2007). And Op. Cit., Pitchay, A. K. M. (2007). 1110 Op. Cit., Abas, N. (2007b).
Later, in addition to Mindanao fighting, JI members were involved with the series of bomb attacks in Indonesia and planned more bomb attacks in Singapore and Malaysia. The main reason was to create chaos on the basis of conflict between religions.

Meanwhile, JI in Malaysia also established LHIS as their alternative training center after Ngruki. Sungkar and Ba’asyir set up LHIS in 1991 with strong support from local NII sympathizers. LHIS was a clone of Al-Mukmin Pasantren, known as Pondok Ngruki, back in Solo.\footnote{Tempo. (2002, 9 November). Abu Bakar Ba'asyir: The Malaysian Connection. \textit{Tempo}.} Ba’asyir confessed he established the ‘Ahli Sunnah Wal Jamaah’ community in Malaysia with the foundation laid in Kuala Pilah and Johor. Through these efforts, Sungkar and Ba’asyir were successful in expanding the Usrah network outward from Indonesia, and for soughing roots into Malaysia and Singapore.

LHIS was build on two main objectives, first, to create a true Islamic generation which would practice Islam in every aspect of life, and second to provide a substitute educational system to JI’s children in this region.\footnote{Op. Cit., Respondent L1. (2007).} Except students from Sabah (predominantly children of DIS), most of the students were the children of illegal Indonesian immigrants in Malaysia. LHIS also provided a radical approach to teaching and also acted as a feeder for the DI struggle. JI children were indoctrinated with radical ideology to make sure the struggle of DI was maintained. Later, LHIS created ‘al-Ghuraba’; a secret group to train future ‘Jihadi fighters’ with military training in Afghanistan and Pakistan. LHIS also acted as a ‘transit centre’ for JI members after returning from Afghanistan, then they were instructed to take part in militant operations in this region.

JI made a regional radical network with the Philippines through MILF, Singapore through the JI Singapore cell, Thailand through GMIP and WKR, Malaysia through KMM, Indonesia through GAM and Sulawesi Muslims Organization, and Myanmar through RSO. All these groups’ representatives were present at the three \textit{Rabitatul Mujahidin} meetings that took place in Kuala Lumpur and Perak in 1999 and 2000.
However, these meetings did not include discussions about violence and attacks but were more about establishing an *Islamic Caliphate* throughout the region.

Malaysia played a crucial role in establishing JI and also strengthened the organization during the 1990s. Its geography location and the amicable policy by the Malaysian government to any Muslims were important to the expansion of JI in Malaysia. JI also had close contact with the local Malaysian radical group, KMM. This group was founded in April 1996 by Zainon Ismail under the name *Halaqoh-Pakindo*. Later, KMM divided into two paradigms with different leaders and different objectives. The north and east cells followed the instructions of Zainon and Nik Adli, but the Kuala Lumpur and Selangor cells followed the instructions of JI leaders such as Hambali and Abu Jibril. The K3M group, led by Zulkifli Khir, was influenced by JI and shared the same NII ideology. Later, K3M had a joint venture in JI operations. KMM also received advice from JI experts for their operations as stated by Elina Noor (2007) “Ties between KMM and JI are also well forged that KMM members on the run are believed to be sheltering with or finding support from JI members in the region, particularly in Indonesia”.1113

When KMM was uncovered in mid-2001, most of the members fled to Indonesia and received help from JI members. The members helped to ferry out KMM members through the Indonesian islands and hid them in various places in Indonesia. Later, KMM and Malaysian JI members worked hand-in-hand in carrying out, planning and bombing operations in Indonesia. Respondent B8 and the Kuningan bombing give clear evidence that KMM and JI were involved in the cases of Taufik Abdul Halim and the Atrium Mall bombing.

However, all of the attacks planned by JI and KMM were abandoned after the crackdown by the Malaysian government in 2001 and 2002. Apart from the Manila bombing (2000), the Christmas Eve bombing (2000) and the Bali bombing (2002), a number of other attacks were planned by JI from the base in Malaysia. At least three more planned bombings, including *Tambak Johor*, the water link between Malaysia

and Singapore, and bombings in several embassies in Singapore and Indonesia were abandoned after JI and KMM were uncovered in 2001 and 2002.\textsuperscript{1114}

This unsuccessful agenda started after KMM was accidentally discovered by the Malaysian police following the botched bank robbery on May 18, 2001. For JI, most operations in Malaysia were foiled after this crackdown. At least 80 people related to JI were detained all over the country in a series of police operations. However, other countries such as Indonesia and Singapore never learnt from this police initiative. Indonesia ignored the presence of JI operations in its territory until the Bali bombing in October of 2002. JI's operations were only taken seriously by the Singaporean government after details about Yishun MRT's bombing plans were found on the confiscated laptop of Abu Atef, one of the al-Qaeda suspects arrested in Karachi in late 2001. Following this, 13 JI members from the Singapore cell were arrested by Singaporean authorities in January, 2002.

Questions also arose about the possibility of KMM and JI regrouping again in Malaysia. The last Molotov cocktail attacks carried out in 2001 were instigated by KMM in Sungai Petani and Johor. After seven years, it has happened again. Teresa Kok, an outspoken MP (Member of Parliament) from the DAP party, has received death threats after raising discussions about Islam as an official religion in Malaysia. Her parents' house was also attacked by unidentified assailants with Molotov cocktails. Dr. Ambiga Sreenivasan, President of the Malaysian Bar Council, was similarly attacked. One thing is clear: there are some individuals or groups who do not agree with what is happening. Moreover, these people might do something radical such as carry out further violent attacks, bombings or killings.

In addition, the series of arrests by the Malaysian, Indonesian, Singaporean, and the Philippine police might have weakened these groups, but their ability to rise again is undeniable. In addition to a lack of key operative leaders, the remnants of JI members are believed to have regrouped; its primary infrastructure remains intact (as the nature of clandestine).\textsuperscript{1115} The executions of three Bali bombers on November 9, 2008 might be encouraging nominal followers to follow the ‘\textit{holy pathway}’ and become syuhada.

(martyr) or to take revenge. Those who are at large might be re-communicating and preparing for new attacks in this region if the situation is in their favour.

Radical ideology might be re-branded and benefit from the political turmoil currently happening in Malaysia. Radical followers will take advantage of domestic political instability to promote the idea of *Islamic khilafah*. The Malaysian government should be replaced with the *khilafah* system, which is more suitable for Muslims either in Malaysia or the greater region. The ‘true’ democracy that has just been implemented in Malaysia will come at a high price. Instead of demands and claims made by certain groups, radicals will take the opportunity to further their own political motives.

At least 3000 JI followers are believed to still be active in the region. They might strike if the situation is in their favour. Tight security and constant surveillance by ASEAN countries paralyzed KMM and JI, but their capacity for violence still exists. Those who are still at large, such as Nordin Mohd Top, Umar Patek, Dulmatin and Zulkifli Khir, may regroup and plan future attacks. When there is a chance, they might come back to work together for the sake, they believe, of Islam and Muslims.

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Malaysia can claim to know how to deal with terrorists, be they Muslims or non-Muslims. We have been successful so far and we believe we can successfully handle future problems.\footnote{Mohamad, M. (2002). \textit{Islam, Terrorism and Malaysia's Response}. Subang Jaya: Pelanduk Publications (M) Sdn. Bhd.}

6.1 Introduction

It is important to analyze the Kumpulan Militant Malaysia and the Jemaah Islamiyah (JI) movements before discussing how the Malaysian government has sought to counter its influence of Muslim radicalism. The de-radicalization syllabus in detention camps, the dialogue between citizens and the influence of ASEAN are all instruments used by the Malaysian government in its de-radicalization programme. In this chapter, the use of these tools will be discussed.

6.2 De-radicalizing the Militant

Most Southeast Asian countries exposed to militant and radical threats know it is in their interests to fight al-Qaeda.\footnote{Effendi, B. (2008a). \textit{Militant Islamic Movements; Politics of Identity, Violence and Democracy}. Wellington: Series of Talks by Visiting Professor: School of Government.} Terrorism is not merely a danger to citizens and property; it is a threat to the economic prosperity of the region. Terrorist incidents affect the tourism industry and undermine investors’ confidence, as occurred in Bali after the 2002 bombing.\footnote{Parliamentary Library (2002). \textit{The Bali Bombing: What it Means for Indonesia}. Canberra: Parliament of Australia.} JI and KMM were also a threat to the existing state of power due to their long-term goal of setting up an Islamic caliphate in the region.

The radicalization of Islam in Southeast Asia is not a recent phenomenon, but an evolution of political, social and educational practices across the region.\footnote{Klempp, T. M. (2006). \textit{Contemporary Radical Islam As A Consequence of Traditional Legacies and Globalization: A Case study of Southern Philippines}. . Naval Postgraduate School, California, p. 13.} Progressive and inclusive states like Singapore and Malaysia are not immune to JI’s
insidious presence; they can only hope to reduce the ongoing terrorist threat through robust security measures and effective public policies which incorporate education and dialogue with Muslim leaders and the wider Islamic community.

Simon Sheldon’s (2002) perspective of terrorism in Southeast Asia is that it is home-grown with concerns largely confined within national borders. Although he acknowledges there are some ties with al-Qaeda, Sheldon holds that the level of cooperation and coordination among terrorist groups is nowhere near that of groups outside the region. Furthermore, Abuza says:

Southeast Asia has become a major centre of operation of al-Qaeda operatives for three primary reasons: the Afghan connection to Middle Eastern extremists, the growth of Islamic grievances within southeast Asian states since 1970s for socioeconomic and political reasons and most important, that southeast Asian states are countries of convenience for international terrorists.  

Political violence and terrorism are not new in Southeast Asia, although Islamic radicalism with its now global dimensions is a relatively new phenomenon. The biggest security threat encountered by Malaysia and Southeast Asian countries in an earlier era came from communist insurgency and subversion. The main purpose of communism at that time was as an alternative contender for state power.

Southeast Asian countries should be well aware that the current threat from radicals is important, and is one type of political warfare that requires not only security action but also a comprehensive counter-strategy. No single country in Southeast Asia should feel complacent about what they have done so far. The threat from radicals, and especially Muslim militants, will continue unless stern actions are taken. None of these groups were institutionally linked to any political party; they operated with their own methods and ideologies as well as implementing a “terror approach” in their movement. Aggrieved by local politics and frustrated with the electoral systems, inability to establish an administration well-matched with their radical perspective of Islam is among the reasons contributing to the existence of these groups. This

initiative may take a long time to succeed, but it is absolutely essential that it is carried out.

The war on terrorism in Southeast Asia will be long and arduous. Governments in this region must work together if they are to have any chance of eliminating the JI threat. The JI spectre is still with us and it is essential to exorcise it before more innocent lives are lost.\textsuperscript{1124}

A few months before September 11, the Malaysian government took significant actions and made a series of arrests of suspected militants.\textsuperscript{1125} Its use of a competent strategy to uncover the KMM and JI threats was a huge success for the Malaysian government, especially as it took place before the September 11 tragedy. Moreover, the Special Branch (SB) of the Malaysian police department also supplied important data about the militants' movements and the secret meeting in Malaysia between Muhammad Atta, Zachariah Massaoui and Khalid Sheikh Mohammad along with other 9/11 suspects.\textsuperscript{1126} However, the U.S government and CIA did not take this information seriously and missed the opportunity to prevent a tragedy.\textsuperscript{1127}

The militant threat in Malaysia was further reduced when the Inspector General of Police (IGP), Norian Mai, revealed on January 5, 2002, that 13 more KMM members had been arrested.\textsuperscript{1128} Less than two weeks later, 10 more militants were arrested and claimed by police to be the second and most dangerous wing of KMM. On June 19, 14 more militants in Malaysia were detained - one of them was Sejahratul Dursina aka Chomel, the wife of Yazid Sufaat.\textsuperscript{1129}

All of those arrested in 2002 were at first believed to be members of KMM, but the Malaysian government later found they were JI Malaysian cell members.\textsuperscript{1130} On April 23 2003, three more Malaysian militants were arrested in Indonesia, two of them (Nasir Abas and Nurmiswari) were JI members and one, Rafi bin Udin, who had fled

\textsuperscript{1124} Yeo, W. (2003). \textit{The JI Spectre Is Still Here}. Singapore: Institute of defence and Strategic Studies, p. 3.
\textsuperscript{1127} Ibid.
\textsuperscript{1129} Respondent I. (2007).
to Indonesia in 2001, was from KMM.\textsuperscript{1131} Malaysian police strongly believed that many more KMM and JI members were dispersed and in hiding in the region, particularly in Indonesia and the Southern Philippines.\textsuperscript{1132}

After the September 11 incident, the Malaysian government was emboldened to take stern measures to maintain the ‘moderate Islam’ implemented in Malaysia. Various actions have been taken, such as strictly enforcing the constitutional provision for Islam as the official religion. This initiative was implemented by the Mahathir government in order to prove that Malaysia is an ‘Islamic state’ and that there was no need for the radicals' more extreme interpretation of what that should mean. For radicals, they have their own interpretation of an Islamic state. For them, Malaysia is not an Islamic country because it uses colonial law and a secular (Western) political system.

Malaysia was also identified as a fragile multi-ethnic country.\textsuperscript{1133} The situation had always been somewhat unstable and it was hard for the government to take any action without affecting people's rights.\textsuperscript{1134} However, without any choice, the government used the ISA to deal with all types of extremists. Racial, ideological, language, cultural and political means were used by some extremists to destroy inter-ethnic harmony, social stability and national unity.\textsuperscript{1135}

Countering terrorist strategies in Malaysia involves using certain domestic measures to build Islamic religious education and to eliminate the causes of militancy. The Mahathir administration has once again made a significant decision to monitor the curriculum content of religious institutions, either run by the state, privately or by the opposition party. Most of the private schools known as \textit{Sekolah Agama Rakyat} (SAR) are owned by Partai Islam Se-Malaysia (PAS) and are located around the country.\textsuperscript{1136}

\begin{footnotes}
\footnotetext{1132}{Pitchay, A. K. M. (2007). \textit{Interview on the 30 December 2007 at Special Branch Department, Bukit Aman Royal Malaysia Police Headquarters Kuala Lumpur.}}
\footnotetext{1133}{Ibid.}
\footnotetext{1135}{Ibid.}
\footnotetext{1136}{Respondent H. (2007). \textit{Interview on 13 October at Kampung Baru Kota Mengkuang, Mukim Wang Tepus, Jitra Kedah.}}
\end{footnotes}
The Malaysian Strategic and Research Centre (MSRC), an independent Malaysian think-tank suggested that privately-run religious institutions are a fundamental breeding ground for potential Muslim terrorists and should be overhauled and placed under stern government control.\textsuperscript{1137} The failure of the government to monitor these schools could result in bigger problems similar to those that occurred in Indonesia. There are more than 500 SARs with at least 126,000 students operating in Malaysia.\textsuperscript{1138}

Abuza (2003) wrote, “On October 15, 2001, Prime Minister Mahathir Mohammad announced all private and state schools run by PAS (Partai Islam Semalaysia), from kindergarten to college would “be under closer scrutiny”.\textsuperscript{1139} Mahathir also expressed concern about the extreme PAS ideologies being taught at over two thirds of the 2160 religious schools in Malaysia.\textsuperscript{1140} Mahathir condemned all PAS-linked institutions as un-Islamic and deviant, and said they required constant monitoring.\textsuperscript{1141} Deputy Prime Minister at the time, Abdullah Badawi, said that “the majority of these schools contribute nothing to the educational stock”.\textsuperscript{1142}

The government strongly believes these schools are the sources of anti-government sentiment and Islamic based militancy.\textsuperscript{1143} Lack of surveillance and monitoring accessibility by state and federal education departments were among the factors allowing the growth of radical ideology in these schools. Most of the Ustazs came from the Middle East and have been influenced by radical ideologies, with some of them introduced into Afghanistan for short military training.\textsuperscript{1144}

Later, the Malaysian government cut SAR funding in order to weaken the management of these schools. This initiative was successful when some SARs decided to close their premises because of the cost burden. The government then gave schools the choice to either carry on with their operations without support from the

\textsuperscript{1138} Ibid.
\textsuperscript{1140} Ibid.
\textsuperscript{1141} Ibid.
\textsuperscript{1142} Ibid.
\textsuperscript{1143} Ibid.
\textsuperscript{1144} Ibid.
education department or become part of the state or federal school system with the condition that they embrace secular subjects.\textsuperscript{1145}

Moreover, teachers without qualifications from the Islamic department or a teaching certificate from the education department were forced to take weekend courses or \textit{Kursus Jangka Pendek} (short-term courses) at \textit{Maktab Perguruan} (Education College). This brilliant step was initiated by the Mahathir administration. In addition to forcing teachers to get a proper education, it provides a chance to de-radicalize them.\textsuperscript{1146} \textit{Ustazs} were asked to learn ‘secular’ subjects such as pedagogy, psychology, management, history, civilization and many more instead of needing to pass examinations at the end of the courses.\textsuperscript{1147} Apart from the certificate, these teachers were assured a better salary and the opportunity to serve in their home town if a position was available.\textsuperscript{1148}

Initiatives taken by Mahathir’s administration in regulating Islamic education as tools for de-radicalization had successful outcomes. It may not work in some countries and normally ends-up with resistance from extremists, but this has not happened in Malaysia. Majority Malay Muslims in Malaysia support any de-radicalization means taken by the Malaysian government and give no sympathy to militants. All government agencies especially Ministry of Education, States Education Department, States Religious Department, Police and others, work hand-in-hand for the de-radicalization programme.

\subsection*{6.3 Dialogue between Civilizations\textsuperscript{1149}}

Islamic civilization was at one time a bridge between East, West, North and South.\textsuperscript{1150} But now, misconception is a big problem between Islam and the West.

\begin{itemize}
\item \textsuperscript{1145} Noridah. (2007). Interview on 12 October at Taman Indra, Kangar Perlis.
\item \textsuperscript{1146} Ibid.
\item \textsuperscript{1148} Op. Cit., Noridah. (2007).
\item \textsuperscript{1149} I am not discussing the dialogue among civilizations as part of the debate between the United Nations (UN) and various countries in the world who sought to understand what is happening in the Muslim world today. I acknowledge this debate as important but I want to concentrate more on the resolution of conflict with the modern world that has given rise to the level of violence seen in the Muslim world over the last two decades.
\end{itemize}
Misinterpretation of Islam can pose a variety of threats to Muslims and later will create conflict as has occurred before. Furthermore, misconceptions of Islam can also transform into foreign policies that have a significant impact on Muslim countries, as is now occurring in Afghanistan, Palestine and Iraq. Frank Tachau, a Professor of Middle Eastern politics has critiqued some of the American misconceptions concerning the Arab-Israel conflict and the role Islam plays in it. Tachau also expressed that some misconceptions about Islam have influenced American foreign policy towards the Middle East, especially in the Israel-Palestine conflict. He suggested the American government educate their citizens to create a well-informed public who will understand and support every step taken in shaping foreign policies. Osman Bakar (1997) wrote: “The West’s problem with Islam is the Muslims’ main problem with the West”\textsuperscript{1151}

Another American scholar, John L. Esposito, has said it is necessary to appeal to the American public to think beyond stereotypes in their perceptions of Islam.\textsuperscript{1152} Esposito also said that since the disintegration of the Soviet Empire and the death of communism, Western media has tended to publish more about Islam. However the big issue is misinterpretation, with many voices stimulating fear of Islam. As well as urging the West to be fair to Islam, Esposito has suggested Muslims should also rid themselves of their own stereotypes of the West.\textsuperscript{1153}

In today's society, both Muslim and Christian or Islamic and Western civilizations need to strive for a better understanding and implement dialogue to stop misconceptions. This would help to bridge the East and West. Among the main objectives of a dialogue between civilizations is to bring different communities together to work for the common good of society as much as they are forced by circumstances to live together, side by side, while subscribing to different spiritual faiths, religious ways of life and political ideologies. Community leaders seek to lay

\textsuperscript{1151} Ibid., 35.
\textsuperscript{1153} Ibid.
down principal conditions to be adhered to by all of those involved in the conduct of civilized dialogues including inter-religious discussions.

Therefore, to counter terrorism through civilization dialogue is not the issue, but to understand and to recognize the wisdom enshrined in such dialogue is crucial. Both Muslims and non-Muslims have to develop their interaction within the positive context of living together in fellowship and with the aim of mutually helping each other. Human beings were created in diversity so they could help each other and gain the benefits by these relationships.\textsuperscript{1154}

History shows Muslims and non-Muslims have lived together in harmony and peace as in Cordova and Jerusalem.\textsuperscript{1155} A similar situation was also recorded in the Malaysian region decades ago, when Muslim traders came for business and later settled down in areas such as Malacca, Acheh, and Pattani.\textsuperscript{1156} Locals, who had already embraced Hindu and ‘ Animism’, welcomed these traders without confrontation. In addition to experiencing positive interactions, the traders also assimilated themselves and Islam with local culture and customs. There is clear evidence that Muslims and non-Muslims in this region lived together peacefully. Their understanding and interactions about local culture and customs as well as existing religions showed that dialogue has been in place for centuries.

6.4 Religious Perspectives and the Malaysian ‘Strategic’ Approach
Religion is an important part of human life. However, there is now a more pronounced religious element to international terrorism. Bruce Hoffman in Whittaker (2007) has estimated nearly half of today’s terrorist groups can be classified as religious in character and/or motivation\textsuperscript{1157} “by 1994, a third (16) of the 49

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identifiable terrorist groups could be classified as religious in character and/or motivation”.

Past clashes and conflicts have occurred in the name of religious differences. The most effective way to counter this is to share the values and teachings of various beliefs. We must share all of these values, either academically or through spiritual experiences. These are powerful instruments for developing mutual understanding and respect. The subsequent understanding would make this world a more harmonious and prosperous place. As harmony and understanding among different beliefs is crucial to followers, we should enforce the development of greater ties between religions. Not only at the leadership level, but everyone must understand the principles and methods of each religion.

There are a number of methods available for establishing strong ties between religious followers and resolving conflict, such as encouraging meetings among scholars from different religious backgrounds. Meetings like this are important for allowing discussion of differences and similarities in traditions and also to promote empathy and improve knowledge about one another. It is crucial for religious scholars to meet and discuss all these matters in the public eye. Their understanding and cooperation will be followed by the public.

It is crucial for everyone to understand the differences between religions. There is nothing wrong with recognizing differences; what is important is a willingness to acknowledge all of the values and beliefs in every religion. We are living in a world of differences. It is crucial to maintain the diversity of religious traditions because people live in a world of variety and complexity.

But we should realize that while a diversity of religious traditions is more suited to serving the needs of the varied perspectives in humanity, this diversity naturally also possesses the potential for conflict and tension. Everybody, whether they are scholars

1160 Ibid., 252.
or followers, must work to transcend intolerance and misunderstanding and build a stable and strong society throughout the world. In the case of KMM and JI, religion was used as an instrument for conflict and tension. *Jihad* as one of the Islamic principles was actively promoted as a religious obligation and become a reason for carrying out works of terror.\footnote{1161}

KMM and JI have different understandings and interpretations of Islam and *Jihad* compared to the majority of Muslims in the world. They have their own substantiation and verification taken from verses of the Quran and Sunnah to support their violent and terrorist activities. KMM and JI have misunderstood and misinterpreted certain Islamic concepts, resulting in the assertion that they are following the correct path. Members have not been concerned about whether their actions would lead to the destruction of human lives and public property, causing anarchy and stirring unrest between ethnic groups.

One of the Bali bombers who was executed by the Indonesian government on November 8, 2008, Imam Samudra, wrote in his book, entitled *Aku Melawan Terroris*, that killing unbelievers (infidels) was permitted as part of *Jihad fi sabilllah* (waging holy war for Allah)\footnote{1162}. Imam Samudra’s book contains his confession and justifications for committing the Bali bombing as well as the basis of his actions. Imam Samudra also supports his words and legitimates his violence and deadly action in Kuta, Bali in October 2002, through verses from the Quran such as: “Then kill the Mushrikun wherever you find them, and capture them and besiege them, and prepare for them each and every ambush”\footnote{1163}.

However the issue is, Imam Samudra did not look at the verses as a whole, he just picked words that matched his own beliefs. In understanding any issue in Islam, one is supposed to look at the wider context of the verses; they cannot be addressed in isolation. Imam Samudra explained the Bali bombing was an offensive *Jihad* that had

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to be done to infidels in any place in the world\textsuperscript{1164}. This is a complete misinterpretation of the text, in that it only takes account of certain verses while ignoring the historical context in which they are written\textsuperscript{1165}.

The exact context of that verse is related to \textit{Mushrikun} (infidels) and the idea is that \textit{Jihad} should only be used defensively.\textsuperscript{1166} This verse should be understood based on its origin, and why and to whom it was revealed. It was revealed to Prophet Muhammad in Madinah, Saudi Arabia 1400 years ago to explain how to deal with those who breached a peace treaty at the time.\textsuperscript{1167} However, people like Imam Samudra, Osama bin Laden, and Abdullah Azzam manipulate this verse for their political and violent means.\textsuperscript{1168}

As the writer illustrated in chapter two (typology of terrorism), the interesting thing about militant Muslims is that most of them have very little knowledge of Islam. They do not come from an Islamic background, but are extremely eager to discover religion when they join the JI, KMM or any radical Muslim-based groups. Lacking religious education, they are easily influenced by the teachings of JI, promoted by charismatic leaders such as Hambali, Sungkar and Osama bin Laden. They then become confused about the definitions of some crucial terms in Islam such as \textit{Jihad} and \textit{Kafir} (infidel). After their extreme induction, they believe armed \textit{Jihad} is compulsory for Muslims regardless of who they are or where they come from.\textsuperscript{1169}

\textit{They were thus made confused with other Islamic concepts; for example on the promises of eternal lives or akhirat; using violent means to restore the Khilafah Islamiah; that military armed Jihad is compulsory for Muslims as Islamic Law is not being carried out; the coming of Islam is to execute all non Muslims and therefore it is permissible to kill all non-Muslims.}\textsuperscript{1170}

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Jihad is not an act of terrorism. Any act of terrorism targeting innocent civilians through aggressive or suicidal means is wrongful and never permissible by Islam.\textsuperscript{1171} Individuals and organizations do not have the right to launch Jihad in the name of Islam or on behalf of Muslims in another country. Jihad is supposed to be decided by the head of the country which is involved in the fight.\textsuperscript{1172} No-one can simply wage or declare Jihad in the name of Islam or to help their brotherhood.

