

ISIS in Malaysia: Understanding Their Logics

ISIS di Malaysia: Memahami Logik ISIS

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ABSTRACT

The threat of terrorism to Malaysia is growing. On June 2016, Malaysia suffered its very first confirmed ISIS-related casualty in a grenade attack on Movida Pub that resulted in the injury of eight people and by 2016, around 300 suspects were arrested and investigated due to allegation of involvement in terrorist activities. From the 261 detainees, 34 (33 Malaysian, and one Indonesian) were charged under SOSMA and sent to Sungai Buloh prison for the remand period while waiting for their sentence. This paper is partly based on a year of interview and observation on the ideological inclination of the detainees. The observation reveals that the belief in the necessity to resurrect a global Islamic State with a Caliph to unite Muslims from all over the world under a single banner has been one of the major motivations for Muslim youths to join ISIS. The paper then proceeds with the uncovering and countering the logic of the Malaysian ISIS-related detainees that the resurrection of a global Islamic State caliphate is the only way to protect the interest of the Muslim community.

Keywords: Terrorism; law; Malaysia; ISIS; Muslim

ABSTRAK

Ancaman keganasan di Malaysia semakin berkembang. Pada Jun 2016, Malaysia turut menerima tempias kesan keganasan yang berkaitan dengan ISIS dalam serangan bom tangan di Movida Pub yang telah mengakibatkan kecederaan kepada lapan orang awam dan menjelang 2016, seramai 300 suspek telah ditangkap dan disiasat kerana dakwaan terlibat dalam kegiatan penganasan. Dari 261 tahanan, 34 (33 rakyat Malaysia, dan seorang Indonesia) telah didakwa di bawah SOSMA dan dihantar ke penjara Sungai Buloh untuk tempoh tahanan reman sambil menunggu hukuman. Makalah ini sebahagiannya adalah berdasarkan dapatan temu bual dan pemerhatian mengenai kecenderungan ideologi para tahanan. Pemerhatian mendedahkan bahawa kepercayaan dalam keperluan untuk membangkitkan semula sebuah Negara Islam global dengan Khalifah untuk menyatukan umat Islam dari seluruh dunia di bawah sepanduk tunggal telah menjadi salah satu motivasi utama bagi pemuda Islam untuk menyertai ISIS. Kertas ini kemudiannya diteruskan dengan mengupas dan menentang logik tahanan ISIS Malaysia bahawa kebangkitan khalifah negara Islam global adalah satu-satunya cara untuk melindungi kepentingan masyarakat Islam.

Kata kunci: Terrorisme; undang-undang; Malaysia; ISIS; Muslim

INTRODUCTION

According to the Institute of Economics and Peace, Malaysia has reached the 49th spot on the Global Terrorism Index 2015. It has climbed 42 spots within three years from being 91st in 2012. The same report also revealed that Malaysia's score 3.579 is on the lower scale of the index, in which zero denotes no impact of terrorism (Irsyad 2015). In 2015, Malaysia was one of the 50 countries most affected by terrorism. The Global Terrorism Index 2016 ranks Malaysia better, at the 61st spot with the score of 2.691. However, the threat of terrorism is still serious in Malaysia. According to the sources from the Special Branch, there is an estimate of 90 Malaysians fighting the wars in Iraq and Syria under

different factions fighting. Most have been identified to be affiliated to the Islamic State of Iraq and Syria (ISIS).

ISIS IN MALAYSIA: AN ANALYSIS

Based on this alarming situation, the Malaysian government has enacted various new laws to curb terrorism based on the legal-security management measurement. As a result of the newly enacted laws and relentless effort by the Counterterrorism Unit, by August 2016, 261 individuals (239 Malaysians, and 22 foreigners) were detained under different charges and Acts. The majority of Malaysia's terrorism-related arrests in 2015 were under SOSMA and penal

code chapters VI (Offenses Against the State) and VIa (Offenses Relating to Terrorism) (Country Reports on Terrorism 2015).

Malaysia has also been actively participating in regional and international efforts to combat terrorism. In 2015, Malaysia joined the Global Coalition to Counter ISIL. The Royal Malaysian Police Special Branch Counterterrorism Unit (Counterterrorism Unit) has the lead counterterrorism law enforcement role. However, despite the Counterterrorism Unit having carried out detentions and foiled many terrorist attacks in Malaysia, on 28 June 2016, Malaysia suffered its very first confirmed ISIS-related casualty in a grenade attack on Movida Pub in Puchong (outside Kuala Lumpur) that resulted in the injury of eight people (*The Star Online* 4 July 2016).

Shortly after, the Malaysian counterterrorism units have detained three alleged militants suspected of planning terror attacks across the country on the eve of the country's Independence Day's celebration. According to the security force, they were targeting Hindu temples across the nation (*Malay Mail Online* 31 August 2016).

From the 261 detainees, 34 (33 Malaysian, and one Indonesian) were charged under SOSMA and sent to Sungai Buloh prison for the remand period while waiting for their sentence. During their remand period in Sungai Buloh prison, the prison's counseling unit had initiated a specially designed rehabilitation program that was initially organized fortnightly, but later became weekly. Due to the important and critical nature of the rehabilitation program, the counseling unit through the consent of the director of the prison, had invited Dr. Maszlee Malik, a specialist in Islamic Studies, Islamic Political Thoughts, and Global Islamic Movements from the International Islamic University of Malaysia.

During the rehabilitation sessions since August 2015, topics beyond religious issues were discussed. Arts, culture, language, economy, entertainment, local politics, Middle Eastern conflicts, history, thoughts, philosophy, and others were amongst the topics discussed with the detainees. When the detainees were pushed out of their comfort zone, they began to realize the complexities of life and the colorful nature of the world they are living in, hence prompting them to re-evaluate the position they have taken. The sessions were conducted away from a hostile approach, and any judgemental language was avoided to allow the detainees to feel more receptive towards the subjects discussed.

The approach was inspired by the suggestion of anthropologist Scott Atran, who in his speech at the

United Nations indicated that the only way to fight against radicalization is to borrow psychological strategies straight out of ISIS's playbook. According to Atran, any successful plan must "offer youth something that makes them dream, of a life of significance through struggle and sacrifice in comradeship." He added that the key is to offer disillusioned youth something just as exciting (but significantly less destructive and terrible than becoming a terrorist) and the realization that "the first step to combating ISIS is to understand it" (Krisch 2015).

Based on a year of observation on the ideological inclination of the detainees, a conclusion is made in this paper that the belief in the necessity to resurrect a global Islamic State with a Caliph to unite Muslims from all over the world under a single banner has been one of the major motivations for Muslim youths to join ISIS.

ISIS AND THE KHALIFAH (CALIPHATE) STATE DISCOURSE

On 26 May 2014, IS or initially known as ISIS (Islamic State of Iraq and Syria) successfully launched an attack on an Iraqi military base in Anbar. A Malaysian fighter, Ahmad Tarmimi Maliki was responsible as the suicide bomber