Therefore, only people in power, which means the leaders of a particular country, are in a position to decide whether or not to take part in Jihad.\textsuperscript{1173} However, for countries with no government due to invasion, such as Iraq, Afghanistan and Palestine, anybody who has received the mandate of a majority of the people can make a decision. Those in power are also bound to declare Jihad when their government has been removed by the enemy or to defeat enemies who are invading their country.\textsuperscript{1174}

Those in power and participating in Jihad should be aware of who their enemies are and who can legitimately be killed.\textsuperscript{1175} It is not permissible to kill anyone other than members of armed forces or those who have joined forces against them. This is the law in Jihad, which is in line with the Geneva Convention about the protection of civilians and prisoners.\textsuperscript{1176} Jihadists are not allowed to kill civilians, prisoners, non-combatants or anybody who is injured. The Prophet Muhammad said: “Do not kill the elderly who are sick, young children or women and do not behave excessively, accumulating the spoils of war. Be kind, for Allah loves those who are kind”.\textsuperscript{1177}

Jihad should be conducted only in conflict zones or areas recognized as such under international law.\textsuperscript{1178} Attacks cannot simply be carried out anywhere, such as in Bali, the Philippines, Singapore or Malaysia. Attacks out of conflict zones are highly

\begin{thebibliography}{99}
\bibitem{Jamali} Jamali. (2007). Interview on 11 December 2007 at Malaysia National Mosque, Kuala Lumpur
\bibitem{Ibid} Ibid.
\end{thebibliography}
questionable and illegitimate in Islam. Although Bali, according to Islam, is a place of vice and its economy relies on immoral activities, this does not justify it as an attack target; Islam does not condone such approaches to eradicating vices.\footnote{Op. Cit., Hassan, M. H. (2006), p. 143-144.}

Moreover, the nature of Islam as a religion is of peace. Its followers are required to practice peace in every aspect of their life at all times. Islam demands that war should be the last resort only after all peaceful possibilities have been exhausted. Islam also teaches its followers to respond to bad things with kindness rather than aggression. The decision to wage war should only be made if it brings greater benefits or prevents greater dangers from occurring. If not, peace and agreement should be developed between Islam and its enemies in order to prevent deaths, casualties and the destruction of property.\footnote{Ibid., 39-40.}

The issue often mistakenly believed by some Muslims is the various interpretations of \textit{Jihad} in Islam.\footnote{Op. Cit., Mooner, M. D. (2006).} In a battlefield \textit{Jihad} is only one of many of its forms, as illustrated in the Quran and Sunnah. For example, these can include \textit{Jihad} against poverty, \textit{Jihad} against illiteracy, \textit{Jihad} to develop the economy and \textit{Jihad} to create a better community.\footnote{Op. Cit., Hassan, M. H., & Ali, M. (2007), p. 1-3.} By practicing Islamic principles in daily life, Muslims are already committing to versions of \textit{Jihad}.

The most important \textit{Jihad} that should be practiced by Muslims is \textit{Jihad} to acquire knowledge.\footnote{Afşaruddin, A. (2007). Striving in the Path of God: Fethullah Gülen’s Views on Jihad. Houston: Gülen Institute, p. 498.} Knowledge is considered the most important thing in human life. Only with knowledge will people be respected no matter who are they and where they come from. For Muslims, knowledge will guide them towards a better understanding of Islam and advance their faith. Many social, political and economic problems will be created if Muslims have no education or pursue the wrong type of education.\footnote{Baharudin (2007). \textit{Interview on 15 November 2007 at Jabatan Gerak Saraf Perang Saraf (GPGS)}, Prime Minister Department, Putrajaya}
Hence, Muslims throughout the world should attempt to gain knowledge or upgrade their existing understanding for the betterment of world affairs.\textsuperscript{1185}

*Jihad* that addresses economic issues is regarded as being on a par with *Jihad* for the acquisition of knowledge.\textsuperscript{1186} Today, about 70 percent of the 1.3 billion Muslims around the world live in poverty.\textsuperscript{1187} Muslims approached 23 percent of the whole world population but have suffered under the humanitarian crisis for decades. A lack of capability in managing their economy and corrupt leaders as well as a high illiteracy rate has led to major obstacles in creating a better life. Because of economic difficulties, some Muslims have become involved in criminal and immoral activities. Piracy in Somalia, robbery in Nigeria and bribery in Indonesia are among the significant effects of poverty. Islam is not only about obtaining life after death, but is also related to living in this world.

Nevertheless all this does not mean that the rise of terrorist groups among Islamic populations only has to do with poverty and a lack of jobs and hope. This could easily be given as the reason, but why then has terrorism failed to develop in many other populations characterized by the same problems? Islamic radicalism is very much a political movement, targeting the disaffected.\textsuperscript{1188} Feelings of alienation, anger, and a sense of powerlessness in the face of overwhelming real or perceived obstacles to the realization of both individual and group fulfilment should be taken into account.\textsuperscript{1189} Militants in Malaysia have shown poverty was not the cause of radicalism; at least eight of the detainees were lecturers, two accountants, and two engineers with good stable incomes.\textsuperscript{1190}

\textsuperscript{1185} Dollah, M. Z. (2007). *Interview at Level 8, Department of Islamic Understanding and Development of Malaysia (JAKIM)*, Wilayah Persekutuan Putrajaya.


\textsuperscript{1188} Ibid.


Moral and social Jihad is as important as other Jihad among Muslims. Throughout the Muslim world, moral and social decay is prominent. The weight of becoming a good person is on every Muslim’s shoulder, and it is supposed to start with their own family. Being a good Muslim and guiding the respective family is important and in line with what is asked by Islam. Muslims should think and tackle the matters surrounding them rather than try to take care of distant problems. When internal problems are dealt with, only then can Muslims think about crises in other countries.

Since the 1980s Malaysian Muslims in Afghanistan, Ambon and the Southern Philippines have been performing Jihad to help their brotherhood. For this reason, should Malaysian Muslims taking part in conflict areas such as Iraq, Afghanistan, the Southern Philippines, Southern Thailand and Palestine be able to help their oppressed brothers? It should not be that way; Malaysian Muslims have their own government which is responsible for internal and foreign affairs. The burden to help Muslims in other countries is with the Malaysian government, which can support organizations such as the Organization of Islamic Association (OIC) and the United Nations (UN) in reducing conflicts.

Individuals should not be involved in conflict in other countries because each Muslim is needed to build the strength of their own community. What would happen if thousands of Malaysians go to war zones and take part in armed Jihad? The answer is productivity and solidarity in their home community would be affected, which is not in line with what was conveyed by Prophet Muhammad - that taking care of themselves and their family before others is most important. Islam asks its followers to prioritize their responsibility to their own communities before rendering assistance to those who are far away.

Muslims should be extremely careful to take note of the basic Islamic resources of the Quran and Sunnah as well as Ulamas’ decrees. Doing this will lead them towards a better understanding of Islam and avoid misinterpretation. Muslims are also urged to

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1191 Suhaimi. (2007). Interview on 15 November 2007 at Jabatan Gerak Saraf Perang Saraf (GPGS), Prime Minister Department, Putrajaya.
1194 Ibid.
understand the classical Muslim scholars’ perspectives and their relationship with modern thinking. Most of the *kitab* (books) used by militants today, were written by classic scholars who had no knowledge of present times. It does not mean these scholars were not well-educated, but their situation was different from what is happening today.  

Differences in faiths cannot be used as a reason for creating conflict between religious followers, particularly between Muslims and non-Muslims. Having the perception that all non-Muslims are anti-Islam and hate Muslims is unacceptable. Such a misconception is no different from some non-Muslims' belief that all Muslims are terrorists. Muslims always argue with non-Muslims about their stereotypical perceptions of Muslims, but at the same time are guilty of stereotyping all non-Muslims as bad and constantly prejudice. Both these kinds of thinking are closer to extremism than moderation.

### 6.5 The De-radicalization Programme

It is a challenging task for governments and institutions in this region to help extremists understand the true meaning of Islam. Most JI and KMM members have had radical perspectives implanted in their minds since they were very young. Radical ideologies have been developed over about 10 to 20 years, and it looks like it will be impossible to wipe them out in the short-term. Consider the following chart:

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As illustrated above, the process of de-radicalization by the Malaysian government went through a few stages. After being arrested, detainees were taken to the RMP remand centre at Bukit Aman, Kuala Lumpur for interrogation. From information obtained, detainees commanded to be detained under the ISA for two years (minimum). At this stage, more arrests may have happened depending on the information given by detainees. After being released, detainees were put under Restriction Order (RO), but some went on unconditional release. Counter strategies were also implemented by the Malaysian government with co-operation between the RMP (special Branch Department), the Prime Minister Department, the Department of Islamic Development Malaysia and many more.

Internal Security Act (ISA) is a major prevention tool in Malaysia, besides detention's aim to weaken their ability to carry out violence; authorities in detention camps are trying hard to de-radicalize all detainees. Religious counselling conducted by the religious department is part of the programme. Sermons and counselling have assisted

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1197 Chart: Composed by the writer.
the KMM and JI detainees to explore their misinterpretations about Islam. Ustazs and Ulamas have been invited to give accurate explanations about aspects of the religious doctrine and their belief system, where KMM and JI members have gone wrong.\(^{1199}\)

The main difference between Malaysia's and Indonesia's de-radicalization programmes is related to using ex-militants to counsel their comrades.\(^{1200}\) Reasons for not using this method include the fact that some of the detainees regarded such members as traitors. A figure like Nasir Abas is hated by JI members because they believe police used Abas as a secret agent and he was also considered a culprit in the Jemaah (JI movement).\(^{1201}\) Unlike the al-Arqam movement, Jabatan Kemajuan Islam Malaysia (Department of Islamic Development Malaysia-JAKIM) and the police use former members such as Zabidi Mohammad\(^ {1202}\) in their rehabilitation programme, but a different approach with continuing rehabilitation and monitoring has taken place for JI and KMM members.

The advantage of the Malaysian rehabilitation programme is the use of academics from universities as counsellors. Malaysia might be the first country in the world that has used this approach to rehabilitate militants.\(^ {1203}\) One of the reasons is that academics are not seen as government agents like the police and counsellors from JAKIM. Academics are seen as an independent party involved in the capacity of knowledge and research,\(^{1204}\) as written by Oorjitham (2008): ‘Malaysia was the first to rope in university lecturers to help with the rehabilitation of JI leaders because they are knowledgeable and respected’.\(^{1205}\)


\(^{1205}\) Ibid.
At least one lecture every month has been reserved for academics to carry out a series of presentations. Every lecture lasts three hours from 9.30am until 12.30pm with participation from most JI and KMM members. Participation in the lecture and any programme run by the detention authorities or police will be taken as merit for their release. Later they will be either withdrawn from the detention camp or put under a ‘Restriction Order’ (RO).

Rehabilitation is considered the most important tool in countering radicalism, especially in Malaysia and its neighbouring countries. A religious approach in countering radicalism and terrorism is crucial. This is because, unlike ordinary methods, the religious approach of the rehabilitation programme hits at the foundation of the problem, which is the militant ideology of JI and KMM members. At the end of the programme, the radical ideology based on *salafi-wahhabism* thinking will have been replaced by more accurate Islamic teachings. It does not mean the programme was created to wipe out the idea of *Jihad* from JI and KMM members' minds, but it was developed as an important guide to the real meaning of holy war as illustrated in the Quran and Sunnah.

*To all Mujahidin (Jihadi fighters) and ikhwan (Muslim brothers) in this world, rethink what we have done as extremely important, if what we have done is right why have we faced these difficulties, why does Allah (God) not help us? Why were some of our members killed or will be executed, arrested or fled abroad? We still have time to make a change.*

The rehabilitation program implemented in Malaysia has similarities to the religious counselling implemented in Singapore. JAKIM conducted rehabilitation programs for three main clusters of detained KMM and JI members, who were placed under the RO along with their families. In attempting to correct JI and KMM misconstrued ideology, JAKIM and police have categorized them into two groups. The first includes those who make up the hardcore. That is, they are still extreme and militant in their thinking and continue to believe what they did was right. The second group is made up of members who have shown regret and remorse for their actions.

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Various departments such as the Special Branch of RMP, together with senior Ustazs from JAKIM, the National Mosque and Jabatan Agama Islam Negeri (State Religious Department) work hand in hand to provide a clear understanding of the main religious concepts, particularly about Jihad.\footnote{1209}

_The government cannot deal with the terrorist ideology by changing the mind of the detainees who have [been] poisoned. This has to be done by the religious teachers and scholars themselves; that’s why the religious rehabilitation group[s] have played a very important role in helping the government provide rehabilitation to the detainees. And this should be the case because they are the experts._\footnote{1210}

Regular and special courses were created from time to time by the government in co-operation with the police and JAKIM at state level. Focal groups targeted in this program were released detainees. Continuity and consistency in the running of the programme has denied JI and KMM ability to re-group again.\footnote{1211} These programmes are also important for helping such terrorists avoid returning to radicalism because of the influence of other members or factors. Those who are detained under the RO, have to report on a weekly basis to the nearest police station.\footnote{1212} On top of this, they are required to attend any courses organized by the police or religious department at the district or state level. However, sometimes they have _Kursus Perdana_ (prime/major courses) designed by the Special Branch unit and JAKIM to make sure de-radicalization is sustained.\footnote{1213}

In countering the radical thinking of JI and KMM members, four different phases of a rehabilitation syllabus have been implemented. For those who are on detention order, or are under the RO, it is compulsory for them to take part in all four stages of the programme. In the first stage, counsellors from JAKIM and the police extricate any negative ideology or twisted Islamic perceptions.\footnote{1214}

In the second stage, discussions take place with counsellors and the misunderstood ideologies are addressed. At this point, a challenging task awaits every counsellor as

\footnote{1213}{Ibid.} 
the militants try to defend their understanding. Counsellors must counter this with a clear and deep knowledge of Islam, because JI and KMM members will at first argue that the counsellors are infidels. In the third stage, all twisted Islamic concepts and ideologies are replaced with the correct interpretations of the Quran and Sunnah. After all of these aspects are completed, more comprehensive education about Islam begins.

For family members, indirect courses are sometimes held in order to break the cycle of indoctrination and to prevent KMM and JI regeneration. Immediate family members, who are usually in shock, need clear explanations about what is happening. Besides this, having the right interpretation of Islam is crucial for making sure other family members do not become victims of the same deviant understanding of Islam. But the most important aspect is that the family must proactively focus on providing future generations with the correct understanding of Islam.

The Malaysian government also uses emotional and kin relations to counter radicalism. Using a family approach formula, Malaysian programmes use appeals and regular family visits to heal detainees. Anybody from the militant’s family, who they have contact with, will talk to them and try to explain de-radicalism indirectly. Cooperative detainees are given more time to have family visits than those who are not. This helps detainees build up their confidence about life after release or at least to become eager to cooperate for their release.

Besides this, the Malaysian government also has a special programme for militants’ families, with the aim of helping them survive without their husband, wife or children. Other government agencies such as Jabatan Kebajikan Masyarakat (the Social Welfare Department) and Pusat Zakat (the State Alms Centre) are helping these families gain financial support for their daily life. Most of the detainees’ children are given help with textbooks and uniforms through their schools to make sure they are

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1216 Ibid.
not missing out on educational opportunities.\textsuperscript{1220} In some cases, the government also helps a detainee's wife to get a job with agencies which are willing to help. One example is respondent A’s wife who was given a job at \textit{Dewan Bandaraya Kuala Lumpur} (Kuala Lumpur Municipal Council-DBKL) while her husband was in a detention camp.\textsuperscript{1221}

Detainees have difficulties entering the job market with their militant backgrounds, so the government helps them find a job or provides them with a suitable workplace. Through certain agencies, it also lends money if detainees wish to begin a new business. For example, respondent F now works with one of the private Islamic institutions in Perak\textsuperscript{1222} and respondent B works as a teacher at \textit{Sekolah Pondok} (a private Islamic boarding school) in Penang.\textsuperscript{1223} Respondent A\textsuperscript{1224} is doing business in Kuala Lumpur after renting premises from DBKL by arrangement with the police department\textsuperscript{1225} as part of the de-radicalization programme.

The rehabilitation programme initiated by JAKIM and police involves a continuous learning process due to its complex nature. This kind of programme is a long-term effort and needs to be taken seriously, not only by those two agencies already involved, but by many other parties. Malaysia has shown its capability in dealing with radicalism through physical and ideology contacts. Zachary Abuza stated in Oorjitham (2008): “The Malaysian programme [is] institutionalized, well coordinated between various agencies and well resourced”.\textsuperscript{1226}

6.6 ASEAN & Regional Initiatives

Malaysia has cooperated successfully with ASEAN countries on intelligence gathering and addressing terrorist threats.\textsuperscript{1227} Malaysia also has strong relationships

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    \item \textsuperscript{1220}Op. Cit., Oorjitham, S. (2008, 05 October).
    \item \textsuperscript{1224}Respondent A has ordered by Malaysian government for unconditional released just two days after our interview session-subsequent to serving two years under RO.
    \item \textsuperscript{1226}Op. Cit., Oorjitham, S. (2008, 05 October).
\end{itemize}
\end{footnotesize}
with the Philippines, Indonesia, Singapore and Thailand and is friendly with other powers including the US and Australia. Malaysia has had military and intelligence relations with the US for many years, even before the September 11 incident. The Special Branch (SB) units under the Royal Malaysian Police (RMP) have had a strong relationship with the US, which was apparently unaffected by the difficulties in bilateral political relations before September 11. Criticism about human rights violations and detention without trial (ISA) were among the sensitive issues between these two countries.\textsuperscript{1228} Despite some criticism and “verbal confrontations” between Kuala Lumpur and Washington, the military and intelligence relationship has remained sturdy for some time. Sidney Jones (2008) has remarked; “Since I know there is a problem between Mahathir and Bush in the 1990s and early 2000, but the cooperation in intelligence and security is so amazing, both countries work together to uncover the threat of JI and al-Qaeda in the region”.\textsuperscript{1229}

Among the first government reactions to terrorism was the increase of intelligence capabilities, this entailed not only improving surveillance of disidents and suspected extremists at home, but also abroad, particularly at the ASEAN level. Malaysia showed its commitment to countering terrorism with the establishment of the Southeast Asian Regional Centre for Counter-Terrorism (SEARCCT) in 2001.\textsuperscript{1230} In addition to carrying out close collaborations with the US and the CIA on anti-terrorist programmes, SEARCCT also facilitates cooperation and conducts training for officials in all relevant government bureaucracies from ASEAN countries.\textsuperscript{1231}

The Malaysian-U.S diplomatic relationship has steadily improved since September 11. Both countries share a similar focus in their wars on terrorism and methods for addressing radical threats to social, political and economic stability. The close relationship between Malaysia and the U.S was demonstrated in a visit to the White House by the former Prime Minister, Mahathir Mohamad in May, 2002.\textsuperscript{1232} The USA

\textsuperscript{1228} Ibid.
\textsuperscript{1230} Noorhuda. (2007). Interview on 19 November at Southeast Asian Regional Centre for Counter-Terrorism (SEARCCT) at Ministry of Foreign Affairs, Persiaran Mahameru, Kuala Lumpur Kuala Lumpur.
\textsuperscript{1231} Ibid.
Patriot Act 2001, which allows the detention of terrorist suspects without trial for a certain period, appears to be based on Malaysia's ISA detention law.

In correlation with the May 2002 White House visit, a joint declaration to fight terrorism was signed by Mahathir and Bush.\textsuperscript{1233} This agreement outlined plans to cooperate on intelligence sharing, enhance bilateral teamwork against any kind of terrorism, block terrorist funding, freeze terrorist assets, combat money laundering, enhance border controls, and work together on transportation and law enforcement.\textsuperscript{1234} The CIA's request to interrogate Yazid Sufaat in November 2002 was accepted by the Malaysian SB as a part of bilateral cooperation on countering terrorism.\textsuperscript{1235} However, the CIA refused to allow the Malaysian SB to go to Guantanamo Bay to interrogate Hambali and his Malaysian entourage, Nazir and Lily.\textsuperscript{1236}

In relation to further cooperation between ASEAN countries, not only is there the commitment to exchange intelligence information, there is also the commitment to physically fight terrorism.\textsuperscript{1237} Terrorism in this region enjoys transnational organization, with cells working in various countries in Southeast Asia. JI played a role as the main body connecting most of the groups in the region and it helped create the main shared objective - that of establishing an Islamic caliphate consisting of all of the Southeast Asian countries.

The major response by ASEAN countries to the September 11 incident was the condemnation of the attack and subsequent support for the global war on terrorism.\textsuperscript{1238} This joint condemnation was expressed through UN Security Council Resolutions 1368 and 1373 signed on September 21 and 28, 2001.\textsuperscript{1239}

\begin{footnotesize}
\begin{enumerate}
\item\textsuperscript{1233} Abdullah, K. (2008). \textit{Interview on the 07 January 2008 at The Strategic Studies and International Relations Centre, Faculty of Humanities and Social Sciences}, Universiti Kebangsaan Malaysia, Bangi.
\item\textsuperscript{1238} Tan, A. T. H. (2003b). Southeast Asia as the "Second Front" in the War Against Terrorism: Evaluating the Threat and Response. \textit{Terrorism and Political Violence}, vol.15,(No. 2.), 129.
\item\textsuperscript{1239} Ibid.
\end{enumerate}
\end{footnotesize}
countries showed the world their strong response in the first and second weeks following the tragedy. ASEAN countries also issued a joint declaration on November 5, 2001 at The Seventh ASEAN Summit in Brunei.\textsuperscript{1240} The ASEAN Declaration on Joint Action to Counter Terrorism (ADJACT) was signed by the ASEAN leaders to further condemn the September 11 attacks and extend sympathy and condolences to the people and the government of the U.S and the victims.\textsuperscript{1241} Apart from this, ASEAN countries have been directly involved in formulating policies and initiating activities against transnational crime. These include the ASEAN Ministerial Meeting on Transnational Crime (AMMTC), ASEAN Chiefs of National Police (ASEANAPOL), ASEAN Senior Officials on Drugs Matters (ASOD) and ASEAN Finance Ministers Meeting (AFMM).\textsuperscript{1242}

An ASEAN Ministerial Meeting on Transnational Crime (AMMTC) was created as a practical platform for ASEAN countries to overcome the threat of terrorism. The organisation is headed by ministers of Home Affairs and takes the lead in ASEAN in counter terrorism co-operation.\textsuperscript{1243} AMMTC was started in 1997 to adopt effective approaches to fighting transnational crime through regional alliances and international cooperation. AMMTC holds meetings every year, and ‘terrorism’ was on its agenda even before the September 11 tragedy. The ASEAN Plan of Action to Combat Transnational Crime was initiated in June 1999, with the main objective of establishing a constant mechanism to combat transnational crime from the national and bilateral levels to the regional level.\textsuperscript{1244} The AMMTC resolution also urged ASEAN countries to strengthen their regional commitment and capacity in countering any threat from these kinds of crime.\textsuperscript{1245}

\begin{itemize}
\item \textsuperscript{1240} Ibid.
\item \textsuperscript{1241} ASEAN. (2001). \textit{2001 ASEAN Declaration on Joint Action to Counter Terrorism} Bandar Seri Begawan: Association of Southeast Asian Nations.
\item \textsuperscript{1242} ASEAN. (2002b). \textit{Table of Contents ASEAN Documents Series 2002}. Retrieved 05 December, 2008, from \texttt{http://www.aseansec.org/14207.htm}
\item \textsuperscript{1244} Ibid.
\item \textsuperscript{1245} Ibid.
\end{itemize}
In response to the rise of radicalism in this region and September 11, a special AMMTC meeting was held in Kuala Lumpur in May 2002. At this meeting, AMMTC drew up a cohesive regional strategy to fight transnational crime using information exchange, law enforcement institutional capacity building, training and extra-regional cooperation. AMMTC also worked on the criminal activities in ASEAN member countries, such as illicit drug trafficking, money laundering, terrorism, piracy, arms smuggling and human trafficking. Two cohesive initiatives were mentioned in this meeting. Firstly, Malaysia agreed to train police personnel in relation to intelligence procurement and psychological warfare in relation to terrorism. Secondly, with its strong military and intelligence base, Singapore agreed to organize training on bomb and explosives detection, post-blast investigation, airport security and passport or document security.

Just two months after the September 11 tragedy, further attention was given to intelligence sharing between ASEAN countries. In November 2001, leaders of these countries agreed to expand their collaboration with strengthened cooperation between their respective security forces to exchange information and increase coordination in the fight against terrorism. A special meeting held in Kuala Lumpur in January 2002 was attended by military intelligence from Singapore, Thailand, Indonesia, Malaysia and Brunei. The objective for this ‘confidential’ meeting was to discuss the sharing of intelligence and security information. This gathering, attended by top military officials, created a new dimension of multilateral cooperation between ASEAN countries that had never been experienced before.

Not long after this, the ASEAN foreign ministers met in Thailand in February 2002 to strengthen strategic cooperation against terrorism between regional countries. Then, the 22nd Meeting of the ASEAN Chiefs of National Police (ASEANOPOL) was held in Cambodia in May 2002, followed by similar meetings in Chiang Mai in August.

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1247 Ibid.
2004, Bali in May 2005 and Singapore in June 2007. All of these meetings focused on finding new ways to identify terrorism and to understand its roots as well as to understand the transnational crime behind it. ASEANOPOL also agreed to improve regional databases to facilitate sharing and analysis of critical intelligence information such as wanted and arrested persons, transnational crime, terrorism ‘modus operandi’, syndicates and maritime offences.

Furthermore, Indonesia suggested the establishment of the ASEAN Security Community (ASC) at the 36th ASEAN Ministerial Meeting held in Phnom Penh, Cambodia in June 2003. ASC initiated an order to establish cooperation between countries to address the threat posed by terrorism. ASC was established as a platform for ASEAN countries to respond more effectively to a series of transnational threats such as terrorism, piracy, immigration and pandemics. At least 70 proposals were put forward by ASEAN countries at ASC meetings between 2003 and 2007. Among the plans of action proposed by the ASC were the establishment of the ASEAN peacekeeping force, the founding of an anti-terrorism centre and the promotion of democracy and human rights.

In addition to internal collaboration within regional countries, an important step has been taken by ASEAN in developing external counter-terrorism allies. ASEAN countries signed a Joint Declaration for Cooperation to Combat Terrorism with the U.S on August 1, 2002. The outline of this agreement was in line with the U.S policy on the ‘war on terrorism’, as Southeast Asia is regarded as the second front in the war on terrorism. The ASEAN-US bilateral relationship was signed in Bandar Seri Begawan, with the main objective of improving intelligence sharing and collaboration among their law enforcement agencies, to provide assistance on border

surveillance, immigration and financial issues and also to comply with the UN resolutions on terrorism.  

ASEAN also sought a strategic partnership with China on a broad range of issues. A joint declaration with China on non-traditional security issues was signed at the Sixth ASEAN-China Summit in November 2002. Furthermore, the first informal ASEAN Ministerial Meeting on Transnational Crime plus China (AMMTC+China) Consultation meeting took place in November 2005 in Hanoi, Vietnam to boost cooperation against transnational crime and terrorism. 

ASEAN also developed an understanding with three East Asian countries to combat transnational crime. ASEAN+3, which include China, Japan and Korea, was founded in 1997. A special meeting on countering terrorism and establishing cooperation at an international level to combat transnational crime took place in Bangkok in January 2004. For outer continent collaboration, the ASEAN-EU ministerial meeting was initiated in Brussels on January 27-28, 2003. A Joint Declaration on Cooperation to Combat Terrorism with the main objective of fighting terrorism and sharing information about international terrorist networks was signed at the Fourteenth ASEAN-EU meeting, in line with the United Nations Security Council Resolutions related to terrorism, in particular resolution 1373 (2001), 1377 (2001) and 1390 (2002).

For decades, ASEAN has faced a number of challenges in responding to terrorism and transnational crime. These challenges have been tackled through ASEAN’s traditional approach to security, based on comprehensive security and resilience. Terrorism and transnational crimes primarily remain domestic sources of instability for ASEAN countries. At the multilateral level, we have seen the adoption of a common rhetorical stand, the setting up of frameworks of cooperation and action and the engagement of

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1260 Ibid.
dialogue partners. Nowadays, ASEAN is regarded as a platform for cooperation and a regional voice on the issue of terrorism and transnational crime at the international level.

6.7 Conclusion

Countering radicalism is not easy, especially when dealing with various backgrounds and understandings of Islam among the Muslim population. Winning the battle of ideas will be an uphill task if the root causes of worldwide Muslim grievances are not addressed. For years the uneven foreign policy of the U.S towards Muslim countries has contributed to the backlashes and vendettas. Inconsistent policy undertaken by the US towards the Middle East, especially in its tendency to support Israel rather than address all of the underlying issues, can sometimes seem like a war on Islam, especially in the eyes of radical Muslims.

Muslims worldwide share a deep sense of frustration over the injustice experienced across Muslim societies.\textsuperscript{1261} Millions of people in the Middle East perceive themselves as victims of America’s uneven policies. History has shown that the superpower and its allies have supported undemocratic regimes such as Saddam Hussein in Iraq and the military administration in Algeria.

According to Audrey Cronin (2004), work in the field of radical Islamism and religious terrorism in general suffers from a knowledge gap.\textsuperscript{1262} Because the phenomenon of religious terrorism crosses so many academic fields including political science, sociology, psychology, theology, economics, anthropology, history, law and international relations, it creates a challenge to academicians unaccustomed to collaborating. As Cronin points out, “the distinctive perspectives and modes of research engaged in by scholars in each of those disciplines have led most to rely on the familiar perspective and long-established arguments that are prevalent in each field”\textsuperscript{1263}

\textsuperscript{1261} Kassim, Y. R., & Hassan, M. H. (2004, 22 September). Madrasah Can be Key Partners in War on Terror. \textit{Straits Times}.
\textsuperscript{1263} Ibid.
A strategic step has been taken by the Malaysian government in overcoming domestic militant ideology. The declaration of Malaysia as an Islamic state was regarded as the main tool in overcoming radical ideology. In late 2002, former Prime Minister Mahathir Mohammad declared Malaysia an Islamic state, despite strong resistance from opposition parties. The Democratic Action Party (DAP), a Chinese dominated opposition party, said Malaysia should be a secular country and remain so forever.\textsuperscript{1264}

Further, the largest Malay Muslim opposition party, Partai Islam Semalaysia (PAS), claimed the Islamic country declared by the Mahathir regime was not in fact Islamic as it strayed too far from the true meaning of Islam. This declaration was politically motivated rather than intended to establish a true Islamic country, as claimed by PAS leaders.\textsuperscript{1265}

KMM and JI members have never recognized Malaysia as an Islamic country. They believe what was done by the Mahathir administration was only for political gain and did not benefit all Muslims. KMM still believes that ‘election system’ is the most effective tool for achieving their target of an Islamic state in Malaysia. However, JI strongly opposes the idea of democracy and believes that Jihad is the only way to establish an Islamic state and later an Islamic caliphate. They follow the belief that any country in the world, including Malaysia and Indonesia, which does not practice total Islamic Law as written in \textit{al-Quran} and \textit{as-Sunnah} should be attacked and sabotaged and that any terrorist means should be used against these countries until they come to agree and abide by the Islamic Law.

However, the war on terrorism is not an easy task; the threat still exists. Dealing with radical ideology remains the biggest challenge for all parties involved in countering terrorism. It is a difficult task to eliminate the radical ideology that has fed JI and KMM members for many years. Radical thinking came about through extreme education by Pondok or Madrasah (Islamic boarding schools) either in Indonesia, Indonesia, Tulang Besi (2008). \textit{Is Malaysia Truly a Secular State} Retrieved 20 May 2009, from Malasısiawaves.com: \url{http://www.malaysia-waves.com/2008/05/is-malaysia-truly-secular-state_23.html}
Malaysia, India or Pakistan. Militant training and extremist preaching by Mujahidin in Afghanistan has also contributed to the establishment of radical ideology.

Understanding the core problems in Islamic communities, the bases of political Islam and the roots of radicalism and extremism is crucial to tackling this problem.\textsuperscript{1266} Radicalism and militant ideology cannot be eliminated if governments inside and outside the region are not willing to understand the fundamental issues. For example, radical Muslims in Southern Thailand clearly have no relation to terrorism; their struggle lies with patriotism and re-establishing the Malay-Pattani Kingdom. To generalize militant activities in Southeast Asia as being the same as militant activities in Afghanistan or the Middle East is overly simplistic because the roots of the struggle are different.

There should be a distinction between moderate and extreme Islam in order to aid the identification of radical Muslims. Moderate Muslim majority countries in the region, such as Malaysia and Brunei, have shown their ability to assimilate with the current situation and to be rational about many issues. The majority of Muslims in this region hold moderate beliefs and wish for peace and harmony. Only a small number of Muslims are involved in terrorist activities. However, violent activities carried out by these individuals tarnish the image of all Muslims and create misconceptions about the true nature of Islam.

\textsuperscript{1266} The writer does not discuss political Islam in this thesis, but is aware of the influences of Syed Qutb, Hassan al-Banna and Abdullah Azzam and the ideology of 21\textsuperscript{st} century Political Islam. See chapter two for the ideas of radicalism in Southeast Asia.
Chapter VII-
CONCLUSION

To understand the threat, it is of prime importance to be cognizant of the ideology and roots of Talibanization [radicalization]. It is clear that Talibanization [radicalization] lays less in Islam and more in the reconstruction of Islam for political purposes. Particularly important is the concept of Jihad, which has been extensively manipulated by Islamists to declare war on political enemies and justify any means to institute the supposed Islamic ends.\footnote{Singh, B. (2007). The Talibanization of Southeast Asia: Losing the War on Terror to Islamists Extremists. West port: Praeger Security International, p. 16.}

6.1 Research Outcomes

From my research, several outcomes have emerged:

First, KMM had strong connections with JI. This connection was consolidated by KMM in the Klang valley section, also known as KMMM (K3M). K3M is regarded more left-wing than KMM, and was influenced by Darul Islam's (DI) top leaders Sungkar and Ba'asyir, as well as Hambali and Abu Jibril. K3M was led by Zulkifli Khir, based in Puchong, Selangor. These Indonesian clerics were regularly invited by Zulkifli Khir to attend their weekly and monthly meetings to give ceramah (sermons) and handle Usrah. Extreme and radical interpretations of Jihad were also discussed broadly at these branch (wakalah) meetings.

The evidence for this was discussed in chapter four. Veterans of Afghanistan, such as Zulkifli Khir, Adnan Daud, Zainuri Kamarudin, Azian Abdul Rahman, Murad Halimuddin and Zainon Ismail, who are KMM members, played a crucial role in shaping this wakalah for their extreme activities. KMM did not have a similar desire to establish Negara Islam Indonesia (NII) as JI, but they shared the aim of an Islamic state and to wage Jihad regardless of place or time. From that point, K3M always sought advice and guidance from JI members for every planned operation. In addition to operations, KMM members were also sheltered by their JI counterparts after fleeing to Indonesia.
Second, Luqmanul Hakiem Islamic School (LHIS) was a feeder for the new generation of NII fighters. Evidence for this was illustrated in chapter four while explaining the role of JI in Malaysia. The idea of establishing LHIS came from Sungkar and Ba’asyir, with the main objective of securing a wider platform of support for NII in the region. LHIS copied the system implemented at Ba’asyir and Sungkar’s institution, Pondok al-Mukmin in Ngruki, Indonesia.

LHIS was also used as an Indonesian immigrant boarding school by illegal Indonesian immigrants. These immigrants included illegal workers and others who came to Malaysia in 1985 with the Sungkar and Ba’asyir contingent to avoid the harsh treatment of the Suharto regime. JI members in Malaysia believed that the next generation of JI followers should be educated to follow the principles of salafi and should be ready for the Islamic caliphate they were working towards; the answer was LHIS.

Third, the crack-down by the Malaysian government foiled all of the planned JI and KMM attacks. The evidence for this was explained in chapters three and four; the crackdown in Malaysia followed by further raids in Indonesia and Singapore completely paralyzed this militant movement. Thus, there was a domino effect following the Malaysia breakthrough, with a series of arrests in Malaysia, Indonesia, the Philippines, Thailand, Singapore, Cambodia and Pakistan between 2002 and 2006. More than 300 JI, ASG, MILF and KMM members in this region were arrested, and some were killed. A number of crackdowns and arrests of JI’s key leaders and its affiliated groups gravely disrupted its activities.

KMM had plans for future attacks including bombings in several locations, the assassination of targeted individuals, especially those who had become ‘apostate’, and the attack of non-Muslim worship sites. However, police investigations resulted in a series of arrests of KMM members. A number of KMM's hard-core members also left for Indonesia to avoid arrest. This situation significantly weakened KMM activities and caused them to abandon planned violent attacks.

Fourth was the declaration of Malaysia as an “Islamic state” to encounter the militant ideology. The writer gave evidence for this in chapter five while clarifying the main
elements that fostered the development of militant organizations in Malaysia. The main objective of KMM and JI was to establish an Islamic caliphate. Mahathir’s administration believed that if Malaysia was already practicing all of the criteria for being an Islamic country, these radical groups had nothing to fight for. Thus, declaring Malaysia an Islamic country denied these terrorist groups their original aim.

Fifth, the government made the mistake of linking all KMM members to violence and criminal activities. Many of the KMM branches were not involved in radical activities – the key exceptions being the Selangor and Kuala Lumpur branches, otherwise known as K3M. All KMM members were detained under the ISA for between three to seven years without trial. Regardless of the degree of violence and crime they were involved in, only one type of punishment was ordered – that of being placed into a detention camp. There was no differentiation between individuals. As long as they were connected to KMM they were detained under the ISA. Evidence of this, was discussed in chapter three; the list of KMM, JI and DIS detainees is printed in appendix 1, 2 and 3 on pages 241-257.

The authorities have used the ISA to solve all problems related to radical thinking. However a more mature and rational measure should be developed to avoid such unfair treatment in the future. KMM members should be given a fair and open trial in court. For those who have committed crimes of a higher level, a harsh punishment should be meted out. Those who simply acted as followers should receive a lighter punishment. Their intentions and plans for bombings and attacks should be outlined through an open court and a ‘Restricted Order’ (RO) can be implemented to monitor members’ movements, and to prevent them from regrouping. Rehabilitation programmes are also an important part of the de-radicalization process that must be constantly carried out.

Sixth, there is no connection between KMM and Southern Thailand operatives. However, KMM and Southern Thailand operatives’ struggle has been more politically motivated as their long term vision is to establish the Daulah Islamiyah. Opposing voices within both governments were important in differentiating the struggle
between these groups. Evidence and a broader discussion of this were dealt with in chapter two.

Insurgency in Southern Thailand concerns the group of people who are descendents of the Pattani kingdom. These people are fighting for their own government and autonomy. They have no connection to either KMM or JI. KMM was in touch with a few Southerners regarding arms supplies, but they never discussed military training or joint operations. Al-Qaeda made contact through JI, with Southern Thailand Afghan veterans to organize the opening of new branches, to provide funds and to carry out joint operations. However this idea was rejected by Abdul Fatah, the Afghan alumni representative who also has strong connections with the separatists. Since then, Southern Thailand insurgencies have operated more in the domestic political sphere rather than in tandem with any Muslim network.

Seventh, regards concerns about a significant connection between KMM, JI and the MILF in the Southern Philippines. Although KMM and JI have no direct contact with Southern Thailand separatists strong networking between KMM and JI with MILF has been recorded since the 1990s. Mindanao was the MILF base used by KMM and JI as an alternative ‘medan Jihad’ (Jihad centre) and strategic military and guerrilla training centre. JI also established Hudaibiyah and Abu Bakar camps in collaboration with MILF. I have given evidence of these connections in chapter three; the indirect link between KMM and MILF is also discussed in chapters two and four.

The KMM leader, Nik Adli Nik Abdul Aziz, was in direct contact with the MILF chief, Salamat Hashim for training opportunities and expertise exchanges. KMM also intended on establishing its own Jihadi camps in Southern Philippines as an alternative, after Jihadist camps in Afghanistan were closed. However, this project was abandoned because of logistic and funding constraints. JI played a significant role in the Southern Philippines conflict and remained a safe haven for those on the run. The political situation and geographic location near a mass of small Islands made Mindanao important for the flourishing militancy in Southeast Asia.
Eighth, there is the potential for future political violence in Malaysia. JI and KMM have clearly shown their ability to work together to create chaos in the country. There is a strong possibility they might re-group and act as before. Radicalism could return to Malaysia depending on the political situation. An explanation about possible future violence and militancy in Malaysia was discussed in chapter four.

Recent political turmoil and changes have created the potential for radicalism to gain increased strength. Political instability and ethnic tension are common in contemporary Malaysia. The voices that ask for rights and ethnic equality are being raised more than ever before. Freedom of speech and the right to assemble as provided by Abdullah Badawi’s administration has created uncertainty in the country. Religious conflict has started to flourish again in Malaysia, especially following Mahathir's autocratic administrative style, which ended in 2003.

Ninth, KMM and JI were a product of the Afghan war and the roots of a regional Islamic political struggle. Afghanistan was a major militant ‘education centre’ and also helped groups such as JI gain political strength. Then, Mujahidin with all its militant knowledge and experience spread and widened their struggle. Their fight is now not just in opposition to Israel in Palestine or Russia in Afghanistan, but it is against every country that does not implement Syariah law as their basic legal system. Therefore, countries in the region, including Malaysia, are under the constant threat of a struggle to re-establish an Islamic caliphate. Evidence and a broader discussion about this were discussed in chapters three and four.

Tenth, the main conclusion of my research is that the Malaysian Government and by implication all South East Asia Governments need to set aside ‘political space’ for Muslim groups who develop a radical stance or who threaten to do so and to give them a voice so that their political agendas and opinions may be heard and evaluated by other Muslims and non-Muslims and by the Government itself. A failure to do this may well result in the radicals becoming militant and in giving them an even more influential voice in the community-and eventually in the country and in the region.

\[1268\] Political space in this context is the right to speak in public about radical Muslim beliefs without fear of being imprisoned or being persecuted.
And militancy will continue to threaten the stability of government, in the process of de-radicalizing such groups in positive ways will be lost, and the violence may never end.

In relation to radicalism in Malaysia, the writer showed this happened because the political landscape of the ruling government through UMNO –MCA-MIC dominated the political system. Opponent Malaysian, Chinese and Indian minorities do not enjoy the same level of political authority. Moreover, the government also tried to destroy two political party-systems that could lead to more objections. Every minority has its own voice that needs to be heard and to be part of the process in finding a solution. If not, it will delay a resolution to the problem. A government that dominates and rules without being challenged encourages the growth of radicalism, especially from extremist Malaysian Muslims.

In conclusion, in spite of the difficulties in defining terrorism, the standard methods of empirical enquiry can help the identification of threats to public order and assist in the formulation of appropriate responses. Countering militant Islam using every potential tool is needed regardless of how long it takes. Strong efforts have to be taken by all countries in order to win the ‘war on terror’. Positive results might not come instantly, but the effort must continue. For KMM and JI, their mission to establish an Islamic caliphate is related to the success of militant Muslim activities. Their struggle through violence and not via the electoral process should not be permitted.

The majority of Muslims in this region remain tolerant of others, including non-Muslims. Only some people from particular groups such as KMM and JI were involved in violence and militant activities, but not the majority. Most Muslims are strongly opposed to the use of violence and terrorist activities in order to gain political power. The signs of militancy and violence that have overwhelmed Malaysia and Southeast Asian countries have instead encouraged Muslims to work harder towards peace. This new phenomenon has also increased the distribution of discourse on the issues of civilization and religion, democracy and human rights.

The future stability of this region will depend on Southeast Asian countries being conscious of the need to foster continued economic development and education, and
to address the perceived inequities in religion and language that continue to exist. It will also be contingent on Southeast Asian countries maintaining a positive border relationship and ensuring that radical groups are prevented from exploiting its porous territory. The region’s stability is determined by the effectiveness of internal security. The real danger posed by radical Muslims is not from al-Qaeda, which has only a few cells in place, but from other local Islamic parties or groups that continue to campaign aggressively for the enforcement of Islamic Law and an Islamic State through the use of violence on innocent civilians. The questions that arise are about the different ways Muslims think their religion should be lived out in the modern world. The following section deals with what I call Muslim and Islam.

6.2 The Muslim and Islam

Islam is not homogeneous and is streamed by different strands some of these are culture based and country specific like Iran, Saudi Arabia and the Arab states of the Gulf area. Some strands and standpoints are influenced by local factors like in Indonesia-where culture for example has affected the Islam of the Javanese making the outcome problematic for those Indonesian Muslims influenced by Arab Islam-say from the Yemen. Some strands are influenced by the existence of non-Muslim minorities- as is the case with Malaysia where there is a 60-40 split between the Muslim and the non-Muslim population. Problems with the perceptions of Islam are widely held. At least five categories of different perceptions have been noted by scholars.

First, there are Muslims who think of Islam as a comprehensive way of life.\textsuperscript{1269} Islam should be practiced in kaffah (total) and followers cannot choose only parts of it or to only adopt the aspects they like. Islam should not differentiate between politics, social, law and society.\textsuperscript{1270} It must be implemented in every aspect of life, regardless of where and who the Muslims are.\textsuperscript{1271}

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Second, there are groups who strongly oppose any ideological influences from Western countries. Modernization is equated with Westernization by this group, regardless of whether it has a positive or negative impact.\textsuperscript{1272} Ideologies that do not originate from Muslim scholars are seen as a threat to the Muslim community. Most of these ideologies were associated with materialistic and secular thinking which do not correlate to Islamic values.\textsuperscript{1273} Islam must be in line with ‘the true path’ revealed by Prophet Muhammad centuries ago and not follow the ideology of non Muslims, especially that of Christians. Muslims from this group relate modernization to tools of Christianity which could lead them into the path of ‘deviance’.\textsuperscript{1274}

Third, there are Muslims who advocate a return to Islam.\textsuperscript{1275} They accuse Muslim societies today as having diverted from the “trueness” of Islam (in the eyes of this group). Muslims today are involved in many non-Islamic activities, either in practice or in ideology, and most of them follow the Western style of life, which in the eyes of this group involves immoral activities. Muslims should understand and be clear about Islam and always work to find the “right” path within their religion.\textsuperscript{1276} As a result, either by preaching or joining this group, Islam can be placed in the “right” position to make sure it is sustained in the future.

Fourth, there are those who advocate the Shari`ah law for all Muslim societies, especially in Islamic countries.\textsuperscript{1277} Most Islamic countries have been colonized by European powers since the 15\textsuperscript{th} century. Since then, not only the education, social and political system, but also the law has been copied from the colonial system of legislation. This group wishes to remove colonial influence. For example, Malaysia copied British law and Indonesia Dutch law; both are not Islamic by practice and have been shaped by elements other than key Islamic principles. This group advocates

Islamic law as an alternative with *Hudud* and *Qisas* (Shari`ah Law) as a core in society, which must be obeyed by both Muslims and non-Muslims.1278

**Fifth**, are those that advocate the ‘competent organization’.1279 Only well structured and wisely managed organizations will be successful in growing their followers and expanding their influence.1280 Most radical Islamic groups such as JI and KMM as well as al-Qaeda formed their organization with strong and systematic administration. Well-structured groups attract people to join and to work together to achieve objectives. Regardless of the size of the group, when it comes to educating and increasing followers, competent groups will succeed over those that are unorganized. Consequently, radical ideology will be implemented through *Usrah* (small discussion group); but first followers must believe in their organization.1281

Clarifying these perceptions is important for the success of radical groups such as KMM and JI, especially if they wish to gain support and sympathy from a large number of people. Once their followers believe in their methods and objectives they are one step closer to achieving the group’s political agenda. However, the U.S invasion of Afghanistan and Iraq as the expansion on the war on terror into Pakistan, the Yemen, the Sudan and Somalia and the hostile relationship between Palestine and Israel, Islam-Christian conflict and the economic imbalance between the West and the developing countries contributed to the growth in popularity that has accompanied the emergence of Islamic-based radical groups. The question that is highlighted in the issue that has risen the part of this thesis is the question of why radical Islam did rise when it did in Malaysia. The question that highlights the issue of this thesis centres on why radical Islam arose in Malaysia when it did. This can now be answered through the analysis and discussion of this thesis.

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1280 Ibid.
6.3 Why Did Radical Islam Rise in Malaysia?

Some prominent elements of radicalism existed in Malaysia to foster the development of an organization like KMM. The political centrality of Islam, sometimes in the more radical brand was common in parts of the Middle East and Central Asia, and has been observed as a growing phenomenon in this region in more recent years. Since the Islamic resurgence of the early 1980s and 1990s, elements of a more radical political Islam have migrated from the Middle East to Southeast Asia. Although traces of these radical elements in this region currently appear only at the margins, if left unchecked they can exaggerate a number of existing security and political crises. But consider the following factors with refers to Malaysia:

First, is the search to define the ‘pristine’ aspect of religion. Most militants, especially KMM and JI members, were faced with an ‘empty soul’ and needed to be filled with something pristine and pure. Therefore they tried to find “pure Islam”, and to search for a leader with “special knowledge” of Islam. Sometimes they found this leader, and they become involved in a movement which is what happened with KMM. This group was shaped by individuals who gained practical *Jihad* experience in Afghanistan and fostered close ties with al Qaeda.

Second, is what the writer calls the ‘Strategic Station’. Historically, Malaysia has been an important trade centre since the 13th century. The Malacca sultanate developed a good rapport with traders and built a great harbour for trading and business centuries ago. This sultanate has had strong ties with many countries during this time such as the Ottoman-Empire, Srivi jaya and the Chinese Emperor. Today, Malaysia is one of the “owners” of the Malacca Straits and is situated between East and West in the centre of Asia. This situation has attracted many parties

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1283 The reader attention is drawn to the discussion about how people been radicalize as in 2.2 page 21.
including, international criminal rings, which look at Malaysia as one of the great offshore hubs for traders.\textsuperscript{1288} It only takes a small step for crime to shift to militancy and violence to militant terrorism.

**Third,** the Malaysian government has declared itself a Muslim State has been lenient in its granting of visas to Muslims from other countries.\textsuperscript{1289} Malaysia wants to be recognized as the most modern and liberal Islamic country in the Muslim world and as a bridge between the West and the Muslim world. Muslims are welcomed to see and feel modernization in the context of the Islamization which has been implemented in Malaysia. Not surprisingly the context of Malaysia has also strengthened its national identity as a Malay Muslim country, especially in regard to the Chinese and Indian minority ethnicities. Malaysia has also played a significant role in spreading Islam on a national and international level. However, these factors have provided fertile ground for radicalism and militancy to flourish.\textsuperscript{1290}

**Fourth,** Malaysia has also attracted radical Muslims because of the anti-west policy stance of its long time Prime Minister Mahathir Mohamad (1983-2004). Mahathir repeatedly expressed his ideas about the inharmonious relationships between western and Islamic countries.\textsuperscript{1291} He criticized western countries on various occasions, specifically with regard to the U.S policy against Palestine,\textsuperscript{1292} and was well known for his ‘*Look East*’ campaign launched during the early stages of his tenure as Malaysia’s fourth Prime Minister.\textsuperscript{1293} He successfully shifted Malaysia from being dependant on a Western-style economic system from the 18\textsuperscript{th} century to the more contemporary Eastern-style, which created a disciplined work-force and economic growth that can be seen in countries such as Japan, Taiwan and Korea. However, this kind of policy was exploited by radical Muslims, who established their networks in

\textsuperscript{1289} Ibid.
\textsuperscript{1290} Ibid.
\textsuperscript{1291} Ibid.
Malaysia. The anti-West policy implemented by Mahathir was in line with their militant ideology.\textsuperscript{1294}

**Fifth**, was the influence of the Iranian Revolution of 1979.\textsuperscript{1295} This revolution was recognized as a ‘\textit{wake up call}’ and as a catalyst for Muslims worldwide to institute reform.\textsuperscript{1296} Not only did it exert powerful influences on other Islamic insurgencies, it transformed the Muslim imagination regarding what was politically possible using innovative Islamic discourse articulated in this case by Ayatollah Khomeini.\textsuperscript{1297} Malaysian students studying in Middle Eastern countries such as Egypt and Syria were influenced by this revolution. Most of them returned wanting to make changes and implement Islamic values in all aspects of their lives. Indeed, the ‘revolution’ factor has proved a unifying influence and focal point for the rallying of armed resistance against government, for example in Acheh in Indonesia, Mindanao in the Southern Philippines and Patani in southern Thailand.\textsuperscript{1298} Inspired by the Iranian revolution, the Malaysian radical movements began to emerge in the 1980s,\textsuperscript{1299} but their political ambitions were thwarted by the Malaysian government, which claimed to be an Islamic State.

**Sixth**, was the strong connection between Malaysia and some Middle Eastern countries. Osama bin Laden who is the ‘\textit{Boss}’ of the al-Qaeda Company has shown he has strong ties in many Southeast Asia countries.\textsuperscript{1300} Al-Qaeda has bank accounts and a number of ‘\textit{radical projects}’ in Indonesia, Thailand, the Philippines, Malaysia and Singapore. Al-Qaeda has comfortably and conveniently operated here.\textsuperscript{1301} Many who graduated from the ‘\textit{Afghan War}’ came back and continued this ideology.

\textsuperscript{1299} Pitchay, A. K. M. (2007). \textit{Interview on the 30 December 2007 at Special Branch Department, Bukit Aman Royal Malaysia Police Headquarters Kuala Lumpur.}
\textsuperscript{1301} Ibid. 22-23.
Afghan veterans were obviously well trained in the use of arms and guerrilla tactics.\textsuperscript{1302} Al-Qaeda has looked at this as a worthwhile connection and later became a fringe group encouraging this militancy.

To develop these points further requires more work than the regulations for this thesis permit. So I will conclude in the following way:

As I have shown that Malaysia was in fact the hub for radical Islam in Southeast Asia in the period that lead up to the events of 9/11 in the US and its immediate aftermath, until attention shifted to Indonesia following the first Bali bombing in October 2002. I have also shown that the role of Kumpulan Militan Malaysia in the context of radical Islam in Malaysia, and the links it developed with JI and individuals from al-Qaeda, provided the core influence for militant Islam that subsequently spread across Southeast Asia. It was only with the intervention of the Royal Malaysian Police (RMP) and security services presumably acting on the advice of the government that this influence came to an end.

APPENDICES

Appendix 1
## KUMPULAN MILITAN MALAYSIA DETAINES 2001-2007

<table>
<thead>
<tr>
<th>No</th>
<th>Name &amp; Alias</th>
<th>Origin / Age</th>
<th>Affiliated</th>
<th>Status</th>
<th>Married</th>
<th>Position</th>
<th>Education</th>
<th>Job</th>
<th>Address</th>
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<tbody>
<tr>
<td>No.</td>
<td>Person</td>
<td>Nationality</td>
<td>Occupation</td>
<td>Children</td>
<td>Military Training</td>
<td>Education</td>
<td>Location</td>
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<tr>
<td>Person</td>
<td>Age</td>
<td>Nationality</td>
<td>KMM</td>
<td>Details</td>
<td>Location/Role</td>
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<td></td>
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<td></td>
<td></td>
<td>Riffles, hand grenades and ammunitions, including detonators and several pipe bombs.</td>
<td>Malaysia, Arabic language teacher, Kedah (Baling)</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Involved in KMM at northern branch.</td>
<td>Malaysia</td>
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<tr>
<td></td>
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<td></td>
<td>Involved in KMM</td>
<td>Malaysia, Religious teacher</td>
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<tr>
<td></td>
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<td></td>
<td>Leader of KMM since 1999, setup new Lajnah including Lajnah operation for attacks. Afghaninistan veteran. Son of PAS leader and Kelantan state Chief Minister, Nik Abdul Aziz Nik Mat.</td>
<td>Malaysia, Religious teacher at Sek Men Arab Durul Anwar, Kelantan</td>
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<tr>
<td>No.</td>
<td>Name &amp; Alias</td>
<td>Origin / Age (as at 2005)</td>
<td>Affiliated</td>
<td>Status</td>
<td>Married</td>
<td>Position</td>
<td>Education</td>
<td>Job</td>
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</tr>
<tr>
<td>1</td>
<td>Person 1</td>
<td>Indonesian 36</td>
<td>JI &amp; KMM</td>
<td>Arrested in Ayyuthia, Thailand in October 2003 and now held in Guantanamo</td>
<td>Yes-No children</td>
<td>JI leader / operation director for Osama Laden / KMMM Advisor</td>
<td>Indonesia Islamic School</td>
<td>Chicken and book seller at Keling Market in Selangor</td>
<td>Sg. Manggis, Banting.</td>
</tr>
<tr>
<td>3</td>
<td>Person 3</td>
<td>Malaysian 34</td>
<td>JI</td>
<td>Ex ISA</td>
<td>Yes - 2 children</td>
<td>Accountant / own company</td>
<td></td>
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</tr>
<tr>
<td>4</td>
<td>Person 4</td>
<td>Malaysian 45</td>
<td>JI</td>
<td>Died in Nov 2005, killed by Indonesian police after raid at Batu, near Malang East Java.</td>
<td>Yes - 2 children</td>
<td>Fihh leader in Wakalah Johor / JI bomb expert.</td>
<td>PhD, University of Reading, UK</td>
<td>UTM Lecturer</td>
<td>Malacca</td>
</tr>
<tr>
<td>5</td>
<td>Person 5</td>
<td>Malaysian 33</td>
<td>JI</td>
<td>Fled to Indonesia/Philippines</td>
<td>Yes - 2 children</td>
<td>Dr. Azahari's follower / bomb maker</td>
<td>B.Sc UTM</td>
<td>Senior Manager, Luqmanul Hакiem Islamic School</td>
<td>Johor</td>
</tr>
<tr>
<td>6</td>
<td>Person 6</td>
<td>Malaysian 36</td>
<td>JI</td>
<td>Released from ISA</td>
<td>Yes - 4 children</td>
<td>JI members</td>
<td>MA, University of Dundee, UK</td>
<td>UTM Lecturer</td>
<td>Johor</td>
</tr>
<tr>
<td>7</td>
<td>Person 7</td>
<td>Malaysian 35</td>
<td>JI</td>
<td>Released, Arrested 5 Jun 2003, detained under ISA since 5 Mac 2003.</td>
<td>JI members</td>
<td>Staff Luqmanul Hакiem Islamic School</td>
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<tr>
<td>8</td>
<td>Person 8</td>
<td>Malaysian 38</td>
<td>JI</td>
<td>Fled to Indonesia. Arrested in Indonesia</td>
<td>Yes - 2 children</td>
<td>Treasurer JI</td>
<td>Manager company, Gulf Shore Sdn. Bhd.</td>
<td>Johor</td>
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<tr>
<td>9</td>
<td>Person 9</td>
<td>Malaysian 21</td>
<td>JI</td>
<td>Released from ISA</td>
<td>Single</td>
<td>Arrested by Pakistan intelligence</td>
<td>Student</td>
<td>Perak</td>
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<tr>
<td>11</td>
<td>Person 11</td>
<td>Malaysian</td>
<td>JI</td>
<td>Arrested by Singapore authorities in May 2002, extradited to Malaysia and detained under ISA.</td>
<td>Yes – Arrested by Singapore police</td>
<td></td>
<td>Singapore</td>
<td></td>
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</tr>
<tr>
<td>12</td>
<td>Person 12</td>
<td>Indonesian (Medan) 49</td>
<td>JI</td>
<td>Released from ISA on Jan 2006. Arrested on 17 April 2002, detained under ISA on 13 June 2002.</td>
<td></td>
<td></td>
<td>Indonesia</td>
<td></td>
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</tr>
<tr>
<td>15</td>
<td>Person 15</td>
<td>Malaysian</td>
<td>JI</td>
<td>Released</td>
<td></td>
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</tr>
<tr>
<td>Person</td>
<td>Nationality</td>
<td>Age</td>
<td>Habeas Corpus</td>
<td>Release Details</td>
<td>Education/Profession</td>
<td>Location</td>
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<tr>
<td>22</td>
<td>Malaysian</td>
<td>44</td>
<td>Released</td>
<td>from ISA. Arrested on 29 Dec 2001. Detained under ISA for two years since 22 Feb 2002, extended for another two years in Feb 2004 and again in Feb 2006.</td>
<td></td>
<td>JI members</td>
<td>Banting, Selangor</td>
<td></td>
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<tr>
<td>Person</td>
<td>Nationality</td>
<td>State</td>
<td>Years in ISA</td>
<td>Last Release and Details</td>
<td>Linked Entities</td>
<td>Occupation</td>
<td>Location</td>
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<tr>
<td>Person 24</td>
<td>Malaysian 49</td>
<td>JI</td>
<td>two more years on June 2004 and again on June 2006.</td>
<td>Released from ISA. Arrested on 20 Feb 2003 and given two years under ISA on 20 Mar 2003, extended again on Mar 2005.</td>
<td>Yes</td>
<td>Involved in JI company Excelsetia owned by Yazid.</td>
<td>Malaysian</td>
<td>Former Colonel of Malaysian army, had experienced serving with UN peacekeeping in Bosnia in 90s.</td>
<td>Banting, Selangor</td>
</tr>
<tr>
<td>Person 28</td>
<td>Malaysian</td>
<td>JI</td>
<td></td>
<td>Arrested on 5 Jan 2003. Detained under ISA on 5 March 2003 and extended to two years in March 2005 and again in March 2007.</td>
<td></td>
<td></td>
<td>Islamic school teacher</td>
<td></td>
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<tr>
<td>#</td>
<td>Person</td>
<td>Nationality</td>
<td>Age</td>
<td>Status</td>
<td>Role</td>
<td>Location</td>
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<tr>
<td>32</td>
<td>Person 32</td>
<td>Indonesia</td>
<td>30</td>
<td>Detained under ISA since 30 January 2004. Arrested in Sabah on 2 December 2003 while returning from Mindanao. Believed was extradited to Indonesia in 2006.</td>
<td>Head of Manteq Tsalis (III) since June 2003, explosives expert and involved in several bombings in Philippines.</td>
<td>Indonesia (Al-Mukmin, Ngruki)</td>
<td></td>
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<tr>
<td>36</td>
<td>Person 36</td>
<td>Malaysia</td>
<td>42</td>
<td>Arrested on 16 October 2002. Detained under ISA since 2 December 2002.</td>
<td></td>
<td>Civil Engineering Batchelor from Swansea University, UK. Engineer Malaysia</td>
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<td>Person</td>
<td>Nationality</td>
<td>Age</td>
<td>Status</td>
<td>Date of Arrest</td>
<td>Details</td>
<td>Yes/No</td>
<td>Information</td>
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<tr>
<td>45 Person 45</td>
<td>Malaysian</td>
<td>JI</td>
<td>Arrested in 20 February 2003. Detained under ISA on 17</td>
<td></td>
<td></td>
<td></td>
<td>JI members.</td>
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<tr>
<td>No.</td>
<td>Name</td>
<td>Nationality</td>
<td>Age</td>
<td>JI</td>
<td>Arrested Date</td>
<td>Detained Under ISA</td>
<td>Extended Dates</td>
<td>Occupation</td>
<td>Place of Origin</td>
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<td>46</td>
<td>Person 46</td>
<td>Malaysian</td>
<td>45</td>
<td>JI</td>
<td>2 December 2002</td>
<td>Detained since 16 January 2005</td>
<td>Extended in January 2005</td>
<td>JI members</td>
<td>Malaysian</td>
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<tr>
<td>47</td>
<td>Person 47</td>
<td>Malaysian 42</td>
<td>42</td>
<td>JI</td>
<td>11 January 2002</td>
<td>Detained since 8 March 2002</td>
<td>Extended in March 2004 and again in March 2006</td>
<td>Malaysian (Bachelor in Accountancy from UPM)</td>
<td>Businessman – owned MNZ Associates Management Services</td>
</tr>
<tr>
<td>48</td>
<td>Person 48</td>
<td>Malaysian</td>
<td>48</td>
<td>JI</td>
<td>19 December 2003</td>
<td>Detained since 1 January 2004</td>
<td>Extended in January 2004</td>
<td>JI members</td>
<td></td>
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<tr>
<td>49</td>
<td>Person 49</td>
<td>Malaysian</td>
<td>49</td>
<td>JI</td>
<td>16 October 2002</td>
<td>Detained since 1 December 2002</td>
<td>Extended in December 2004 and again in December 2006</td>
<td>Yes</td>
<td>JI members, Ex-Afghan fighters,</td>
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<td></td>
<td></td>
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<td>Malaysia, Pakistani (Karachi)</td>
</tr>
<tr>
<td>50</td>
<td>Person 50</td>
<td>Malaysian</td>
<td>50</td>
<td>JI</td>
<td>200 km north of Bangkok with Hamhali in 15 August 2003</td>
<td>Hamhali extradited to Gaantanaar Detention camp while Nor Alwizah extradited to Malaysia and detained under ISA for two years began on 8 October 2003</td>
<td>Extended in October 2003 and again in October 2007</td>
<td>Yes-No Children</td>
<td>Sabahan Chinese convert Muslim, Wife of Hamhali aka Isamadin</td>
</tr>
<tr>
<td>51</td>
<td>Person 51</td>
<td>Malaysian</td>
<td>51</td>
<td>JI</td>
<td>9 January 2002</td>
<td>Detained since 8 March 2002</td>
<td>Extended in March 2004 and again in March 2006</td>
<td>Habeas corpus petition filed in February 2004 has been rejected</td>
<td>Detention extended</td>
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<td>No.</td>
<td>Name</td>
<td>Nationality</td>
<td>Age</td>
<td>Gender</td>
<td>Status and Details</td>
<td>Country</td>
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<td>Person 52</td>
<td>Malaysian</td>
<td>50</td>
<td>JI</td>
<td>Arrested in Selangor in 9 June 2003. Remained in custody since 2003 and don't know the situation. Detained under ISA since 1 August 2003 and again on August 2005.</td>
<td>Malaysia</td>
<td>Enforcement Assistant with Kuda Langat District Council</td>
<td>Selangor</td>
<td></td>
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<tr>
<td>58</td>
<td>Person 58</td>
<td>Malaysian</td>
<td>38</td>
<td>JI</td>
<td>Arrested in Selangor on 17 April 2002. Detained under ISA since 13 June 2002.</td>
<td>Malaysia</td>
<td>Clerk under Accounts Department at Ministry of Health</td>
<td>Selangor</td>
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</tr>
<tr>
<td>No.</td>
<td>Name</td>
<td>Nationality</td>
<td>Age</td>
<td>Rel.</td>
<td>Status</td>
<td>Reason</td>
<td>Place</td>
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<td></td>
</tr>
<tr>
<td>64</td>
<td>Person 64</td>
<td>Indonesian with Malaysian PR</td>
<td></td>
<td>JI</td>
<td>Arrested on 19 December 2002. Detained under ISA since 6 February 2003. Extended on February 2005.</td>
<td></td>
<td>Indonesia</td>
<td></td>
<td></td>
</tr>
<tr>
<td>66</td>
<td>Person 66</td>
<td>Malaysian</td>
<td>23</td>
<td>JI / al-Ghuraba</td>
<td>Arrested by Pakistan intelligence service on 20 September 2003. Extradited to Malaysia on 11 November 2003. Detained under ISA and took SPM (Malaysian Single</td>
<td>Son of Jaafar Anwarul (among the founder of LHS-Jaafar detained in Indonesia). Went to Pakistan for radical study through al-Ghuraba group before joint war in Afghanistan.</td>
<td>Malaysia (LHS), Student (Kamichi)</td>
<td>Malaysia (LHS), Student</td>
<td>Johor</td>
</tr>
<tr>
<td>Person 75</td>
<td>Malaysian</td>
<td>42</td>
<td>JI</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Person 76</td>
<td>Indonesian</td>
<td></td>
<td>JI</td>
<td>Arrested in July 2005. Not clear the situation so far.</td>
<td></td>
<td>Part of Abdullah Sunata group (JI splinter group). Went for Mindanao for military training and take part in jihad.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>No.</td>
<td>Person</td>
<td>Nationality</td>
<td>Affiliation</td>
<td>Details</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>-----</td>
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<td>---------</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>77</td>
<td>Person 77</td>
<td>Indonesian</td>
<td>JI</td>
<td>Arrested in Klang, Selangor in March 2006. Not clear the situation so far. Had connection with KOMPAK in Indonesia.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
# KUMPULAN DARUL ISLAM SABAH (DIS) DETAINES 2001-2007

## DARUL ISLAM SABAH DETAINES

<table>
<thead>
<tr>
<th>No.</th>
<th>Name &amp; Alias</th>
<th>Origin / Age</th>
<th>Affiliated</th>
<th>Status</th>
<th>Married</th>
<th>Position</th>
<th>Education</th>
<th>Job</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Person A</td>
<td>Indonesian 38</td>
<td>DIS</td>
<td>Detained in Tawau, East Sabah in March 2006. Now in Detention Camp under ISA.</td>
<td></td>
<td>Had experience in Afghan war, a same class with Hambali and also worked closely with An Muntiqi Tuan.</td>
<td>Malaysia, Pakistan</td>
<td></td>
<td>Tawau</td>
</tr>
<tr>
<td>3</td>
<td>Person C</td>
<td>Indonesian 34</td>
<td>DIS</td>
<td>Detained in Tawau, East Sabah in March 2006 while returning from Mindanao. Now in Detention Camp under ISA.</td>
<td></td>
<td>Accused smuggling firearms and ammunition, helped Indonesians in transit in Mindanao.</td>
<td>Indonesia</td>
<td></td>
<td>Indonesia</td>
</tr>
<tr>
<td>4</td>
<td>Person D</td>
<td>Malaysian 40</td>
<td>DIS</td>
<td>Detained in Tawau, in March 2006. Now in Detention Camp under ISA.</td>
<td></td>
<td>Accused smuggling firearms and ammunition, helped Indonesians in transit in Mindanao.</td>
<td>Malaysia</td>
<td>Timber grader</td>
<td>Sabah</td>
</tr>
<tr>
<td>5</td>
<td>Person E</td>
<td>Filipino</td>
<td>DIS</td>
<td>Arrested in March 2006 at Sandakan.</td>
<td></td>
<td>Accused smuggling firearms and ammunition, helped Indonesians in transit in Mindanao.</td>
<td>Malaysia</td>
<td>Company supervisor</td>
<td>Sandakan</td>
</tr>
<tr>
<td>6</td>
<td>Person F</td>
<td>Malaysian 40</td>
<td>DIS</td>
<td>Arrested in Tawau in March 2006. Now in Detention Camp under ISA.</td>
<td>Yes</td>
<td>Accused smuggling firearms and ammunition, helped Indonesians in transit in Mindanao.</td>
<td>Malaysia</td>
<td>Taxi driver</td>
<td>Tawau</td>
</tr>
<tr>
<td>7</td>
<td>Person G</td>
<td>Malaysian 33</td>
<td>DIS</td>
<td>Arrested in Klang in March 2006. Now in Detention Camp under ISA.</td>
<td></td>
<td>Accused smuggling firearms and ammunition, helped Indonesians in transit in Mindanao.</td>
<td>Malaysia</td>
<td></td>
<td>Klang</td>
</tr>
<tr>
<td>8</td>
<td>Person H</td>
<td>Indonesian 35</td>
<td>DIS</td>
<td>Arrested in Sabah in March 2006. Detained under ISA since May 2006.</td>
<td></td>
<td>Accused smuggling firearms and ammunition, helped Indonesians in transit in Mindanao.</td>
<td>Indonesia</td>
<td>Unemployed</td>
<td>Indonesia (Borneo-Bugis)</td>
</tr>
<tr>
<td>9</td>
<td>Person I</td>
<td>Filipino 29</td>
<td>DIS</td>
<td>Arrested in Sabah in March 2006. Detained under ISA since May 2006.</td>
<td></td>
<td>Accused smuggling firearms and ammunition, helped Indonesians in transit in Mindanao.</td>
<td>Philippines</td>
<td>Labour</td>
<td>Mindanao</td>
</tr>
<tr>
<td>10</td>
<td>Person J</td>
<td>Indonesia</td>
<td>DIS</td>
<td>Arrested in 2005 while trying to get to Philippines.</td>
<td></td>
<td>Wau in Ambon for jihadist fighters in 2000.</td>
<td>Indonesia</td>
<td></td>
<td></td>
</tr>
<tr>
<td>No</td>
<td>Name</td>
<td>Nationality</td>
<td>Age</td>
<td>Status</td>
<td>Accusation</td>
<td>Location</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>----</td>
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<td>-----</td>
<td>---------------</td>
<td>----------------------------------------------------------------------------</td>
<td>-------------------------------</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>Person K</td>
<td>Malaysian</td>
<td>38</td>
<td>Detained in</td>
<td>Accused smuggling firearms and ammunition, helped Indonesians in transit in</td>
<td>Malaysia</td>
<td>Taiwan</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Tawau, in</td>
<td>Mindanao.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>March 2006.</td>
<td>Now in Detention Camp under ISA.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Yes</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>Person L</td>
<td>Malaysian</td>
<td>33</td>
<td>Detained in</td>
<td>Accused smuggling firearms and ammunition, helped Indonesians in transit in</td>
<td>Malaysia</td>
<td>Teacher</td>
<td>Taiwan</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Tawau, in</td>
<td>Mindanao.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>April 2006.</td>
<td>Now in Detention Camp under ISA.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>Person M</td>
<td>Indonesian</td>
<td></td>
<td>Arrested in</td>
<td>Accused of organising to transit Malaysians and Indonesian to and from</td>
<td>Border Malaysia and Indonesia</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Strong link with leader of JI Mantiki Tsalis (II).</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>Person N</td>
<td>Malaysian</td>
<td></td>
<td>Arrested in</td>
<td>Not clear about current situation.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Sabah in</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>April 2007.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tbody>
</table>
Appendix 4:

** MAKLUMAT PERNIAGAAN **

<table>
<thead>
<tr>
<th>NAMA PERNIAGAAN</th>
<th>AR RISALAH TRADING</th>
</tr>
</thead>
<tbody>
<tr>
<td>ALAMAT UTAMA PERNIAGAAN</td>
<td>9-JLN UNYANG 27980 TAMAN ALAM MEGAH,SHAH ALAM 40400 SHAH ALAM SELANGOR</td>
</tr>
<tr>
<td>NO PENDAFTARAN PERNIAGAAN</td>
<td>00104082-X</td>
</tr>
<tr>
<td>TARIKH MULA BERNIAGA</td>
<td>16-01-1996</td>
</tr>
<tr>
<td>TARIKH MULA DIDAFTARKAN</td>
<td>17-01-1996</td>
</tr>
<tr>
<td>TARIKH PENUTUPAN PERNIAGA</td>
<td></td>
</tr>
<tr>
<td>TARIKH PERUBAHAN</td>
<td>24-07-2002</td>
</tr>
<tr>
<td>TEMPOH TAHUN PERAKUMAN</td>
<td>05-04-2002</td>
</tr>
<tr>
<td>BENTUK PERNIAGAAN</td>
<td>PEMILIK TUNGGAL</td>
</tr>
</tbody>
</table>

** JENIS PERNIAGAAN **

PENGEKAL ALAT PEJABAT,ALATULIS,PERABUT,MESIM-MESIM PEJABAT, PERMAIDAN/AMBAR,PERKAKAS ELEKTRIK,ALAT BANTUAN MENJAJAR, CENDERAMATA,ALAT PERHUBUNGAN,KELUARAN PAKAIAN,BARANG MAKANAN,JENGINDAHAN DAN PENIAGAAN BANGUNAN,BAHAN BINAAN,WEEN KOMBI AM

** MAKLUMAT CAWANGAN **

*** TIDAK CAWANGAN ***
** MAKLUMAT PEMILIK MASA KINI **

<table>
<thead>
<tr>
<th>NAMA</th>
<th>MOHD SHA BIN SARJAN</th>
</tr>
</thead>
<tbody>
<tr>
<td>ALAMAT KEDIAMAN</td>
<td>118, PINGGIRAN UKAY, ULU KELANG</td>
</tr>
<tr>
<td></td>
<td>68000 AMPANG, SELANGOR</td>
</tr>
<tr>
<td>WARNA/JENIS</td>
<td>BIRU</td>
</tr>
<tr>
<td>NO K/P (LAMA)</td>
<td>4506132</td>
</tr>
<tr>
<td>NO K/P (BARU)</td>
<td>331008169013</td>
</tr>
<tr>
<td>TARIKH LAHIR</td>
<td>05-10-1953</td>
</tr>
<tr>
<td>BANGSA</td>
<td>MELAYU</td>
</tr>
<tr>
<td>JANTINA</td>
<td>LELAKI</td>
</tr>
<tr>
<td>JAWATAN</td>
<td>PEMILIK TUNGGAL</td>
</tr>
<tr>
<td>KELARANGANERAAN</td>
<td>WALAUKERAAN MALAYSIA</td>
</tr>
<tr>
<td>TARIKH MASUK</td>
<td>16-01-1996</td>
</tr>
</tbody>
</table>

** ADALAH DIAKUI BAHAWA BUTIR-BUTIR DALAM BORANG INI TELAH DIPETIK DARI DAFTAR PERNIAGAAN 001040582 - X DAN BUTIR-BUTIR INI ADALAH SAH BENAR. **

** TARIKI : 13/11/2007 **

Tingkat 2, 10-19 Putra Place, 100 Jalan Putra, 50622 Kuala Lumpur, Malaysia.
Tel.: 03-4047 6000 Fax: 03-4047 6317
Appendix 5:

Suruhanjaya Syarikat Malaysia
Companies Commission of Malaysia

PERHATIAN: SENGKUPUN TIDAK SEKALI TELAH DIAMINI UNTUK MEMASTIKAN MAKLUMAT YANG DIREKSI ADALAH NETRAL DAN KEMASKINI PENDAFTARAN PERNIAGAAN TIDAK BOLEH DIPERTANGGUNGJAWAB BAIK SEMBARANG
KECUALI KETIKA MAKLUMAT YANG TERSELAH ATAU TERTINGGAL

** MAKLUMAT PERNIAGAAN **

NAMA PERNIAGAAN : KOSMO JAYA ENTERPRISE
ALAMAT UTAMA PERNIAGAAN : 657 TAMAN KIAN GUAN, JALAN MELANG, KUALA PILAH, 72000 KUALA PILAH, NEGERI SEMBILAN
NO PENDAFTARAN PERNIAGAAN : 00192195-A
TARikh MULA BERMAGA : 17-05-1999
TARikh MULA DIDAPATKAN : 17-05-1999
TARikh PENUTUPAN PERNIAGAAN : 17-05-2001
TARikh PERUBAHAN : 17-05-2001
TEMPON TAMAT PERIKSAAN PENDAFTARAN SEKARANG : 17-05-2001
BENTUK PERNIAGAAN : PERKONGSIAN

** JENIS PERNIAGAAN **
IMPORTER AND EXPORTER OF BUILDING MATERIALS AND ELECTRICAL PRODUCTS

** MAKLUMAT CAWANGAN **

*** TIDAK CAWANGAN ***

TINGKAT 2, 10-19 PUTRA PLACE, 100 JALAN PUTRA, 50622 KUALA LUMPUR, MALAYSIA.
TEL.: 03-4047 6000 FAX.: 03-4047 6317
NAMA: LIM HOW MING
ALAMAT KEDAI/AN: 537 LORONG BELIAN 2, TAMAN BUKIT INTAN, KUALA PILAH
27000 KUALA PILAH, NEGERI SEMBILAN
WARNA/JENIS: BIRU
NO KTP (LAMA): 5855403
NO KTP (BARU): 600120055217
TARIKH LAHIR: 20-01-1960
BANGSA: CINA
JANTINA: LELAKI
JAWATAN: PERKONGSIAN BIASA
KEWARGANEGARAAN: WARGANEGARA MALAYSIA
TARIKH MASUK: 17-05-1999
NAMA: YOON PEI LEE
ALAMAT KEDAI/AN: NO 11, TAMAN KWANG HUP, BAKAU
72100 BAKAU, NEGERI SEMBILAN
WARNA/JENIS: BIRU
NO KTP (LAMA): A1627129
NO KTP (BARU): 709120055319
TARIKH LAHIR: 20-08-1970
BANGSA: CINA
JANTINA: LELAKI
JAWATAN: PERKONGSIAN BIASA
KEWARGANEGARAAN: WARGANEGARA MALAYSIA
TARIKH MASUK: 17-05-1999

[Signature]

LATIFAH bt AB. MAZIN
PENOLONG PENDAFTAR PERNIAGAAN

PENDAFTAR PERNIAGAAN, SEMENanjung MALAYSIA
TARikh 23/1/2007

UserID: 1000000011 Date: Tue Nov 20 11:22:45 WST 2007

TINGKAT 2, 10-19 PUTRA PLACE, 100 JALAN PUTRA, 50622 KUALA LUMPUR, MALAYSIA.
TEL.: 03-4047 6000 FAX: 03-4047 6317

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Appendix 6:

MADRASAH AT-TARBIYYAH AL-ISLAMIYYAH LUQMANUL HAKIEM
LOT 1288, JALAN RABBANI, KAMPUNG SUNGAI TIRAM, 81800, ULU TIRAM, JOHOR DARUL-TAZIM.

Tarih: 30 Syabu 1419H
19 Disembar 1998M

Kepada

Ee. Mazdan bin Ishak
NO. 49, JALU MUTHANA 4/1.
JLN SRI NAGARAJA, 43100 HUBU LANGAT,
S'QOM.

Per: Hasil Temuduga/Ujian

Berhubung dengan perkara di atas, kami memberitahu bahawa anak tuan telah lulus Ujian yang kami adakan pada hari Sabtu bertarikh 6-12-98. Dengan itu kami telah menerima anak tuan, Ahmad B. Mazlan, sebagai pelajar di Madrasah At-Tarbiyyah Al-Islamiyyah Luqmanul Hakim pada sesi persekolahan 1419-1420H/1999M. Ibunya diminta supaya ke Madrasah ini pada hari Sabtu/Ahad 14&15 Ramadhan 1419H (23 Januari 1999), untuk membayar yuran pendaftaran, yuran perisaan asrama, yuran tahunan dan bulan raya yang berjumlah RM 445.00.


Sekian, atas kerjasama pihak tuan kami dahului dengan ucapan

Yang bersetia,

[signature]

Nodirah B. Mohd. Top
Mudir

NMT/za
 cập nhật temuduga '98

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SURAT AKUAN BERHENTI

1. Nama : Ridhwan Abdul Hayyi bin Mohamad Iqbal
2. No. Sijil Kelahiran : J 738758
3. Tarikh/Tempat Lahir : 16 Jun 1993 / Banting, Selangor
5. Tarikh Masuk Sekolah : 07 Januari 2000
6. Tahun/Tingkatan : Tahun 1
7. Tarikh Berhenti : Januari 2002
8. Tahun/Tingkatan : Tahun 2
9. Nama Bapa/Penjaga : Fatimah Zahrah binti A. Aziz

Kami sahkan bahawa pelajar yang tersebut di atas merupakan seorang pelajar di sekolah ini.

Sekian.

Yang benar

[Signature]

Nama : Noed Din b. Mohd Top
Jawatan : Mubalig

SK : Fail pelajar

Berdasarkan dengan Kementerian Pendidikan Malaysia No. Pupuk SN 832

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Appendix 10:

---

**SNJ Holdings Sdn Bhd**

**No. Akaun** 62815207-J2792847
**Deposit** 100.00
**No. Bil** 9513161961

Wan Min Bin Wan Mat
No. 24 (Lot 1288) Jln Rabbani
KG. Sungai Tiram
81800 Ulu Tiram

Kadar bayaran air barulah diterima oleh awak mulai 01 Januari 2001. Sebarang kemiskinan pada bil air boleh dirujuk kepada Pejabat SAJ Holdings yang berhampiran atau hubungi 07-2233933, 07-2542885.

Bayaran Terkini
BR000101969 01-02-2001
Amaun (RM) 20.82

Keterangan Caj Pelbagai
Amaun (RM)

Keterangan Caj Semasa
Amaun (RM)

Penggunaan Air

<table>
<thead>
<tr>
<th>No. Meter</th>
<th>Tarikh</th>
<th>Bacaan</th>
<th>Penggunaan (m³)</th>
</tr>
</thead>
<tbody>
<tr>
<td>97097718</td>
<td>14-02-2001</td>
<td>1914</td>
<td>46.3</td>
</tr>
<tr>
<td>14-02-2001</td>
<td>1924</td>
<td>1368</td>
<td>35.60</td>
</tr>
</tbody>
</table>

Kod Tarif : 1
Jenis Bacaan : N
Bil Semasa : RM 35.60
Bil Pelbagai : RM 0.00

BIL. HARI : 36
TUNGGAKAN : RM 13.10

Peringatan:
Sila jelasakan bil dalam tempoh 15 hari dari tarikh bil ini untuk mengelakkan bekalakan air daripada dipetang tanpa notis.

Jumlah Perlu Dibayar : RM 42.50

Silai Bayar Sebelum: 01-03-2001

---

**No. Akaun** 62815207-J2792847
**No. Bil** 9513161961
**Jumlah (RM)** 22.50
Appendix 11:

Telephone Bill
Customer Name: ZULKARNAIN BIN ALLADENT
Contact Person:
Account No.: 62444718
Deposit: RM196.00
Invoice No.: 50884895
Invoice Date: 03/11/2001
Page No.: 1 of 6

ZULKARNAIN BIN ALLADENT
LOT 1238 JALAN RABBANI
KG 5G TIRAM
ULU TIRAM
81800 JOHOR
Johor

62444718 0000000000 0000 261101 0000021038 1

Retain lower portion for your records. For change of address, other payment options and instructions, see reverse portion.

account summary

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount (RM)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amount of Last Invoice</td>
<td>227.51</td>
</tr>
<tr>
<td>Payment Received - Thank You</td>
<td>124.20</td>
</tr>
<tr>
<td>Adjustments</td>
<td>0.00</td>
</tr>
<tr>
<td>Amount left from Previous Month</td>
<td>103.31</td>
</tr>
<tr>
<td>Amount for current month</td>
<td></td>
</tr>
<tr>
<td>Fixed Charges</td>
<td>0.00</td>
</tr>
<tr>
<td>Recurring Charges</td>
<td>78.00</td>
</tr>
<tr>
<td>Call Charges</td>
<td>24.15</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>0.00</td>
</tr>
<tr>
<td>Discounts and Credits</td>
<td>0.00</td>
</tr>
<tr>
<td>Service Taxes</td>
<td>5.10</td>
</tr>
<tr>
<td>Total Amount for this Month</td>
<td>107.25</td>
</tr>
</tbody>
</table>

Total Amount Due: 210.58

TalkSaver

Careline

As of 03/11/2001 we have yet to receive your payment for the overdue bill amounting to RM103.31. Regrettably, you may experience some interruptions of service due to the above. Kindly remit the Total Amount Due immediately. If you have already remitted your payment, please disregard this message and accept our apology. Do contact our nearest branch if you require any assistance.
Appendix 12:

<table>
<thead>
<tr>
<th>No. Perkhidmatan PAU</th>
<th>No. Akun PAU</th>
<th>Tarikh Bil</th>
<th>Tarikh Bayar Sebelum</th>
<th>Cagaran Tunai</th>
<th>Jumlah Awal</th>
<th>Melemparkan Akuan</th>
<th>Jumlah Awal</th>
<th>Melemparkan Akuan</th>
<th>Jumlah Awal</th>
<th>Melemparkan Akuan</th>
</tr>
</thead>
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Jumlah Caj Bulan Ini: RM 23.94

Jumlah Perlu Dibayar: RM 42.15

[**Nota**]

Jika anda membukukan pembayaran melalui pos, sila kehadiran membayar biji tawar dan bercakap akae nama Telekom Malaysia Berhad.

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Untuk pertanyaan khusus sila panggil 1800 400 400.
Appendix 13:

JABATAN PENDIDIKAN SWASTA
(MINISTRY OF EDUCATION MALAYSIA)
PUSAT BANDAR DAMANSARA
58604 KUALA LUMPUR

Ruj. Kami : KP (JPS) 5195/E26/62/(02)
Ruj.
Tarikh : 17 January 1997

Enck Wan Hn b. Wan Mat

Setiausaha

Let 138, Jalan Raslan, 46300 Petaling Jaya

Rujuk ucu terma. Tojeg.

Tuan;

PERMOHONAN PENUBIHAN INSTITUSI PENDIDIKAN SWASTA

Adalah dengan hormatnya dimaklumkan surat tuan bilangan dan perkara seperti tersebut di atas bertarikh 15/1/97 telah diterima pada 22/2/97.

2. Sila maklum tempoh pemerosohan permohonan adalah antara 3 hingga 6 bulan tertakluk kepada kemantapan maklumat yang dilemakukan.


Sekian, terima kasih.

" BERKHIDMAT UNTUK NEGARA "

Saya yang menurut perintah,

bp. f

(ABU BAKAR BIN ISMAIL)
Pengarah Bahagian Pendaftaran & Pawai.
b.p. Timbalan Ketua Pengarah Pendidikan
Jabatan Pendidikan Swasta
Kementerian Pendidikan Malaysia.

s.k.
Unit Pendidikan Swasta

Jabatan Pendidikan

makrif terima
Appendix 14:

Pengurus

Sek. Islam Lapangan Tiram (SILH)
Lot. 1828, Jalan Raubini
Kg. Kg. Tiram, Tiram, Selangor

Tuan,

PERMOHONAN PENUBUHAN IPS/IPTS

Permohonan tuan yang bertanda [ ] di bawah ruj. ........................................... bortarikh.............................................. telah diterima pada 22.12.97

☑ Kertas Cadangan Penubuhan IPS/IPTS (Berpadukan Senarai Semak Format IPS/Format JPS II*)
☐ Kertas Cadangan Penubuhan IPS/IPTS Cawangan
  (Berpadukan Senarai Semak Format JPS III/Format JPS VII*)
☐ Kenaikan Yuran (Menggunakan borang Format JPS IV)
☐ Penambah Kursus (Menggunakan borang Format JPS V)
☐ Pindah Premis atau Perubahan Premis (Menggunakan borang Format JPS VI)

2. Semakan dokumen seperti berikut telah dibuat dan didapati dokumen/maklumat berikut adalah tidak lengkap seperti yang bertanda [x]

☐ Salinan sijl pendataan sekolah yang terkini.
☐ Salinan Borang 24 yang disahkan.
☐ Salinan Borang 49 yang disahkan.
☐ Salinan Borang 32A yang disahkan. (Jika ada perubahan hak milik ekuiti)
MAA Syarikat khusus bagi bidang pendidikan.

Curriculum vitae Lembara Pengarah Syarikat.

Curriculum vitae Pengurus & Ahli Lembara Pengelola Insititusi Pendidikan.

Curriculum vitae Guru Besar/Pengetua/Ketua Eksekutif Insititusi.

Salinan Sijil akademik dan Profesional Guru Besar/Pengetua/Ketua Eksekutif yang diahaskan.

MOU/MOA bagi kursus jenis kerjasama (twining/credit transfer/Advance standing).

Perjanjian antara pihak yang berkenaan bagi program jenis Francising. (Francising program antara ipis yang sama taraf tidak dibenarkan)

Pelan Kasar Lantai.

Pelan Kasar Lokasi.

Curriculum Outline/Sukatan Pelajaran/Syllabus bagi setiap kursus.

Lain-lain dokumen. (Senarakan:__________________________)

3. Sila kemukakan dengan kadar segera dokumen/maklumat yang lengkap bagi membolehkan jabatan ini memproses permohonan tuan.

Sekian, terima kasih.

“BERKHIDMAT UNTUK NEGERA”

Saya yang menurut perintah,

[Signature]

MOHD. AZMI B. ISTAMAT

b.p. Pengarah Bahagian Pendaftaran & Piawaian,
Jabatan Pendidikan Swasta
Kementerian Pendidikan Malaysia.

(*) sila poion mana yang tidak berkenaan
Appendix 15:

Ruj. Kami :
Ruj. Tuan :

KEPADAPARA PENDERMA YANG BUDIMAN

22 Dzulq'adah 1421
18 Maret 2001

Tuan,

السلام عليكم ورحمة الله وبركاته
 ثم السلام ورحمة وبركاته
 IN THE NAME OF ALLAH THE CREATOR.

"Dan belanjakanlah sebahagian daripadanya yang telah kamu berikan kepada orang-orang yang berhak."

(Q.S. Al-Munafiqun 63:10)

MEMOＨON SUMＢANGAN DERMA KOMＰＵTER

Adalah saya dengan segala hormatnya merujuk kepada perkara di atas.


3. Tuanku boleh menyalurkan sumbangan komputer samada dalam bentuk tunai ataupun melalui penyerahan komputer peribadi (personal computer) kepada pihak madrasah.

Segala perhatian pihak tuan terhadap pembangunan madrasah kami adalah sangat kami sanjung tinggi dan kami dahului dengan ucapan terima kasih. Sekian.

"MEMBINA GENERASI RABBAN"
Yang benar,

Noor Din bin Mohd Top Mudin
Sekolah Islam Luqmanul Hakiem

Berkasfer dengan Kementerian Pendidikan Malaysia (No. Rajukkar SRI 832)
Appendix 16:

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<th>AS PER LIST ATTACHED</th>
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<tr>
<td>IN WITNESS WHERE</td>
<td>OF, the parties hereto have executed this AGREEMENT and the COMPANY and the CUSTOMER shall each retain a copy.</td>
</tr>
</tbody>
</table>

Signed for and on behalf of the CUSTOMER By:  

**NAME:** ____________________________  
**POSITION:** ___________________________

Signature & COMPANY Stamp  
**DATE:** ____________________________

Signed for and on behalf of TELE DYNAMICS ATEC SDN BHD  

**NAME:** Christine Wong  
**POSITION:** Customer Service Office

Signature & COMPANY Stamp  
**DATE:** ____________________________

Please mail in together with your cheque for immediate execution.
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**MAKLUMAN DEBIT**

Kami telah cedikan akaun tuan dengan unsniaga seperti berikut:

**BANK ISLAM MALAYSIA BERHAD**

Tanda tangan Sdn. Bhd.

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## Appendix 18:

### Bank Islam Malaysia Berhad

![Bank Islam Logo]

**ENCIK WAN MIN BIN WAN HAT & ENCIK ABAS BIN YUSOF**

**LOT 1280 JLN RABBANI**

**NO. SUNGAI TIRAM**

**BLDG ULU TIRAM**

**CAWANGAN**

**NOMOR AKAUN** 1-040-00357-26

**MUKA TARIKH** 28/02/98

### TARIKH | KOD NO. DOKUMEN | WANG KELUAR | WANG MASUK | BAKI
--- | --- | --- | --- | ---
31/01/98 | 1670 | 961249 | 70.00 | 19,917.80
05/02/98 | 1670 | 266209 | 19000.00 | 17,847.80
12/02/98 | 1670 | 266211 | 20000.00 | 40,847.80
12/02/98 | 1670 | 266210 | 10000.00 | 51,847.80
12/02/98 | 1670 | 266208 | 1,711.70 | 53,559.50
24/02/98 | 1670 | 266207 | 43,559.50 | 43,559.50
25/02/98 | 1600 | 029098 | 11430.00 | 32,429.50
26/02/98 | 1600 | 029097 | 5000.00 | 27,429.50
27/02/98 | 1408 | TRX | 4.88 | 27,424.12
28/02/98 | 1403 | HIBAH | 97.72 | 27,521.84

**TOTAL OF DEBIT ITEMS:** 16,804.88

**TOTAL OF CREDIT ITEMS:** 241,108.92

**TOTAL OF LOCAL CREDIT:** 22,909.63

**TOTAL OF CC & OAP CREDIT:** 299.80

**MONTHLY AVERAGE:** 31,960.82

**HALFWEEKLY AVERAGE:** 28,256.03

---

**PERPUrkHAKAM CAWANGAN BANK ISLAM YANG KE 78 DI PASIR PUDIC KELANTAN PADA 12 MAC 1998 MERANTAPKAN LAGI PERKHIDMATAN KAMI KEPADA ANDA.**

Jumlah dan baki yang tercatat di atas akan dianggap betul selaras dengan Bank tidak diubah atau isian sebaliknya dalam masa tempoh 14 hari dari tarikh porty ini.

The figures and balances shown above will be considered correct unless the Bank is notified of any discrepancy within 14 days from the date of this statement.

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**ASM 36 A**
Appendix 19:

SSM

Suruhanjaya Syarikat Malaysia
Companies Commission of Malaysia

PERMATAS: SENGUPUT SEGALA USARA TELAH DIAMBIK UNTUK MENAPATIKAN MAKLUMAT YANG DIREKI KEDALAH BETUL DAN PENDAKING PENDAFTAR PERNIAGAAN TIDAK BOLEH DIPERTANGGUNGJAWAB BAGI SEBABAN KERUGIAN KERANA MAKLUMAT YANG TERSICAP ATAU TERTINGGAL

** MAKLUMAT PERNIAGAAN **

NAMA PERNIAGAAN : MAWASI BIN MAJL

ALAMAT UTAMA PERNIAGAAN : 47 MINGKILUMBAR 4 JALAN AMPANGKUALA LUMPUR

55000 KUALA LUMPUR

WILAYAH PERSEKUTUAN

NO PENDAFTARAN PERNIAGAAN : 001888846-A

TARIKH MULA BERNIAGA : 13-01-1997

TARIKH MULA DIDAKTARKAN : 14-01-1997

TARIKH PENUTUPAN PERNIAGAAN :

TARIKH PERUBAHAN :

TIPPOH TAMAT PERAKUAN PENDAFTARAN SEKARANG 31-03-2009

BENTUK PERNIAGAAN : PEMILIKAN TUNGGAL

** JENIS PERNIAGAAN **

MUNJUAL KAINJAKANAN RINGAN DAN BARANG RUNCIT

** MAKLUMAT CAMGANAN **

*** TIDAK CAWANGAN ***
NAMA: MAWASI BIN MAJLI
ALAMAT KEDIAMAN: 47, MENGKUDU BT 4/1, JALAN AMPANG, KUALA LUMPUR
55000 KUALA LUMPUR, WILAYAH PERSEKUTUAN
WARN/GENIS: MERAH
NO KP (LAMA): 8328502
NO KP (BARU): 58032571513
TARIKH LAHIR: 25-03-1958
BANGSA: MELAYU
JANTINA: LELAKI
JAWATAN: PEMILIK TUNGGAL
KEWARGANEGARAAN: PENDUDUK TETAP
TARIKH MASUK: 13-01-1997

ADALAH DIAKUI BAHWA BUTIR-BUTIR DALAM BORANG INI TELAH DIPECATKAN DARI DAFTAR
PERNIAGAAN 001038446 - A DAN BUTIR-BUTIR INI ADALAH SAH BENAR.

LATIPAH BT AB. MAJLI
PENDALONG PENDAFTAR PERNIAGAAN
TARIKH: 13/11/2007

UserID: Jamailah Date: Tue Nov 12 10:32:12 WST 2007

TINGKAT 2, 10-19 PUTRA PLACE, 100 JALAN PUTRA, 50622 KUALA LUMPUR, MALAYSIA.
TEL.: 03-4047 6000 FAX: 03-4047 6317

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Appendix 20:

*** MAKLUMAT PERNIAGAAN ***

NAMA PERNIAGAAN : MAWASI BIN MUIHD
ALAMAT UTAMA PERNIAGAAN : 32, JALAN A.KG. PANDAN, KUALA LUMPUR
                              55100 KUALA LUMPUR
NO PENDAFTARAN PERNIAGAAN : 001904505-T
TARIKH MULA BERNIAGA : 16-03-1995
TARIKH MULA DIDAFTARKAN : 16-03-1995
TARIKH PENUTUPAN PERNIAGAAN :
TARIKH PERIHALAN :
TEMPOH TAMAT PERAKUAN PENDAFTARAN SEKARANG : 08-04-1998
BENTUK PERNIAGAAN : PEMILIK TUNGGAL

** JENIS PERNIAGAAN **
KEDAI MENJUAL BARANG-BARANG RANCING DAN MAKANAN RINGAN

** MAKLUMAT CAWANAN **

*** TIDAK CAWANAN ***
** MAKLUMAT PEMILIK MASA KINI **

NAMA: MAWASI BIN MUHDI
ALAMAT KEKADAN: 32, JALAN A.K.G, PANDAN JAYA, KUALA LUMPUR
55100 KUALA LUMPUR
WARNA/JENIS: MERAH
NO K.P (LAMA): 8348190
NO K.P (BARU): 62060715019
TARIKH LAHIR: 07-06-1962
BANGSA: MELAYU
JANTINA: LELAKI
JAWATAN: PEMILIK TUNGGAL
KEWARGANEGARAAN: PENDUDUK TUTAP
TARIKH MASUK: 16-03-1995

ADALAH DIAKUI BAHAWA BUTIR-BUTIR DALAM BORANG INI TELAH DIPETIK DARI DAFTAR PERNIAGAAN 001004356 - T DAN BUTIR-BUTIR INI ADALAH SAH BENAR

LATIFAH BT AB. MAJID
PENOLONG PENANGGUNG PERNIAGAAN
TARIKH: 13/11/2007

TINGKAT 2, 10-19 PUTRA PLACE, 100 JALAN PUTRA, 50622 KUALA LUMPUR, MALAYSIA.
TEL.: 03-4047 6000  FAX.: 03-4047 6317
Appendix 21:

SURUHANJAYA SYARIKAT MALAYSIA
Companies Commission of Malaysia

PERRATTAN: SUKU CADANG SECARA UTASAN TERHADAP UNTUK MEMASTIKAN MAKLumat YANG DISEDI ARAH
SENDIRI DAN PENDAPATAN PERNIAGAAN TIADA KERUSAKAN DIHAPUSKAN UNTUK SEBABAN
PERNIAGAAN PERUSAHAAN MALAYSIA YANG TERSISAH ANTI TESTIMYO.

** MAKLumat PERNIAGAAN **

NAMA PERNIAGAAN : ANGSANA AGENCIES
ALAMAT UTAMA PERNIAGAAN : 124, JALAN WIRA EMPAT TAMAN PERWIRA DUA, AMPANG JAYA,
                               68000 AMPANG, SELANGOR
NO PENDAPATAN PERNIAGAAN  : 00699875-V
TARIKH MULA BERNIAGA     : 09-07-1986
TARIKH MULA DIDAFTARKAN   : 09-07-1986
TARIKH PENUTUPAN PERNIAGAAN: 
TARIKH PERUBAHAN          : 17-05-1992
TEMPOH TAMAT PERDAFTARAN SEKARANG : 15-03-2001
BENTUK PERNIAGAAN         : PEMBIUAN TUNGGAL

** JENIS PERNIAGAAN **

GENERAL TRADING, KONTRAKTOR AM TERMAULUK, KONTRAKTOR KEJURUTERAAN AWAL, PEMBORONG BAHAN
BINAN & BARANG LOGAM PEMBINAAN, PENJUALAN BARANG-BARANG KEGUNIlAN RUMAH DIAPUR, PENGغان KACA,
PLASTIK, PAKAIAN DAN MAKANAN

** MAKLumat CAWANGAN **

*** TIADA CAWANGAN ***
NAMA: NORHAYU SAM BINTI ABDULLAH
ALAMAT KEDIAMAN: 124, JALAN WIRA 4, TAMAN PERWIRA DUARAMPANG JAYA 68000 AMPANG, SELANGOR
WARNA/JENIS: BIRU
NO K/P (LAMA): 3314812
NO K/P (BARU): 49071261-5938
TARIKH LAHIR: 02-07-1949
BANGSA: CINA
JANTINA: PEREMPUAN
JAWATAN: PEMILIK TUNGGAL
KEWARNAKERAAN: WARNAKERAAN MALAYSIA
TARIKH MASUK: 09-07-1986

ADALAH DIUKUI BAHAWA BUTIR-BUTIR DALAM BORANG INI TELAH DIPETIK DARI DAFTAR PERNIAGAAN: 008098250 - V DAN BUTIR-BUTIR INI ADALAH SAH BENAR

LATIPAH BT AB. MAJID
PENGLOG PENDAFTAR PERNIAGAAN
TARIKH: 31/11/2007

UserID: Internet Date: Tue Nov 13 19:32:17 WST 2007

TINGKAT 2, 10-19 PUTRA PLACE, 100 JALAN PUTRA, 50622 KUALA LUMPUR, MALAYSIA.
TEL.: 03-4047 6000  FAX: 03-4047 6317

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Appendix 22:

The Luqmanul Haqiem Islamic School (LHIS) is located at Jalan Rabbani, Batu 18, Sungai Redan, Kampung Sungai Tiram, Johor Bahru, Johor Malaysia.
Photo: Author.

Appendix 23:

The logo of LHIS, painted on the wall of the main building, includes the motto *Beriman, Berilmu, Beramal* (Faith, Knowledge, and Practice).
Photo: Author.
Appendix 24:

Unfinished female toilets were abandoned after LHIS was closed down by Malaysian government in 2001.
Photo: Author.

Appendix 25:

The picture shows Putera (Male) classrooms at ground level and the hostel on the second floor. A multi-purpose court was located on the middle of the building for exercise and outdoor games.
Photo: Author.
Appendix 26:

Dispersed documents and files were found at the office after it was raided by Malaysian police in 2001. Some of the documents were taken away by police as case exhibits.

Photo: Author.

Appendix 27:

Female classes were located behind Respondent G’s house. He also acted as a student warden, along with his wife who was a canteen supervisor.

Photo: Author.
Appendix 28:

There was alternative access to LHIS from Respondent G’s house at Jalan Rabbani, Kampung Sungai Tiram, Johor Bahru
Photo: Author.

Appendix 29:

LHIS Surau, once a main centre for student’s activities, is now being used by the surrounding community for daily prayers
Photo: Author.
Appendix 30:

*Bilik Tamu* (visitor’s room) is located in the main building close to *Surau*, making it convenient for visitors to perform prayers and deliver lectures. Once, Mukhlas and Paridah’s house was located on the second floor of this building.

Photo: Author.

Appendix 31:

*A Bilik Buku Teks* (Textbook room) was also located in the main building to provide students with books that were suitable and met with the requirements set by the *Jabatan Agama Islam Johor* (Johor Islamic Department).

Photo: Author.
Appendix 32:

Instead of government syllabus books, LHIS had many Arabic books that were donated by Sheikhs from the Middle East.

Photo: Author.

Appendix 33:

Training fields which were provided for Puteras with platform for presentation. LHIS students were exposed to martial arts training as well as spiritual and mental training.

Photo: Author.
Appendix 34:

This female playground was completed sometime in 1995 to provide an exercise area for students. Most of the funds came from donations from JI Singapore cell members. 
Photo: Author.

Appendix 35:

The playground in the female section, complete with slides and swings was also used by LHIS kindergarten children.
Photo: Author.
Appendix 36:

Only male students were allowed to move in their sections and to learn in the classes located in their area.
Photo: Author.

Appendix 37:

Female classrooms were constructed by Jemaah members with assistance from surrounding people.
Photo: Author.
Appendix 38:

Sewing, knitting, and cooking classes were provided for female students at the *Bengkel Kratangan* (Craft Workshop) organized by *Jemaah*’s wives.

Photo: Author.

Appendix 39:

Musolla or a prayer hall for Puteris was located in the middle of the female section and was used for *Quran* and *Fiqh* (Islamic jurisprudence) classes.

Photo: Author.
Appendix 40:

Boeng Kok’ Mosque was among the sites regularly visited by Hambali during his exile in Cambodia between 2000 and 2001

Photo: Author.

Appendix 41:

A private Islamic boarding school in Southern Thailand was accused of being a private-run militant training base. Many Ustazs in this kind of school disappeared, believed to have been kidnapped by militants or by the government backed military.

Photo: Author.
Appendix 42:

Maahad Ihyaussunnah al-Muhammadiyyah at Sadao town was one of the modern private Islamic boarding schools partly funded by government.

Photo: Author.

Appendix 43:

The Islamic Committee of Satun in Southern Thailand played a significant role in establishing networks between the Muslim community and the Thailand government, as well as developing a better understanding between Muslims and Buddhists.

Photo: Author.
Appendix 44:

Malaysia's Internal Security Act - ISA

[ISA] INTERNAL SECURITY ACT, 1960
(Act 82)

An Act to provide for the internal security of Malaysia, preventive detention, the prevention of subversion, the suppression of organised violence against persons and property in specified areas of Malaysia, and for matters incidental thereto.

[West Malaysia - 1st August, 1960; East Malaysia - 16th September, 1963.]

WHEREAS action has been taken and further action is threatened by a substantial body of persons both inside and outside Malaysia:

(1) to cause, and to cause a substantial number of citizens to fear, organized violence against persons and property, and

(2) to procure the alteration, otherwise than by lawful means, of the lawful Government of Malaysia by law established;

AND WHEREAS the action taken and threatened is prejudicial to the security of Malaysia;

AND WHEREAS Parliament considers it necessary to stop or prevent that action;

Now therefore PURSUANT to Article 149 of the Constitution

BE IT ENACTED by the Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong with the advice and consent of the Dewan Negara and Dewan Rakyat in Parliament assembled, and by the authority of the same, as follows:

PART I

PRELIMINARY

1. Short title.

This Act may be cited as the Internal Security Act, 1960.

2. Interpretation.

In this Act unless the context otherwise requires:

"Advisory Board" means an advisory board constituted under Article 151 (2) of the Federal Constitution;

"ammunition" means ammunition for any fire-arm as hereafter defined and includes grenades, bombs and other like missiles whether capable of use with such a fire-arm or not and any ammunition containing or designed or adapted to contain any noxious liquid, gas or other thing;

"Chief Police Officer" includes a Deputy Chief Police Officer and any police officer for the time being lawfully authorized to exercise the powers and perform the duties
conferr or imposed upon a Chief Police Officer by this Act and in the application of this Act to Sabah and Sarawak references to a Chief Police Officer shall be construed as references to a Divisional Superintendent of Police;

"controlled area" means any area declared to be a controlled area under section 49;

"danger area" means any area declared to be a danger area under section 48;

"document" includes any substance on which, is recorded any matter, whether by letters, figures, marks, pictorial or other representation, or by more than one of those means;

"entertainment" means any game, sport, diversion, concert or amusement of any kind to which the public has or is intended to have access and in which members of the public may or may not take part, whether on payment or otherwise;

"exhibition" includes every display of goods, books, pictures, films or articles to which the public has or is intended to have access, whether on payment or otherwise;

"explosive" shall have the meaning assigned thereto in the Explosives Ordinance, 1957, and includes any substance deemed to be an explosive under that Ordinance;

"fire-arm" means any lethal barreled weapon of any description from which any shot, bullet or other missile can be discharged or which can be adapted for the discharge of any such shot, bullet or other missile and any weapon of whatever description designed or adapted for the discharge of any noxious liquid, gas or other thing, and includes any component part of any such weapon as aforesaid;

"Inspector-General" means the Inspector-General of Police and, in relation to Sabah and Sarawak, includes the Commissioner in control of members of the Royal Malaysia Police in each of those States;

"Offence against this Act" includes an offence against any regulations made under section 71;

"periodical publication" includes every publication issued periodically or in parts or numbers at intervals, whether regular or irregular;

"Police District" has the same meaning as "police district" in the Police Act, 1967;

"police officer" includes a reserve police officer, an auxiliary police officer and a special police officer appointed in accordance with any written law for the time being in force;

"promoter", in the case of an entertainment or exhibition promoted by a society, includes the secretary and officials of the society and, in the case of a society organised or having its headquarters outside Malaysia, the eases in Malaysia of the society;

"proprietor" includes the owner, tenant or other person in possession or control of premises and any person who receives payment for the use of premises;

"protected place" means any place or premises in relation to which an order made under section 60 is in force;

"publication" includes all written, pictorial or printed matter, and everything of a nature similar to written or printed matter, whether or not containing any visible representation, or by its form, shape or in any other manner capable of suggesting words or ideas, and every copy, translation and reproduction or substantial translation or reproduction in part or in whole thereof;
"public place" includes any highway, public street, public road, public park or garden, any sea beach, water-way, public bridge, lane, footway, square, court, alley or passage, whether a thoroughfare or not, any unalienated land, any rubber estate, any plantation, any land alienated for agricultural or mining purposes, any theatre or place of public entertainment of any kind or other place of general resort admission to which is obtained by payment or to which the public have access, and any open space to which for the time being the public have or are permitted to have access, whether on payment or otherwise;

"public road" means any public highway or any road over which the public have a right of way or are granted access, and includes every road, street, bridge, passage, footway or square over which the public have a right of way or are granted access;

"security area" means any area in respect of which a proclamation under section 47 is for the time being in force;

"security forces" includes the Royal Malaysia Police, the Police Volunteer Reserve, the Auxiliary Police, persons commissioned or appointed under the Essential (Special Constabulary) Regulations, 1948, the armed forces, any local force established under any written law in force in Malaysia, and any force which is a visiting force for the purposes of part I of the Visiting Forces Act, 1960, and in respect of whom all or any of the powers exercisable by the armed forces or their members under this Act have been made exercisable by an order made under any such law.

"supplies" includes ammunition, explosives, fire-arms, money, food, drink, clothing, medicines, drugs and any other stores, instruments, commodities, articles or things whatsoever;

"terrorist" means any person who--

(a) by the use of any fire-arm, explosive or ammunition acts in a manner prejudicial to the public safety or to the maintenance of public order or incites to violence or counsels disobedience to the law or to any lawful order;

(b) carries or has in his possession or under his control any fire-arm, ammunition or explosive without lawful authority therefor; or

(c) demands, collects or receives any supplies for the use of any person who intends or is about to act, or has recently acted, in a manner prejudicial to public safety or the maintenance of public order;

PART II
GENERAL PROVISIONS RELATING TO INTERNAL SECURITY
CHAPTER 1
Prohibition of Organisations and Associations of a Political or Quasi-Military Character and Uniforms, etc.

3. Prohibition of uniforms of political or quasimilitary organisations.

The Minister may from time to time by order prohibit the wearing in public places or at meetings or gatherings to which the public or any section of the public have access, of-
(a) any uniform or dress which signifies association with any political organisation or with the promotion of any political object; or

(b) any uniform, dress or emblem by members or adherents of any organisation or association specified or described in the order, whether incorporated or not-

(i) when, in the opinion of the Minister, members of that organisation or association are organised or trained or equipped for the purpose of enabling them to be employed in usurping the functions of the police or of the armed forces; or

(ii) when, in the opinion of the Minister, members of that organisation or association are organised or trained or equipped for the purpose of enabling them to be employed for the use or display of physical force in promoting any political or other object or in such a manner as to arouse reasonable apprehension that they are organised or trained or equipped for that purpose.

4. Penalty.

Every person who wears any prohibited uniform, dress or emblem in contravention of an order made under section 3 shall be guilty of an offence and shall, on conviction, be liable to a fine not exceeding two thousand dollars or to imprisonment for a term not exceeding one year or to both.

5. Prohibition of quasimilitary organizations.

(1) If the members or adherents of any association of persons, whether incorporated or not, are-

(a) organised or trained or equipped for the purpose of enabling them to be employed in usurping the functions of the police or of the armed forces; or

(b) organised or trained or equipped either for the purpose of enabling them to be employed for the use or display of physical force in promoting any political or other object, or in such a manner as to arouse reasonable apprehension that they are organized or trained or equipped for that purpose, then every member or adherent of the association shall

be guilty of an offence and shall, on conviction, be liable to a fine not exceeding two thousand dollars or to imprisonment for a term not exceeding one year or to both;

and any person who promotes or conspires with another to promote, or who takes part in the control or management of, the association, or in so organising or training as aforesaid any member or adherent thereof, shall be guilty of an offence and shall, on conviction, be liable to a fine not exceeding ten thousand dollars or to imprisonment for a term not exceeding five years or to both:

Provided that in any proceedings against any person charged with the offence of taking part in the control or management of such an association as aforesaid it shall be a defence to that charge to prove that he neither consented to nor connived at the organisation, training or equipment of any member or adherent of the association in contravention of this section.

(2) No prosecution for any offence under this section shall be instituted except with the consent of the Public Prosecutor.
(3) If upon application being made by or on behalf of the Public Prosecutor it appears to the High Court that any association is an association of which members or adherents are organised, trained or equipped in contravention of this section, the Court may—

(a) make such order as appears necessary to prevent any disposition without the leave of the Court of property held by or for the association;

(b) direct an inquiry and report to be made as to any such property as aforesaid and as to the affairs of the association;

(c) make such further order as appears to the Court to be just and equitable for the application of that property in or towards the discharge of the liabilities of the association lawfully incurred before the date of the application or, with the approval of the Court since that date in or towards the repayment of moneys to persons who became subscribers or contributors to the association in good faith and without knowledge of any such contravention as aforesaid, and in or towards any costs incurred in connection with any such inquiry and report as aforesaid or in winding up or dissolving the association; and

(d) order that any property which is not directed by the Court to be so applied as aforesaid shall be forfeited to the Government.

(4) In any criminal or civil proceeding under this section proof of things done or of words written, spoken or published (whether or not in the presence of any party to the proceedings) by any person taking part in the control or management of an association or in organising, training or equipping members or adherents of an association shall be admissible as evidence of the purposes for which, or the manner in which, members or adherents of the association were organised or trained or equipped.

(5) If a Magistrate or Chief Police Officer is satisfied by information that there is reasonable ground for suspecting that an offence under this section has been committed, and that evidence of the commission thereof is to be found at any premises or place specified in the information, he may, on an application made by a police officer not below the rank of Inspector, grant a search warrant authorising any such officer with or without assistance to enter the premises or place at any time within one month from the date of the warrant, if necessary by force, and to search the premises or place and every person found therein, and to seize anything found on the premises or place or on any such person which the officer has reasonable ground for suspecting to be evidence of the commission of such an offence as aforesaid.

(6) No woman shall, in pursuance of any warrant issued under subsection (5), be searched except by a woman.

(7) Nothing in this section shall be construed as prohibiting the employment of a reasonable number of persons as stewards at any public meeting held upon private premises with the permission of the owner of those premises, or the making of arrangements for that purpose or the instruction of the persons to be so employed in their lawful duties as such stewards, or their being furnished with badges or other distinguishing signs.

6. Illegal drilling.

(1) Any person other than a member of the armed forces or the police or of a volunteer force or local force constituted under any written law in force in Malaysia, or of any other force which is a visiting force for the purposes of Part I of the Visiting Forces Act, 1960, or of any organization or association specially exempted by the Minister, who—

(e) is present at or attends any meeting or assembly of persons for the purpose of training or drilling themselves to the use of arms or of being so trained or drilled, or for the purposes of practising military exercises, movements or evolutions; or
(h) is present at or attends any such meeting or assembly for the purpose of training or drilling any other person or persons to the use of arms or the practice of military exercises, movements or evolutions, shall be guilty of an offence and shall, on conviction, be liable to a fine not exceeding two thousand dollars or to imprisonment for a term not exceeding one year or to both.

(2) Any person other than a member of the armed forces or the police or of a volunteer force or local force constituted under any written law in force in Malaysia, or of any other force lawfully present in Malaysia under any law for the time being in force relating to visiting forces or of any organisation or association specially exempted by the Minister who -

(a) trains or drills any other person to the use of arms or the practice of military exercises, movements or evolutions; or

(b) takes part in the control or management of any association or organisation whose members are trained or drilled in the practice of military exercises, movements or evolutions, shall be guilty of an offence and shall, on conviction, be liable to a fine not exceeding ten thousand dollars or to imprisonment for a term not exceeding five years or to both.

7. Prohibition of uniforms, emblems, etc.

(1) The Minister may, if be considers it in the national interest so to do, by order prohibit the manufacture, sale, use, wearing, display or possession of any flag, banner, badge, emblem, device, uniform or distinctive dress or any part thereof.

(2) Any person contravening any provision of an order made under this section shall be guilty of an offence.

(3) Any article in respect of which in offence has been committed under this section may be seized and destroyed or otherwise dealt with as the Minister may direct, whether or not the identity of the offender is known and whether or not any prosecution has been commenced in respect of the offence.

CHAPTER II
Powers of Preventive Detention

8. Power to order detention or restriction of persons.

(1) If the Minister is satisfied that the detention of any person is necessary with a view to preventing him from acting in any manner prejudicial to the security of Malaysia or any part thereof or to the maintenance of essential services therein or to the economic life thereof, he may make an order (hereinafter referred to as a detention order) directing that that person be detained for any period not exceeding two years.

(2) In subsection (1) “essential services” means any service, business, trade, undertaking, manufacture or occupation included in the Third Schedule.

(3) Every person detained in pursuance of a detention order shall be detained in such place (hereinafter referred to a place of detention) as the Minister may direct and in accordance with any instructions issued by the Minister and any rules made under subsection (4).

(4) The Minister may by rules provide for the maintenance and management of places of detention and for the discipline and treatment of persons retained therein, and may make different rules for different places of detention.
(5) If the Minister is satisfied that for any of the purposes mentioned in subsection (1) it is necessary that control and supervision should be exercised over any person or that restrictions and conditions should be imposed upon that person in respect of his activities, freedom of movement or places of residence or employment, but that for that purpose it is unnecessary to detain him, he may make an order (hereinafter referred to as a restriction order) imposing upon that person all or any of the following restrictions and conditions:

(a) for imposing upon that person such restrictions as may be specified in the order in respect of his activities and the places of his residence and employment;

(b) for prohibiting him from being out of doors between such hours as may be specified in the order, except under the authority of a written permit granted by such authority or person as may be so specified;

(c) for requiring him to notify his movements in such manner at such times and to such authority or person as may be specified in the order;

(d) for prohibiting him from addressing public meetings or from holding office in, or taking part in the activities of or acting as adviser to, any organisation or association, or from taking part in any political activities; and

(e) for prohibiting him from travelling beyond the limits of Malaysia or any part thereof specified in the order except in accordance with permission given to him by such authority or person as may be specified in such order.

(6) Every restriction order shall continue in force for such period, not exceeding two years, as may be specified therein, and may include a direction by the Minister that the person in respect of whom it is made shall enter into a bond with or without sureties and in such sum as may be specified for his due compliance with the restrictions and conditions imposed upon him.

(7) The Minister may direct that the duration of any detention order or restriction order be extended for such further period, not exceeding two years, as he may specify, and thereafter for such further periods, not exceeding two years at a time, as he may specify, either-

(a) on the same grounds as those on which the order was originally made;

(b) on grounds different from those on which the order was originally made; or

(c) partly on the same grounds and partly on different grounds:

Provided that if a detention order is extended on different grounds or partly on different grounds the person to whom it relates shall have the same rights under section 11 as if the order extended as aforesaid was a fresh order, and section 12 (1) shall apply as if for the words "such person was detained" the words "his detention order was extended" were substituted.

(8) The Minister may from time to time by notice in writing served on a person who is the subject of a restriction order vary, cancel or add to any restrictions or conditions imposed upon that person by that order, and the restrictions or conditions so varied and any additional restrictions or conditions so imposed shall, unless sooner cancelled, continue in force for the unexpired portion of the period specified under subsection (6) or (7).

*8A. No detention order shall be invalid or inoperative by reason-

(a) that the person to whom it relates-
(i) was immediately after the making of the detention order detained in any place other than a place of detention referred to in section 8

(3);

(ii) continued to be detained immediately after the making of the detention order in the place in which he was detained under section 73 before his removal to a place of detention referred to in section 8 (3), notwithstanding that the maximum period of such detention under section 73 (3) had expired; or

(iii) was during the duration of the detention order on journey in police custody or any other custody to a place of detention referred to in section 8(3); or

(b) that the detention order was served on him at any place other than the place of detention referred to in section 8(3), or that there was any defect relating to its service upon him.]

[*Inserted by the Internal Security (Amendment) Act 1988 - for full text of this amending Act, see below.]

**8B. (1) There shall be no judicial review in any court of, and no court shall have or exercise any jurisdiction in respect of, any act done or decision made by the Yang di-Pertuan Agong or the Minister in the exercise of their discretionary power in accordance with this Act, save in regard to any question on compliance with any procedural requirement in this Act governing such act or decision.

(2) The exception in regard to any question on compliance with any procedural requirement in subsection (1) shall not apply where the grounds are as described in section 8A.

**8C. In this Act, "judicial review" includes proceedings instituted by way of-

(a) an application for any of the prerogative orders of mandamus, prohibition and certiorari;

(b) an application for a declaration or an injunction;

(c) a writ of habeas corpus; and

(4) any other suit, action or other legal proceedings relating to or arising out of any act done or decision made by the Yang di-Pertuan Agong or the Minister in accordance with this Act.

**8D. (1) Sections 8B and 8C shall apply to any proceedings instituted by way of judicial review of any act done or decision made by the Yang di-Pertuan Agong or the Minister under this Act, whether such proceedings were instituted before or after the coming into force of the Internal Security (Amendment) Act 1989.

(2) A reference to proceedings in subsection (1) shall not include a reference to proceedings which had concluded and in respect of which final decision of the court had been given before the coming into force of the Internal Security (Amendment) Act 1989, or to any appeal or application to appeal against such final decision.]

[*Inserted by the Internal Security (Amendment) Act 1989

- for full text of this amending Act, see below.]

9. (Repealed)
10. Suspension of detention orders.

(1) The Minister may at any time direct that the operation of any detention order be suspended subject to all or any of the restrictions and conditions which he is empowered by section 8(5) to impose by a restriction order, and subject, if the Minister so directs, to the requirement that the person against whom the detention order was made shall enter into a bond as provided in section 8 (8).

(2) Where a detention order is suspended as aforesaid section 8 (8) shall have effect as if the restrictions and conditions on which the detention order is suspended were restrictions and conditions imposed by a restriction order.

(3) Where a detention order is suspended as aforesaid the Minister may permit the person against whom the detention order was made to return to the country to which, he belongs or to go to any other country of his choice provided that the Government of that other country consents to receive him.

(4) The Minister may revoke the suspension of any detention order if he is satisfied that the person against whom the detention order was made has failed to observe any restriction or condition imposed upon him or that it is necessary in the interests of security that the suspension should be revoked, and in any such case the revocation of the suspension shall be sufficient authority to any police officer to re-arrest without warrant the person against whom the detention order was made, and that person shall as soon as practicable be returned to his former place of detention or, if the Minister so directs, sent to another place of detention.

(5) The suspension of any detention order as aforesaid shall, subject to section 8 (8) as applied by subsection (2) and subject also to subsection (4), continue in force for the unexpired portion of the period of the detention order specified under section 8 (6) or (7).

11. Representations against detention order

(1) A copy of every order made by the Minister under

section 8 (1) shall as soon as may be after the making thereof be served on the person to whom it relates, and every such person shall be entitled to make representations against the order to an Advisory board.

(2) For the purpose of enabling a person to make representations under subsection (1) be shall, at the time of the service on him of the order -

(a) be informed of his right to make representations to an Advisory Board under subsection (1); and

(b) be furnished by the Minister with a statement in writing-

(i) of the grounds on which the order is made;

(ii) of the allegations of fact on which the order is based; and

(iii) of such other particulars, if any, as he may in the opinion of the Minister reasonably require in order to make his representations against the order to the Advisory Board.

(3) The Yang di-Pertuan Agong may make rules as to the manner in which representations may be made under this section and for regulating the procedure of Advisory Boards.

(1) Whenever any person has made any representations under section 11 (1) to an Advisory Board, the Advisory Board shall, within three months of the date on which the person was detained, consider the representations and make recommendations thereon to the Yang di-Pertuan Agong.

(2) Upon considering the recommendations of the Advisory Board under this section the Yang di-Pertuan Agong may give the Minister such directions, if any, as he shall think fit regarding the order made by the Minister; and every decision of the Yang di-Pertuan Agong thereon shall, subject to section 13, be final, and shall not be called into question in any court.

[Section 12 has been amended by the Internal Security (Amendment) Act 1968 by:

substituting the words "representations are received by it, or within such longer period as the Yang di-Pertuan Agong may allow" for the words "person was detained" in subsection (1).]

13. Review.

(1) Every order or direction made or given by the Minister under section 8 (1), (5) or (7) or under section 10 shall, so long as it remains in force, be reviewed not less often than once in every six months by an Advisory Board:

Provided that in the case of a detention order against which representations have been made the first of such reviews, whether of a detention order made under section 8 (1) or of a detention order extended under section 8 (7) to which the proviso to the last mentioned subsection applies, shall be held not later than six months after the completion of the hearing of the representations by the Advisory Board to which they were made.

(2) The Advisory Board shall on completing every review under subsection (1) forthwith submit to the Minister a written report of every such review, and may make therein such recommendations as it shall think fit.

14. Power to summon witnesses.

Every Advisory Board shall, for the purposes of this Act, but subject to section 16, have all the powers of a court for the summoning and examination of witnesses, the administration of oaths or affirmations, and for compelling the production of documents.

15. Member of Advisory Board deemed to be a public servant.

Every member of an Advisory Board shall be deemed to be a public servant within the meaning of the Penal Code, and shall have in case of any action or suit brought against him for any act done or omitted to be done in the execution of his duty under this Chapter the like protection and privileges as are by law given to a Judge in the execution of his office.


Nothing in this Chapter or in any rules made thereunder shall require the Minister or any member of an Advisory Board or any public servant to disclose facts or to produce documents which he considers it to be against the national interest to disclose or produce.

17. Power to order removal.

(1) The Minister may by order direct the removal of any person detained in pursuance of this Chapter from any place of detention in Malaysia to another place of detention in Malaysia to be specified in the order, and may by arrangement with the Government of Singapore direct the removal of any such person (not being a citizen) to Singapore, to be there detained for the
whole or any part or parts of the period for which it has been ordered that the person shall be
detained.

(2) Any person in course of removal under subsection (1) shall be deemed to be in lawful
custody.

18. Power to order production of detained person.

(1) On proof to his satisfaction that the presence at any place of any person detained under
this Chapter, or lawfully in the custody of the police or confined in any prison whether in
pursuance of this Chapter or under an order of any court or otherwise howsoever, and
notwithstanding any order of any court or other authority whatsoever, is required in the
interests of justice, or for the purpose of any public or other inquiry, or in the national interest,
or in the interests of the person detained, in custody or
confined, the Minister may order that such person be taken to that place.

(2) Any person in course of being taken to any place in pursuance of subsection (1) and whilst
at such place shall be kept in such custody as the Minister may direct and whilst in that
custody shall be deemed to be in lawful custody.

19. Enforcement of warrants, etc., made in Singapore.

(1) Any document which purports to be a warrant or an order made in Singapore under any
written law in force in Singapore and similar or equivalent to section 8 and which has been
received from any police officer or other Government officer of Singapore shall be enforceable
as if it were an order which had been duly made under section 8, and if the person named
therein enters or is within Malaysia shall be enforced accordingly by arrest and detention
under this Chapter.

Provided that no such document shall be so enforceable unless the Minister shall have
signified his approval thereto by endorsement thereon.

(2) Where any person is arrested under this section he shall be returned in custody to
Singapore unless the Minister is satisfied that there are special circumstances which warrant
his detention in Malaysia.

(3) Without prejudice to section 8, where any person arrested and detained under this section
satisfies the Minister that he is a citizen such person shall be forthwith released.

(4) Whenever a request is made by a Minister of the Government of Singapore that a person
detained in Singapore under any written law in force in Singapore and similar or equivalent to
section 8 should be transferred to Malaysia there to be detained, the Minister may direct that
such person, when delivered up in Malaysia by the Government of Singapore, be received
into the custody of such police officers as the Inspector-General shall appoint for the purpose;
and such person shall thereafter be detained in Malaysia, as if the order under which he was
detained in Singapore had been duly made under section 8:

Provided that a copy of any objection made by that person against the order for his detention
shall be lodged by the Minister with the appropriate authority in Singapore, and that person
shall for the purpose of prosecuting his objection be returned to the custody of the appropriate
police officers of Singapore.

(5) The Minister may, either at the request of a Minister of the Government of Singapore or
otherwise, order any person who is not a citizen and who is detained in Malaysia under
subsection (4) to be returned to Singapore, and may for that purpose direct such person to be
delivered into the custody of police officers of Singapore.
(6) This section shall have no application in East Malaysia.


(1) Any person who is not a citizen and who has been lawfully ordered to leave and remain out of Singapore is, unless the Minister shall otherwise direct, prohibited from entering or residing in Malaysia so long as the order ordering him to leave and remain out of Singapore remains in force, and such person brought in custody to Malaysia may be detained in custody by any police officer or immigration officer in such place as the Minister may direct until he can conveniently be placed on board any ship, train, motor vehicle or aircraft, and any such person may be lawfully detained on board so long as such conveyance is within the territories and territorial waters of Malaysia.

(2) Except in the case of a citizen or a person detained under subsection (1), any person who having left Singapore in pursuance of any lawful order enters Malaysia, or is found therein whilst such order is in force shall be guilty of an offence and, whether or not a prosecution for that offence has been instituted against him, may be detained on board any ship, train, motor vehicle or aircraft for the purpose of removing him from Malaysia.

(3) Any person who has been detained in accordance with subsection (1) or (2) shall be deemed to be in lawful custody.

(4) This section shall have no application in East Malaysia.

21. Saving in respect of prosecution of persons detained.

The detention of any person under this Chapter shall be without prejudice to the taking of any criminal proceeding against that person, whether during or after the period of his detention.

CHAPTER III

Special Powers relating to Subversive Publications, etc.

22 Prohibition of printing, sale, etc., of documents and publications.

(1) Where it appears to the Minister charged with responsibility for printing presses and publications that any document or publication -

(a) contains any incitement to violence;

(b) counsels disobedience to the law or to any lawful order;

(c) is calculated or likely to lead to a breach of the peace, or to promote feelings of hostility between different races or classes of the population; or is prejudicial to the national interest, public order, or security of Malaysia, he may by order published in the Gazette prohibit either absolutely or subject to such conditions as may be prescribed therein the printing, publication, sale, issue, circulation or possession of such document or publication.

(2) An order under subsection (1) may, if the order so provides, be extended so as-

(a) in the case of a periodical publication, to prohibit the publication, sale, issue, circulation, possession or importation of any past or future issue thereof:

and
(b) in the case of a publication which has or appears or purports to have issued from a specified publishing house, agency or other source, to prohibit the publication, sale, issue, circulation or importation of any other publication which may at any time whether before or after the date of the order have or appear or purport to have issued from the specified publishing house, agency or other source.

23. Objections against orders under section 22.

The proprietor or an agent in Malaysia of the proprietor of any publication which is the subject of an order under section 22 may, within one month of the date of publication of the order in the Gazette, make an objection against the order to the Yang di-Pertuan Agong, whose decision thereon shall be final and shall not be called into question in any Court.

24. Printing publishing, etc., in contravention of order under section 22.

Any person who prints, publishes, sells, issues, circulates or reproduces a document or publication which is the subject of an order under section 22, or any extract therefrom, shall be guilty of an offence and shall, on conviction, be liable to a fine not exceeding two thousand dollars or to imprisonment for a term not exceeding three years or to both:

Provided that no person shall be convicted of an offence under this section if he proves to the satisfaction of the court that the document or publication in respect of which he is charged was printed, published, sold, issued, circulated or reproduced, as the case may be, without his authority, consent and knowledge, and without any want of due care or caution on his part, and that he did not know and had no reason to suspect the nature of the document or publication.

25. Possession of documents, etc., in contravention of order under section 22.

(1) Any person who without lawful excuse has in his possession any document or publication the possession of which is prohibited by an order under section 22, or any extract therefrom, shall be guilty of an offence and shall, on conviction, be liable in respect of a first offence to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding one year or to both and, in respect of a subsequent offence, to imprisonment for a term not exceeding two years.

(2) In any proceedings against any person for an offence against this section the person shall be presumed, until the contrary is proved, to have known the contents and the nature of the contents of any document or publication immediately after the document or publication came into his possession.

26. Importation in contravention of order under section 22.

Any person who imports or attempts to import or abets the importation of any document or publication or without lawful excuse has in his possession any document or publication imported in contravention of an order under section 22 shall be guilty of an offence and shall, on conviction, he liable in respect of a first offence to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding two years or to both and, in respect of a subsequent offence, to imprisonment for a term not exceeding three years.

27. Posting of placards, etc.

Any person who posts or distributes any placard, circular or other document containing any incitement to violence, or counselling disobedience to the law or to any lawful order, or likely to lead to any breach of the peace, shall be guilty of an offence.

Any person who, by word of mouth or in writing or in any newspaper, periodical, book, circular or other printed publication or by any other means spreads false reports or makes false statements likely to cause public alarm, shall be guilty of an offence.

29. Possession of subversive documents.

(1) Any person who without lawful excuse carries or has in his possession or under his control any subversive document shall be guilty of an offence and shall, on conviction, be liable to a fine not exceeding ten thousand dollars or to imprisonment for a term not exceeding five years or to both.

(2) Any person or any office bearer of any association or any responsible member or agent of any organisation who receives any subversive document shall deliver the same without delay to a police officer; and any person, office bearer, member or agent who fails to do so, or who, unless authorized so to do by a police officer not below the rank of Superintendent of Police, communicates to any other person, or publishes or causes to be published the contents of any such document, shall be guilty of an offence and shall, on conviction, be liable to a fine not exceeding ten thousand dollars or to imprisonment for a term not exceeding five years or to both.

(3) In this section "subversive document" means any document having in part or in whole a tendency-

(a) to excite organised violence against persons or property in Malaysia;

(b) to support, propagate or advocate any act prejudicial to the security of Malaysia or the maintenance or restoration of public order therein or inclining to violence therein or counselling disobedience to the law thereof or to any lawful order therein; or

(c) to invite, request or demand support for or on account of any collection, subscription, contribution or donation, whether in money or in kind, for the direct or indirect benefit or use of persons who intend to act or are about to, act, or have acted, in a manner prejudicial to the security of Malaysia or to the maintenance of public order therein, or who incite to violence therein or counsel disobedience to the law thereof or any lawful order therein.

(4) Every document purporting to be a subversive document shall be presumed to be a subversive document until the contrary is proved; and where in any prosecution under this section it is proved that a person was carrying or had in his possession or under his control a subversive document he shall be deemed to have known the contents and the nature of the contents of such document:

Provided that no person shall be convicted of an offence under this section if he proves to the satisfaction of the court-

(a) that he was not aware of the contents and the nature of the contents of the subversive document which he was carrying or had in his possession or under his control; and

(b) that he was carrying or had the subversive document in his possession or under his control in such circumstances that at no time did he have reasonable cause to believe or suspect that the document was a subversive document.


(1) Any police officer not below the rank of Inspector may, without warrant and with or without assistance -
(a) enter and search any premises; or

(b) stop and search any vehicle, vessel, train, aircraft or individual, whether in a public place or not, if the Inspector-General believes that an offence has been committed by such vehicle, vessel, train, aircraft or individual, and may seize any document, publication, material or article so found.

(2) Any document, publication, material or article seized under subsection (1) shall be destroyed or otherwise disposed of in such manner as the Inspector-General may order.

(3) The Inspector-General shall, on making an order under subsection (2), if he has reason to believe that the owner, or person who was in possession immediately before the document, publication, material or article was seized, is in Malaysia, cause a notice to be served on that person informing him of the terms of the order.

(4) Any person aggrieved by an order made under sub-section (2) may appeal against the order to the Minister:

Provided that no appeal against an order shall be allowed unless notice of appeal in writing, together with the reasons for the appeal, is given to the Inspector-General and to the Minister within fourteen days of service of notice of the order under subsection (3).

(5) Where an order has been made under subsection (2) it shall only be carried into effect if the order has not been appealed against or if any appeal against the order has been dismissed or abandoned.

(6) No woman shall be searched under this section except by a woman.

31. Disposal of subversive documents, etc.

(1) Where proceedings are taken in respect of, any offence against this Chapter the court by or before which the alleged offender is tried shall, on the request of any police officer not below the rank of Assistant Superintendent, on the final determination of those proceedings order that any document, publication, material or article being an exhibit in the proceedings be delivered to the officer for disposal under section 30(2).

(2) For the purpose of this section proceedings shall not be deemed to have been finally determined so long as there is any appeal pending in the matter of the proceedings; and an appeal in the matter shall be deemed to be pending during the ordinary time within which an appeal may be lodged, and if an appeal be duly lodged the appeal shall be deemed to be pending until it is decided or withdrawn.

CHAPTER IV

Control of Entertainments and Exhibitions

32. Power to require information.

(1) The promoter and every person concerned in the promotion of any entertainment or exhibition and the proprietor of any premises upon which any such entertainment or exhibition is held or is intended to be held shall upon the order in writing of the Minister or of any officer authorized by the Minister in that behalf furnish to the Minister or the officer such information as he may specify relating to the following matters:

(a) particulars of persons concerned in the promotion of the entertainment or exhibition and the interests represented by those persons;
(b) particulars of the persons who have agreed to participate or have participated in the entertainment or exhibition or have been invited to do so and the interests represented by those persons;

(c) the purposes to which any profits from the entertainment or exhibition are intended to be or have been applied; and

(d) such other matters as the Minister may direct.

(2) Any person furnishing as true information required under sub-section (1) which he knows or has reason to believe to be false or incomplete shall be guilty of an offence and shall, on conviction, be liable to the penalties set out in section 41.

(3) In the event of any entertainment or exhibition in respect of which information has been furnished under sub-section (1) being conducted in any manner contrary to the information so furnished the person by whom the information was furnished shall be guilty of an offence and shall, on conviction, be liable to the penalties set out in section 41.

33. Power to impose conditions

(1) The Minister may, if he is satisfied that it is necessary to do so in order to ensure that any entertainment or exhibition shall not be an entertainment or exhibition to which section 35 would apply, by order in writing require the promoter and every person concerned in the promotion of the entertainment or exhibition and the proprietor of any premises upon which any such entertainment or exhibition is held or is intended to be held to observe such conditions relating to the holding of the entertainment or exhibition as he may specify.

(2) Every person who commits any breach of or fails to comply with, any condition imposed under subsection (1) shall be guilty of an offence and shall, on conviction, be liable to the penalties set out in section 41:

Provided that no person shall be convicted of an offence under this section if he proves that the breach of or failure to comply with the conditions in respect of which he is charged was done without his authority, consent and knowledge, and without any want of due care or caution on his part.

(3) The Minister may, if in any particular case he shall think it necessary, require any person in respect of whom an order under subsection (1) has been made to enter into a bond, with or without sureties, in such sum as the Minister may direct, that the conditions contained in the order shall be observed.

34. Promoter, etc. to be in attendance at entertainment or exhibition.

(1) The promoter and every person concerned in the promotion of any entertainment or exhibition which is the subject of an order under section 33 and the proprietor of any premises upon which any such entertainment or exhibition is held shall severally, and either personally or by a duly authorised agent approved in that behalf by a police officer not below the rank of Inspector, be present throughout the period of every performance or display of every such entertainment or exhibition.

(2) The Minister may by writing exempt any person either absolutely or subject to such conditions as the Minister may prescribe from the provisions of sub-section (1).

35. Power to prohibit certain entertainments or exhibitions

(1) The Minister may by order prohibit the holding of or may direct the closing of any entertainment or exhibition—
(a) if he is satisfied that the entertainment or exhibition is or is likely to be in any way detrimental to the national interest;

(b) if there has been in respect of the entertainment or exhibition any refusal of or failure to furnish any information required to be furnished under section 32, or if any information so furnished shall be false or incomplete; or

(c) if there has been in respect of the entertainment or exhibition any breach of or failure to comply with any condition imposed under section 33.

(2) The promoter and every person concerned in the promotion of any entertainment or exhibition which is held or continued in contravention of an order under subsection (1) and the proprietor of any premises upon which the exhibition is held shall be guilty of an offence and shall, on conviction, be liable to the penalties set out in section 41:

Provided that no person shall be convicted of an offence under this section if he proves that the entertainment or exhibition in respect of which he is charged was promoted or continued without his authority, consent and knowledge and without any want of due care or caution on his part.

36. Powers of entry and investigation.

(1) Any police officer not below the rank of Inspector or any person authorized by the Minister in writing in that behalf may without warrant enter any premises upon which any entertainment or exhibition is being held or is intended to be held with a view to ascertaining whether the provisions of this Chapter or of any order made thereunder are being complied with, and may make such investigation and inspection of the premises and call upon any person to produce such articles, books, accounts, tickets or other documents or things and to furnish any information as that officer or person may consider necessary for the purpose:

Provided that any person not in uniform purporting to exercise any powers under this subsection shall on demand produce his written authority to exercise these powers to any person lawfully demanding the same.

(2) Any person who-

(a) obstructs any officer or authorized person lawfully exercising any powers conferred on him by or under subsection (1) in entering or inspecting any premises or delays to produce any articles, books, accounts or other documents or things which he has been called upon by the officer or authorized person to produce and which are or ought to be in the ordinary course of business in his power to produce;

(b) refuses to furnish any information which he may be required to furnish by the officer or authorized person or who, being required to furnish information by the officer or authorized person, furnishes false or misleading information; or

(c) obstructs the seizure of any document or other thing under section 38, or the closure of any entertainment or exhibition under section 39, shall be guilty of an offence and shall, on conviction, be liable to the penalties set out in section 41.

37. Search.

(1) Any officer or person authorized to exercise the powers of entry or investigation under section 36 may without warrant and with or without assistance enter any premises if he considers it to be necessary and has reason to believe that an offence under this Chapter or any order made thereunder has been committed and may search the place and any person whom he reasonably believes to be concerned in the management or promotion of any
entertainment or exhibition or to be a servant or agent of the promoter or of the proprietor of
these premises.

(2) No woman shall be searched under this section except by a woman.

38. Powers of seizure.

Any officer or person authorized to exercise the powers of entry or investigation under section
36 may seize any document or other thing in respect of which he reasonably believes an
offence to have been committed under this Chapter or any order made thereunder or which
be reasonably believes to be or to contain evidence relating to such an offence:

Provided that nothing in this section shall be deemed to affect the powers of a police officer
under the Criminal Procedure Code.


Any officer or person authorized to exercise the powers of entry or investigation under section
36 may, without prejudice to the exercise of the powers conferred on him by that section,
forthwith take such steps as he may consider necessary to close any entertainment or
exhibition which he is satisfied is kept open in contravention of any order under section 33 or
35.

40. Liability of principal for acts of servant.

For the purposes of this Chapter and any orders made thereunder every person shall be
liable for every act, omission, neglect or default of any agent or servant
employed by him, as fully and effectually as if the act, omission, neglect or default were done
or committed by the person; but so that nothing in this section shall affect the liability of the
agent or servant, and provided that the liability of a principal shall not extend to imprisonment
unless he is privy to the offence.

41. Other offences against this Chapter and abetment.

Any person who contravenes or fails to comply with any provision of this Chapter or any order
made or any condition imposed thereunder, or abets the contravention
or failure, shall be guilty of an offence and shall, on conviction, be liable to a fine not
exceeding ten thousand dollars or to imprisonment for a term not exceeding three years or to
both.

CHAPTER V

Other Powers for the Prevention of Subversion

41A. Powers relating to appointments.

1) Where any written law confers any power relating to any appointment upon any person,
body or authority constituted under such law, the Minister may by order
require that before making any appointment, that person, body or authority shall submit to him:

(a) a list of the names of the persons from whom the appointment will be made; and

(b) such other information as may be specified in the order.
(2) Such person, body or authority shall not appoint or recruit any person whose appointment is in the opinion of the Minister prejudicial to the interests of Malaysia.

(3) No person otherwise than in the course of his official duty shall disclose to any person any communication which he may have received from the Minister under subsection (2).

41B. Power to close schools or educational institutions.

(1) The Minister, if he is satisfied at any time that a school or educational institution is being used—

(a) for a purpose detrimental to the interests of Malaysia or of the public;

(b) for the purpose of instruction detrimental to the interests of the public or of the pupils; or

(c) as a meeting place of an unlawful society,

and that the circumstances so require, may make an order closing the school or educational institution for such period, not exceeding six months at any one time, as may be specified in the order.

(2) The board of managers or governors or other authority in charge of any school or educational institution, aggrieved by any order made under subsection (1), may within one month of the date of the order make an objection against the order to the Yang di-Pertuan Agong whose decision thereon shall be final and shall not be called into question in any court.

(3) In this section, "school" and "education institution" have the same meanings as in the Education Act, 1961.

41C. Control of admission to institutions of higher education.

(1) Notwithstanding anything in any other written law, no person shall be admitted as a student to any institution of higher education to which this section applies unless he holds a certificate of suitability for admission thereto issued to him in accordance with the following provisions of this section:

Provided that this subsection shall not apply to—

(i) any person ordinarily resident outside Malaysia whose admission to any such institution is recommended by any person or body designated for the purposes of this section by the Minister charged with the responsibility for education;

(ii) members of the teaching staff of that institution who intended to do post-graduate work;

(iii) persons not being students already admitted, who propose to attend extra-mural classes organised by the institution; and

(iv) such other persons as the Minister may at his discretion exempt from this section.

(2) Any person requiring a certificate of suitability for admission to any institution of higher education shall apply therefor in writing to the principal education officer of the State in which he ordinarily resides or, if he is ordinarily resident outside Malaysia, to the Chief Education Adviser; and the principal education officer or Chief Education Adviser, as the case may be, after making such enquiries as he may consider appropriate, shall issue the certificate unless there appear to him to be reasonable grounds for believing that the applicant, if admitted to
the institution in question, would be likely to promote, or otherwise participate in, action prejudicial to the interest or security of Malaysia or any part thereof.

(3) Any person whose application for a certificate under this section is refused may, at any time within the period of twenty-eight days beginning with the date on which he is notified of the decision, appeal against it to the Minister;

and on any such appeal, the Minister-

(a) if he is satisfied of the existence of the grounds referred to in subsection (2), shall confirm the decision; and

(b) in any other case, shall direct the issue of a certificate.

(4) The decision of the Minister on any appeal under subsection (3) shall be final, and shall not be called into question in any court.

(5) The institutions of higher education to which this section applies are as follows:

(a) the University of Malaya; and

(b) any other institution of higher education which the Minister may designate for the purposes of this section by a notification in the Gazette, and references in this section to a person’s admission as a student to any such institution are references to his registration or enrolment for attendance at any course of study provided by the institution.

(6) Nothing in this section shall exempt from this section any student whose studies have been interrupted for a period of one year on disciplinary or other grounds, notwithstanding that the student has previously been admitted or that his name still remains in the register of the institution.

42. Powers in relation to pupils, etc., visiting Malaysia.

(1) The Minister may from time to time by order in writing forbid, except in accordance with the written permission of the Inspector-General first obtained, all or any named or any class of pupils, students, teachers or members of any school, college, educational institution or students’ union or association, specified in the order and -

(i) situated or established outside West Malaysia entering into or travelling therein; or

(ii) situated or established outside Sabah and Sarawak entering into or travelling in those States or either of them, as a group, or as one of a group of five or more such pupils, students, teachers or members, or, for the purpose of effecting as one of a group of such persons some common object within West Malaysia or within the States of Sabah and Sarawak or either of them, as the case may be, otherwise to enter into or travel therein.

(2) The Inspector-General may grant the permission under subsection (1) subject to such conditions as he may think fit to impose, and, as a condition precedent thereto, he may require the pupil, student, teacher or member concerned or the parent of the pupil, student or member, or such other person as he thinks satisfactory, to furnish such security by bond or otherwise as he may think sufficient to secure the due observance and fulfilment of the conditions imposed.

(3) Where any Chief Police Officer has reason to believe

(a) that any person is a pupil, student, teacher or member affected by an order made under subsection

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(1), and that he-

(i) has entered West Malaysia or Sabah or Sarawak from a place outside and has not since the date of such entry continuously remained therein for a period exceeding three months;

(ii) is not the holder of a valid identity card issued to him in, and bearing an address within, West Malaysia or Sabah or Sarawak in accordance with the written law relating to identity cards for the time being in force; and

(iii) has contravened or intends to contravene any such order; or

(b) that any person having obtained written permission under subsection (1) has failed to observe any condition imposed upon him under subsection (2) in respect of such permission, the Chief Police Officer may by order in writing-

(i) direct that the person be required to leave West Malaysia or East Malaysia, as the case may be, within such time as may be specified in the order and thereafter remain out of that territory for a period of six months from the date of the service of the order upon him, or for such lesser period as the Chief Police Officer may specify; or

(ii) direct that such person be taken into custody and, as speedily as may be, conducted across the frontier, and such person may lawfully be detained for so long as may be necessary for his removal to take effect; and such person so removed shall remain out of the aforesaid territory for a period of six months from the date of the removal.

(4) Any person who contravenes or fails to obey any order made under this section or who commits a breach of any condition imposed under subsection (2), shall be guilty of an offence.

(5) This section shall not operate to authorize the removal from West Malaysia of any person who is a citizen or from East Malaysia of any person who is a citizen by virtue of paragraph 2 of Part I of the Second Schedule to the Federal Constitution.

(6) The powers of the Inspector-General under sub-sections (1) and (2) may be exercised by any police officer not below the rank of Superintendent authorized in writing in that behalf by the Inspector-General.

CHAPTER VI

Miscellaneous

13. Attempts to commit offences and assisting offenders

(1) Without prejudice to the operation of Chapter V of the Penal Code of the Federated Malay States or the corresponding provisions of any Ordinance of Sabah or Sarawak, as the case may be, any person who attempts to commit, or does any act preparatory to the commission of an offence against this Part shall be deemed to be guilty of that offence and shall, on conviction, be liable to the penalties provided for that offence.

(2) No person knowing or having reasonable cause to believe that another person is guilty of an offence against this Part shall give that other person any assistance with intent thereby to prevent, hinder, or interfere with the apprehension, trial or punishment of that person for that offence.

44. Other offences under this Part and abetment.
Any person who contravenes or fails to comply with any provision of this Part or any order made or any direction or instruction given or requirement imposed thereunder or abets such contravention or failure not otherwise declared to be an offence shall be guilty of an offence.

44A. General penalty under this Part.

Any person guilty of an offence against this Part for which no special penalty is provided shall, on conviction, be liable to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding one year or to both.

45. Arrest.

Any police officer may without warrant arrest any person suspected of the commission of an offence against this Part or of being a person ordered in pursuance of this Part to be detained.

46. Enforcement of bonds.

(1) Where any person is required to enter into a bond under section 8 (6) or under section 10 (1), or under section 33 (3), such bond may be enforced by any Magistrate on the application of any police officer not below the rank of Inspector, in the same manner as under the Criminal Procedure Code the Court of the Magistrate may enforce a bond required by that Court to be executed under such Code.

(2) Nothing in this section shall be deemed to prevent the penalty or any part thereof of any such bond from being recovered by suit or action in a court from the person entering into the bond or from his sureties, in accordance with any law for the time being in force relating to Government proceedings.

PART III

SPECIAL PROVISIONS RELATING TO SECURITY AREAS

CHAPTER I

Proclamation of Security Areas

47. Proclamation of security areas.

(1) If in the opinion of the Yang di-Pertuan Agong public security in any area in Malaysia is seriously disturbed or threatened by reason of any action taken or threatened by any substantial body of persons, whether inside or outside Malaysia, to cause or to cause a substantial number of citizens to fear organised violence against persons or property, he may, if he considers it to be necessary for the purpose of suppressing such organised violence, proclaim that area as a security area for the purposes of this Part.

(2) Every proclamation made under subsection (1) shall apply only to such area as is therein, specified and shall remain in force until it is revoked by the Yang di-Pertuan Agong or is annulled by resolutions passed by both Houses of Parliament:

Provided that any such revocation or annulment shall be without prejudice to anything previously done by virtue of the proclamation.

(3) A proclamation made under subsection (1) shall be published in such manner as the Minister thinks necessary for bringing it to the notice of all persons who in his opinion ought to have notice thereof and shall have effect as soon as such notice has been given, without publication in the Gazette.
(4) A copy of every proclamation made under subsection

(1) shall be published in the Gazette and laid before Parliament as soon as possible after it
has been made.

CHAPTER II

Powers relating to Preservation of Public Security

48. Danger areas.

(1) The Minister, if he considers it necessary or expedient in the public security so to do, may,
by order to be published in the Gazette, declare any area within a security area to be a
danger area.

(2) The limits and extent of every danger area shall be demarcated at the site by such means
as will, in the opinion of the Minister, make apparent to persons in or about the area
concerned that the area has been declared a danger area.

(3) No person shall enter or remain in a danger area, and any person who fails to comply with
this subsection shall be guilty of an offence:

Provided that this subsection shall not apply to members of the security forces in the
performance of their duty or to any person accompanied by any such member.

(4) Any member of the security forces may within a danger area take such measures,
including means dangerous or fatal to human life, as he considers necessary to ensure that
no person prohibited from entering or remaining in a danger area shall enter or remain in the
area.

(5) No claim of any kind shall accrue to, or in respect of any injury sustained by any person as
a result of his having entered or remained in a danger area in contravention of subsection (3):

Provided that this subsection shall not preclude the award of compensation under any
regulations made under section 71 if, in the particular circumstances under which a person
sustaining the injury entered or remained in a danger area, the authority empowered to award
compensation thereunder considers it equitable to award such compensation.

(6) Where any land, building or other immovable property is within a danger area, a claim for
compensation in respect of the land, building or other immovable property may be made in
the manner prescribed by regulations made under section 71.

49. Controlled areas.

(1) The Minister may, if he considers it expedient in the public security so to do, make an
order, which shall be published in the Gazette, declaring any area within a
security area to be a controlled area, and in the same or any subsequent order may declare
any specified part of that controlled area to be a residential part.

(2) Every such order shall declare -

(a) that after the expiration of a period to be specified in the order (which shall not be less
than seven days from the date thereof) and subject to any exemption for which provision may
be made by the same or by a subsequent order and to any conditions upon which such
exemption may be granted, no person shall reside or continue to reside in any part of a
controlled area other than a residential part; and
(b) that between such hours or at such times as may be specified in the order and subject to any exemption for which provision may be made by the same or by a subsequent order and to any conditions upon which such exemption may be granted, no person shall enter or remain in any part of the controlled area other than a residential part.

(3) Any person who contravenes an order made under this section shall be guilty of an offence.

(4) No order under this section shall apply to-

(a) the Yang di-Pertuan Agong, a Ruler or Governor;

(b) any member of the security forces when acting in the course of his duty; and

(c) any person or class of persons exempted from the order by the Chief Police Officer or the Officer in Charge of the Police District.

50. Protected place.

(1) If, as respects any place or premises in any security area, it appears to a Chief Police Officer to be necessary or expedient in the interests of public security or order, or for the maintenance of supplies or services essential to the life of the community, that special precautions should be taken to prevent the entry of unauthorized persons, he may by order declare the place or premises to be a protected place for the purposes of this Part; and so long as the order is in force, no person shall, subject to any exemptions for which provision may be made in the order, enter or remain in that place or those premises without the permission of such authority or person as may be specified in the order.

(2) Where, in pursuance of this section, any person is granted permission to be in a protected place, that person shall, while acting under that permission, comply with such directions for regulating his conduct as may be given by the Chief Police Officer or by the authority or person granting the permission.

(3) Any police officer, or any person authorized in that behalf by the Officer in Charge of the Police District may search any person entering or seeking to enter, or being in, a protected place, and may detain any such person for the purpose of searching him.

(4) If any person is in a protected place in contravention of this section, or, while in such a place, fails to comply with any directions given under this section, then without prejudice to any proceedings which may be taken against him, he may be removed from the place by any police officer or any person authorised in that behalf by the occupier of the premises.

(5) Any person who is in a protected place in contravention of this section or who on being challenged by a police officer wilfully fails to stop or who unlawfully refuses to submit to search shall be guilty of an offence.

(6) It shall be lawful for the Chief Police Officer to take or cause to be taken such steps as he may deem necessary for the protection of any protected place, and such steps may extend to the taking of defensive measures which involve or may involve danger to the life of any person entering or attempting to enter the protected place.

(7) Where any measures involving such danger as aforesaid are adopted, the Chief Police Officer shall cause such precautions to be taken, including the prominent display of warning notices, as he deems reasonably necessary to prevent inadvertent or accidental entry into any protected place, and where such precautions have been duly taken, no person shall be entitled to compensation or damages in respect of injury received or death caused as a result of any unauthorized entry into any such protected place.
(8) For the purposes of this section "police officer" shall include-

(a) any member of the security forces;

(b) any prison officer; and

(c) any other person performing the duties of guard or watchman in a protected place, the appointment of whom has been either specially or generally authorized by a Chief Police Officer.

(9) No woman shall be searched under this section except by a woman.

51 Exclusion of persons.

The Officer in Charge of a Police District may by order in writing exclude any person or persons from the Police District under his charge or from any part thereof, the District or part being part of a security area.

52. Curfew

(1) Every person within any Police District or part thereof within a security area which may be designated by order by the Officer in Charge of the Police District shall remain within doors, or within such area as may be defined in the order, between such hours as may be specified in the order, unless in possession of a written permit in that behalf issued by a police officer of or above the rank of Sub-Inspector.

(2) No order under this section shall apply to -

(a) the Yang di-Pertuan Agong, a Ruler or Governor;

(b) any member of the security forces when acting in the course of his duty; or

(c) any person or class of persons exempted from the order by the Chief Police Officer or the Officer in Charge of the Police District.

53. Power to take possession of land or buildings

(1) The Minister may if it appears to him to be necessary or expedient so to do in the interests of public security, or for the accommodation of any security forces, take possession of any land or of any building, or part of a building in any security area and may give such directions as appear to him necessary or expedient in connection with the taking of possession of that land or building.

(2) Any police officer may take such steps and use such force as appears to him to be reasonably necessary for securing compliance with directions given to any person under subsection (1).

(3) While any land or building is in possession of the Minister by virtue of this section, the land or building, may, notwithstanding any restriction imposed on the use thereof (whether by any written law or other instrument or otherwise) be used by, or under the authority of, the Minister for such purpose, and in such manner, as the Minister thinks expedient in the interests of public security or for the accommodation of any security forces; and the Minister, so far as appears to him to be necessary or expedient in connection with the taking of possession or use of the land or building in pursuance of this subsection.
(a) may do, or authorise persons using the land or building as aforesaid to do, in relation to
the land or building, anything any person having an interest in the land or building would be
entitled to do by virtue of that interest; and

(b) may by order provide for prohibiting or restricting the exercise of rights of way over the
land or building, and of other rights relating thereto which are enjoyed by any person,
whether by virtue of an interest in the land or otherwise.

The owner or occupier of any land or building shall, if requested by or on behalf of the
Minister so to do, furnish to such authority or person as may be specified in the request such
information in his possession relating to the land or building (being information which may
reasonably be demanded of him in connection with the execution of this section) as may be
so specified.

(5) For the purposes of this section there shall be one or more advisory committee consisting
of persons appointed by the Minister; and any such committee may make rules for the
conduct of its proceedings.

(6) Any person aggrieved by reason of the taking possession of any land or building under
this section may within fourteen days after possession has been taken give notice of his
objection thereto to an advisory committee appointed under subsection (5).

(7) The chairman of an advisory committee to which such notice has been given by an
aggrieved person shall inform any person on whose behalf possession of the land
or building has been taken, and the advisory committee shall thereupon consider the
objection made by the aggrieved person and any grounds which may be put forward against
the objections by the person on whose behalf possession has been taken, and shall forward
its recommendations to the minister.

(8) The Minister after considering the recommendations of the advisory committee shall give
such directions thereon as he may think fit.

54. Power to order destruction of certain unoccupied buildings

(1) Where in any security area any building or structure is left unoccupied by reason of the
operation of any order made under this Chapter, the Officer in Charge of the Police District in
which the building or structure is situate may if it appears to him -

(a) to be likely that the building or structure will if left standing be used by any person or
persons who intend, or are about, to act or have recently acted in a manner prejudicial to
public security or by any other person who is likely to harbour any such persons; and

(b) to be impracticable in any other way to prevent such use, destroy or authorize the
destruction of that building or structure.

(2) Compensation shall be payable in respect of the destruction of any building or structure
under this Section if the claimant satisfies the Minister -

(a) that the building or structure was erected by or with the consent of the person lawfully
entitled to the land on which the same was erected; and

(b) that the building or structure was not liable to forfeiture under any regulations made under
section 71:

Provided that compensation may be paid to the owner or occupier of any building or structure
erected by or with the consent of the person lawfully entitled to the land on which it was
erected, notwithstanding that the building or structure is liable to forfeiture under any
regulations made under section 71, if the owner or occupier satisfies the Minister that the building or structure was used by persons who intend, or are about, to act or have recently acted, in a manner prejudicial to public security or that those persons were being or had been harboured by his servant or agent, as the case may be, without his knowledge or consent, and that he exercised all due diligence to prevent the building or structure being so used or the harbouring of those persons as the case may be.

(3) Any compensation payable under this section shall be assessed in accordance with regulations made under section 71.

55. Power to control roads, etc.

(1) Any Officer in Charge of a Police District or any person duly authorized by any such Officer may by order, or by giving directions, or in any other manner, regulate, restrict, control or prohibit the use of any road or water-way in any security area by any person or class of persons or any vehicle or vessel or type or description of vehicle or vessel or close any road or water-way in the area.

(2) Any Officer in Charge of a Police District may, by the issue of permits to which conditions may be attached or in any other manner regulate, restrict, control or prohibit the travelling by any person or class of persons in any train, motor car, motor bus or vehicle of any description in any security area, and may similarly regulate, restrict, control or prohibit the travelling by any person in any vessel in such area.

56. Power to seize rice and other food.

(1) When on duty, any police officer of or above the rank of Corporal or any member of the security forces of or above the rank or rank of leading rate of non-commissioned officer, as the case may be, or any person authorized in writing so to do by the Officer in Charge of the Police District may seize any rice of any other article of food in any security area which by reason of its quantity or its situation is or is likely to or may become available to any persons who intend or are about to act or have recently acted in a manner prejudicial to public security or to the maintenance of public order.

(2) Any such police officer or member of the forces as aforesaid may without warrant enter and search any premises if he suspects that any rice or any food liable to seizure under this section is likely to be found on those premises.

(3) When on duty any police officer or any member of the security forces or any person who is authorized in writing so to do by the Officer in Charge of the Police District may stop and search any vessel, vehicle, or individual in any security area, whether in a public place or not, if he suspects that any rice or any food liable to seizure under this section is likely to be found on the vessel, vehicle or individual.

(4) No woman shall be searched under this section except by a woman.

CHAPTER III

Offences Relating to Security Areas

57. Offences relating to fire-arms, ammunition and explosives

(1) Any person who without lawful excuse, the onus of proving which shall be on that person, in any security area carries or has in his possession or under his control -

(a) any fire-arm without lawful authority therefor; or
(b) any ammunition or explosive without lawful authority therefor, shall be guilty of an offence and shall, on conviction, be punished with death.

(2) A person shall be deemed to have lawful authority for the purposes of this section only if he -

(a) is a police officer or a member of the security forces, or any person employed in the Prisons Department of Malaysia, and in every such case is carrying or is in possession of or has under his control that fire-arm, ammunition or explosive in or in connection with the performance of his duty;

(b) is a person duly licensed, or authorized without a licence, under any written law for the time being in force to carry, possess or have under his control that fire-arm, ammunition or explosive; or

(c) is a person exempted from this section by an Officer in Charge of a Police District, or is a member of any class of persons so exempted by the Inspector-General by notification in the Gazette:

Provided that no person shall be licenced to have lawful authority for the purposes of this section or to be exempt from this section if he carries or has in his possession or under his control any such fire-arm, ammunition or explosive for the purpose of using the same in a manner prejudicial to public security or the maintenance of public order.

(3) A person shall be deemed to have lawful excuse for the purposes of this section only if he proves -

(a) that he acquired the fire-arm, ammunition or explosive in a lawful manner and for a lawful purpose; and

(b) that he has not at any time while carrying or having in his possession or under his control the fire-arm, ammunition or explosive, acted in a manner prejudicial to public security or the maintenance of public order.

(4) A person charged with an offence against this section shall not be granted bail.

58. - Consorting with person carrying or having possession of arms or explosives

(1) Any person who in any security area consorts with, or is found in the company of another person who is carrying or has in his possession or under his control any fire-arm, ammunition or explosive in contravention of section 57, in circumstances which raise a reasonable presumption that he intends, or is about, to act, or has recently acted, with that other person in a manner prejudicial to public security or the maintenance of public order shall be guilty of an offence and shall, on conviction, be punished with death or with imprisonment for life.

(2) Any person who in any security area consorts with, or is found in the company of, another person who is carrying or has in his possession, or under his control any fire-arm, ammunition or explosive in contravention of section 57, in circumstances which raise a reasonable presumption that he knew that that other person was carrying or had in his possession or under his control any such fire-arm, ammunition or explosive, shall be guilty of an offence and shall, on conviction, be liable to imprisonment for a term not exceeding ten years.

(3) Where, in any prosecution for an offence under this section, it is established to the satisfaction of the court that the accused person was consorting with or in the company of any person who was carrying or had in his possession or under his control any fire-arm, ammunition or explosive, it shall be presumed, until the contrary is proved, that the last
mentioned person was carrying or had in his possession or under his control the fire-arm, 
ammunition or explosive in contravention of section 57.

59. Supplies.

(1) Any person who whether within or outside a security area demands, collects or receives 
any supplies from any other person in circumstances which raise a reasonable presumption 
that he intends, or is about, to act, or has recently acted, in a manner prejudicial to public 
security or the maintenance of public order, or that the 

supplies so demanded, collected or received are intended for the use of any person who 

intends or is about, so to act, or has recently so acted, or for the use of any terrorist, shall be 
guilty of an offence and shall, on conviction, be punished with death in cases where the 

supplies in respect of which he is convicted consist of fire-arms, ammunition or explosives, or 

with imprisonment for life in other cases.

(2) Any person who whether within or outside a security area is found in possession of any 

supplies for which he cannot satisfactorily account in circumstances which raise a reasonable 

presumption that the supplies are intended for the use of any person who intends, or is about, 
to act, or has recently acted, in a manner prejudicial to public security or the maintenance of 
public order, or that the supplies are intended for the use of any terrorist, shall be guilty of an 
offence and shall, on conviction, be punished with death in cases where the supplies in 
respect of which he is convicted consist of fire-arms, ammunition or explosives, or with 
imprisonment for life in other cases.

(3) Any person who whether within or outside a security area provides, whether directly, or 
indirectly, any supplies to any other person in circumstances which raise a reasonable 

presumption that that other person intends, or is about, to act, or has recently acted, in a 

manner prejudicial to public security or the maintenance of public order, or that the supplies 
so provided are intended for the use of any person who intends or is about, so to act, or has 
recently acted, or that the supplies are intended for the use of any terrorist, shall be guilty of an 

offence and shall, on conviction, be punished with death in cases where the supplies in 
respect of which he is convicted consist of fire-arms, ammunition or explosives, or with 
imprisonment for life in other cases:

Provided that no person shall be convicted of any offence against this subsection if he proves 
that prior to being arrested by a police officer or a person in authority he voluntarily gave full 
information of the offence to a police officer.

(4) In any charge for an offence against this section it shall not be necessary to specify the 

person or persons from whom any supplies were demanded, collected or received or to whom 

any supplies were provided or intended to be provided.

60. Failure to report offences or to give information.

Any person who whether within or outside a security area, while any proclamation under 
section 47 is in force -

(a) knowingly or having reasonable cause to believe that another person has committed an 
offence against this Part fails to report the same to a police officer;

or

(b) having in his possession any information as to the present or intended movements or 
whereabouts of any person whom he knows or has reasonable cause to believe to be a 
terrorist fails to report the same to a police officer, shall be guilty of an offence and shall, on 
conviction, be liable to imprisonment for a term not exceeding ten years.
Provided that no person shall be convicted of any offence against this section if he proves that prior to being arrested by a police officer or a person in authority, he voluntarily gave full information of that other offence or of those movements or whereabouts to a police officer.

61. Attempts to commit offences

Without prejudice to the operation of Chapter V of the Penal Code of the Federated Malay States or the corresponding provisions of any Ordinance of Sabah or Sarawak, as the case may be, any person who whether within or outside a security area, while any proclamation under section 47 is in force attempts to commit, or does any act preparatory to the commission of an offence against this Part shall he deemed to be guilty of that offence and shall, on conviction, be liable to the penalties provided for that offence.

62. Assisting offenders.

No person, knowing or having reasonable cause to believe that another person has committed an offence against this Part shall, whether within or outside a security area, give that other person any assistance with intent thereby to prevent, hinder or interfere with the apprehension, trial or punishment of that person for the said offence.

63 - Other offences under this Part and abetment.

If any person contravenes or fails to comply with any provision of this Part, or any order made or direction given or requirement imposed under any such provision or, whether within or outside a security area, abets such contravention or failure not otherwise declared to be an offence shall be guilty of an offence.

63A. General penalty under this Part.

Any person guilty of an offence against this Part for which no special penalty is provided shall, subject to any special provision contained in this Part or any regulation made under section 71, be liable, on conviction, to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding three years or to both.

Powers of Police and Others

64. Arrest.

(1) Any police officer may without warrant arrest any person suspected of the commission of an offence against this Part.

(2) The powers conferred upon a police officer by sub-section (1) may be exercised by any member of the security forces, by any person performing the duties of guard or watchman in a protected place, and by any other person generally authorized in that behalf by a Chief Police Officer.

65 - Powers of search.

(1) When on duty any police officer or any member of the security forces or any person who is authorized in writing so to do by the Officer in Charge of a Police District, may without warrant and with or without assistance stop and search any vehicle, vessel, train, aircraft or individual, whether in a public place or not, if he suspects that any article or material being evidence of the commission of an offence against this Part is likely to be found in the vehicle, vessel, train, aircraft or on the individual and may seize any article or material so found.
(2) When on duty any police officer of or above the rank of Corporal or any member of the security forces of or above the rating or rank of leading rate or non-commissioned officer, as the case may be, or any person authorized in writing so to do by the Officer in Charge of a Police District may without warrant and with or without assistance enter and search any premises or place if he suspects that any article or material being evidence of the commission of any offence against this Part is likely to be found on the premises or place and may seize any article or material so found.

(3) No woman shall be searched under this section except by a woman.

66. Power to dispense with inquests. etc.

Notwithstanding anything to the contrary in any written law, in any security area

(a) a Magistrate or a Coroner may dispense with the holding of a death inquiry or inquest on the dead body of any police officer or of any member of the security forces; and

(b) where the Magistrate or Coroner responsible for holding a death inquiry or inquest into the body of any person is satisfied that the person has been killed in a security area as a result of operations by the police or by the security forces for the purpose of suppressing organised violence, the Magistrate or Coroner, as the case may be, may dispense with the holding of a death inquiry or inquest on the body of the person.

87. Medical officers of armed forces to be regarded as Government medical officers for purpose of inquiries.

Chapter XXII and section 369 of the Criminal Procedure Code of the Federated Malay States and the corresponding provisions of the written laws in force in any Part of Malaysia shall, in respect of any inquiries into any death in any security area, have effect as if reference therein to a Government Medical Officer and to a Medical Officer included reference in each case to a medical officer of the armed forces when acting in the course of his duty:

Provided that

(a) it shall not be necessary under section 330 of the Criminal Procedure Code of the Federated Malay States or the corresponding provisions of the written laws in force in any part of Malaysia to inform a medical officer of the armed forces of any death in any such area if it is possible to inform the nearest Government Medical Officer, other than a medical officer of the armed forces, without undue delay; and

(b) no medical officer of the armed forces shall, without his consent, be required by any order or otherwise to perform a post-mortem examination of any body.

CHAPTER V

General

68. Compensation.

(1) Where in the exercise of the powers conferred by section 53 or by any regulations made under section 71, possession is taken of any land, building or other structure or of any immovable property or of any space or accommodation in any vessel, aircraft, train or vehicle, compensation in respect of the possession shall be assessed in accordance with regulations made under section 71.
(2) For the avoidance of doubt it is hereby declared that no compensation shall be payable to
any person in respect of any damage or injury to his person or property caused by or
consequent upon any act authorised by this Part or any regulations made under section 71,
unless provision for such compensation is made by this Part or any regulations made under
section 71.

69. Application of section 94 of the Penal Code.

Section 94 of the Penal Code (which relates to an act to which a person is compelled by
threats) shall have effect as if offences punishable with death under this Part were offences
included in Chapter VI of the Penal Code punishable with death.

70. Extension of right of private defence.

The right of private defence of property conferred by Section 103 of the Penal Code shall be
deemed to extend to any mischief by fire or explosive committed on a railway engine, railway
rolling stock or a motor vehicle in any security area, as it applies to mischief by fire committed
on a building used as a human dwelling or as a place for the custody of property.

CHAPTER VI

Power to make Regulations

71. Power to make regulations.

(1) When a proclamation has been made under section 47 it shall be lawful for the Yang di-
Pertuan Agong to make in respect of any security area any regulations whatsoever which he
considers desirable for the public security.

(2) Without prejudice to the generality or scope of the powers conferred by subsection (1),
regulations may be made under subsection (1) in respect of any matters coming within the
classes of subjects hereinafter specified:

(a) the assessment and payment of remuneration, compensation and allowances in respect of
all matters done under this Act or in respect of injuries occasioned
by or resulting from any proclamation under section 47;

(b) the restriction of the movement of persons in any security area;

(c) processions and meetings in any security area;

(d) the supply and distribution of food, water, fuel, light and other necessities in any security
area;

(e) the declaration of fences or barriers surrounding any area in a security area as perimeter
fences, and the regulation of trade and supplies from within and outside any such area

(f) the eviction of persons unlawfully in occupation of land within any security area;

(g) the seizure, occupation and forfeiture of land, buildings and other structures and movable
property within any security area belonging to or used by persons who intend or are about to
act or have acted in a manner prejudicial to the public security of Malaysia, or belonging to or
used by persons who are harbouring or have harboRed or who by their servants or agents
are harbouring or have harboured any such persons;

(h) the appropriation, control, forfeiture, disposition and use of property in any security area;
(i) the requisition of space or accommodation in any vessel, aircraft, train or vehicle within any security area;

(j) the destruction of buildings and other structures within any security area;

(k) the clearance of lands within any security area, the recovery of the costs of and the payment of compensation in respect of such clearance;

(l) the payment of gratuitous to workmen injured or to the dependents of workmen killed by acts of terrorism in any security area;

(m) the restriction and prohibition in any security area of foodstuffs and other supplies;

(n) the registration of persons or any class of persons and the control of occupations and industries within any security area;

(o) the control of the movement of rubber and the protection of rubber plants in any security area;

(p) the modification, amendment, supersession or suspension of the provisions of any written law for the time being in force in any security area;

(q) the powers of the Mentri Besar or Chief Minister of any State under any regulations made under this section;

(r) entry into and search of premises or other places and the arrest, search and interrogation of persons within any security area;

(s) the formation of tribunals and other bodies for the purpose of deciding any matters specified in such regulations, but having no powers to inflict fines or imprisonment;

(t) the prescription of fees and other payments; and

(u) any other matter in respect of which it is in the opinion of the Yang di-Pertuan Agong desirable in the interests of public security that regulations should be made.

(3) Any regulations made under this section may provide for the infliction in the event of a contravention thereof of a fine not exceeding two thousand dollars or of imprisonment for a term not exceeding three years or of both such fine and imprisonment.

(4) Any regulations made under this section shall-

(a) unless the Yang di-Pertuan Agong otherwise directs, come into force on the day on which they are made, and shall then continue in force so long as the proclamation under section 47 is in force, unless sooner revoked; and

(b) have effect only within the security area or areas to which the said proclamation applies.

(5) All subsidiary legislation under this Act in force in any security area immediately before the revocation or annulment of any proclamation under section 47, shall cease to have effect in the area upon the revocation or annulment, but without prejudice to the taking or continuance of any proceedings in respect of anything previously done or omitted to be done, or to the payment of any compensation or allowance thereunder.
PART IV

MISCELLANEOUS PROVISIONS

72. Seizability and bailability of offences.

(1) Every offence against this Act shall be seizable for the purposes of the Criminal Procedure Code.

(2) Every offence against this Act punishable with imprisonment for a term exceeding three years shall be non-bailable for purposes of the Criminal Procedure Code.

73. Power to detain suspected persons.

(1) Any police officer may without warrant arrest and detain pending enquiries any person in respect of whom he has reason to believe -

(a) that there are grounds which would justify his detention under section 8; and

(b) that he has acted or is about to act or is likely to act in any manner prejudicial to the security of Malaysia or any part thereof or to the maintenance of essential services therein or to the economic life thereof.

(2) Any police officer may without warrant arrest and detain pending enquiries any person, who upon being questioned by the officer fails to satisfy the officer as to his identity or as to the purposes for which he is in the place where he is found and who the officer suspects has acted or is about to act in any manner prejudicial to the security of Malaysia or any part thereof or to the maintenance of essential services therein or to the economic life thereof.

(3) Any person arrested under this section may be detained for a period not exceeding sixty days without an order of detention having been made in respect of him under section 8:

Provided that -

(a) he shall not be detained for longer than twenty-four hours except with the authority of a police officer of or above the rank of Inspector;

(b) he shall not be detained for more than forty-eight hours except with the authority of a police officer of or above the rank of Assistant Superintendent; and

(c) he shall not be detained for more than thirty days unless a police officer of or above the rank of Deputy Superintendent has reported the circumstances of the arrest and detention to the Inspector-General or to a police officer designated by the Inspector-General in that behalf, who shall forthwith report the same to the Minister.

(4) - (5) [Repealed]

(6) The powers conferred upon a police officer by sub-sections (1) and (2) may be exercised by any member of the security forces, any person performing the duties of guard or watchman in a protected place and by any other person generally authorized in that behalf by a Chief Police Officer.
(7) Any person detained under the powers conferred by this section shall be deemed to be in lawful custody, and may be detained in any prison, or in any police station or in any other similar place authorized generally or specially by the Minister.

74. Use of lethal weapons in effecting arrests.

(1) Notwithstanding anything to the contrary contained in any other written law it shall be lawful for any police officer in order—

(a) to effect the arrest of any person liable to detention under any order made under section 8;

(b) to effect the arrest of any person liable to arrest and detention under section 73 (1) or (2);

(c) to effect the arrest of any person whom he has, in all the circumstances of the case, reasonable grounds for suspecting to have committed an offence against this Act or against any provision of any written law for the time being specified in the First Schedule;

(d) to overcome forcible resistance offered by any person to the arrest; or

(e) to prevent the escape from arrest or the rescue of any person arrested as aforesaid, to use such force as, in the circumstances of the case, may be reasonably necessary, which force may extend to the use of lethal weapons.

(2) Every person arrested for any of the offences referred to in subsection (1) shall as soon as possible after his arrest be clearly warned of his liability to be shot at if he endeavours to escape from custody.

(3) The powers conferred upon a police officer by sub-section (1) may be exercised by any member of the security forces, and by any person performing the duties of guard or watchman in a protected place, and by any other person generally authorized in that behalf by a Chief Police Officer.

(4) Nothing in this section contained shall derogate from the right of private defence contained in sections 90 to 106 of the Penal Code.

75. Admission of statements in evidence.

(1) Where any person is charged with any offence against this Act or against any written law for the time being specified in the Second Schedule any statement, whether the statement amounts to a confession or not or is oral or in writing, made at any time, whether before or after the person is charged and whether in the course of a police investigation or not and whether or not wholly or partly in answer to questions, by the person to or in the hearing of any police officer of or above the rank of Inspector and whether or not interpreted to him by any other police officer or any other person concerned, or not, in the arrest, shall notwithstanding anything to the contrary contained in any written law, be admissible at his trial in evidence and, if the person tenders himself as a witness, any such statement may be used in cross-examination and for the purpose of impeaching his credit;

Provided that—

(a) no such statement shall be admissible or used as aforesaid—

(i) if the making of the statement appears to the court to have been caused by any inducement, threat or promise having reference to the charge against such person, proceeding from a person in authority and sufficient in the opinion of the court to give the person grounds which would appear to him reasonable
for supposing that by making it he would gain any advantage or avoid any evil of a temporal nature in reference to the proceeding against him; or

(ii) in the case of a statement made by the person after his arrest, unless the court is satisfied that a caution was administered to him in the following words or words to the like effect:

"It is my duty to warn you that you are not obliged to say anything or to answer any question, but anything you say, whether in answer to a question or not, may be given in evidence"; and

(b) a statement made by any person before there is time to caution him shall not be rendered inadmissible in evidence merely by reason of no such caution having been administered if it has been administered as soon as possible.

(2) Notwithstanding anything to the contrary contained in any written law a person accused of an offence to which subsection (1) applies shall not be bound to answer any questions relating to the case after any such caution as aforesaid has been administered to him.

(3) This section shall apply in relation to any person tried after the commencement of this Act, whether or not the proceedings against the person were instituted and whether or not the relevant statement was made before such commencement.

76. Inspection of bankers' books.

The Minister may, if he is satisfied that any evidence of the commission of an offence against this Act or against any written law for the time being specified in the Second Schedule is likely to be found in any banker's book, by order authorize any police officer to inspect any such book, and a police officer so authorized may, at all reasonable times, enter the bank specified in the order and inspect the banker's books kept therein, and may take copies of any entry in any such book.

77. Disposal of property.

(1) Subject to subsection (2) the provisions of the Criminal Procedure Code relating to the disposal of property the subject of an offence shall apply to any article coming into the possession of a police officer or any other person having any functions in connection with the operation of this Act which the officer or person has reasonable ground for believing to be evidence of the commission of an offence against this Act; and in relation to any such article any reference therein to a police officer shall have effect as if it included a reference to any such person.

(2) Any article or material coming into the possession of a police officer under section 65 may be disposed of in such manner as the Minister may order.

(3) Nothing in this section shall be taken to prejudice any right to retain or dispose of property which may exist in law apart from the provisions of this section.

78. Registration of persons arrested or detained.

(1) The provisions of the Registration of Criminals and Undesirable Persons Act, 1969, relating to the taking of fingerprints and photographs of persons under arrest and accused of any crime shall apply to persons arrested and detained under this Act as if they were persons accused of any crime within the meaning of that Act.

(2) The provisions of the Registration of Criminals and Undesirable Persons Act, 1969, shall apply to persons convicted of an offence against this Act as if the offence were a crime included in the First Schedule to that Act.
70. Jurisdiction of courts.

Without prejudice to the jurisdiction of the High Court, a Sessions Court or in Sabah and Sarawak, the Court of a Stipendiary Magistrate, shall have jurisdiction to try any offence against this Act, other than an offence punishable with death, and to pass any sentence prescribed therefor not exceeding a fine of five thousand dollars or five years’ imprisonment or both.

80. Restriction on prosecution.

A prosecution for any offence against this Act punishable with imprisonment for a term of seven years or more shall not be instituted except with the consent of the Public Prosecutor:

Provided that, subject to the law for the time being in force relating to criminal procedure -

(a) a person charged with such an offence may be arrested, or a warrant for his arrest may be issued and executed, and any such person may be remanded in custody or on bail, notwithstanding that the consent of the Public Prosecutor to the institution of a prosecution for the offence has not been obtained, but the case shall not be further prosecuted until that consent has been obtained; and

(b) when a person is brought before a court under this section before the Public Prosecutor has consented to the prosecution the charge shall be explained to him but he shall not be called upon to plead, and the provisions of such law shall be modified accordingly.

81. Publicity of orders.

(1) When any order or regulation is made or direction or instruction is given under this Act, the Minister or other authority making such order or regulation or giving such direction or instruction shall cause notice of its effect to be given as soon as may be in such manner as he thinks necessary for bringing it to the notice of all persons who in his opinion ought to have notice of it, and such order regulation, direction or instruction shall have effect as soon as notice as aforesaid has been given, without publication in the Gazette.

(2) Without prejudice to any special provisions contained in this Act or in any rules or regulations made hereunder a notice to be served on any person for the purpose of any section may be served by leaving it at, or by sending it by post in a letter addressed to that person at his last or usual place of abode or place of business.

(3) Any order or regulation made or any direction or instruction given under this Act may at any time during its continuance be cancelled by the person empowered to make the order or regulation or to give the direction or instruction, but without prejudice to the previous validity thereof or to anything done thereunder or to the power of the person to make a fresh order or regulation or give a fresh direction or instruction under those provisions.

82. Saving.

Nothing in this Act shall affect any other law relating to criminal offences:

Provided that no person shall be punished twice for the same offence.

83. Amendment, etc. of Schedules.

The Schedules to this Act may be added to, varied or amended by resolution passed by both Houses of Parliament.

84. (Omitted).
85. Transitional provisions.

(1) Every person who is detained in pursuance of an order of detention issued under this Act before 1st September, 1971, whether or not he has made written representations to an Advisory Board under the Internal Security (Detained Persons Advisory Board) Rules, 1964 (hereinafter referred to as the Rules) as modified by the Emergency (Internal Security) (Modification of Laws) Ordinance, 1969 (hereinafter referred to as the Ordinance), shall, notwithstanding the modifications made to the Rules by the Ordinance, if by reason of the Ordinance he has been prevented from appearing in person or being represented before an Advisory Board either for the hearing of his representations against, or for the review of, his order of detention, be given an opportunity of so appearing or being represented, or both, as he may elect.

(2) The opportunity aforesaid shall be given to the persons mentioned in subsection (1) by notice in writing issued by direction of the Chairman of an Advisory Board, who on receipt of a reply stating that any such person wishes to appear or be represented before the Board shall proceed as if rules 3 (3) and 4 of the Rules in the case of representations, or rule 6 thereof in the case of a review, were in force.

(3) The arrangements mentioned in subsection (2) shall so far as practicable be made so as to give priority to those persons who have been longest under detention, but so that in any case all representations made under this section shall have been considered and recommendations made thereon to the Yang di-Pertuan Agong, and all reviews held thereunder completed and reports made thereon to the Minister, before 1st September, 1972.

This section shall cease to have effect on 1st September, 1972.
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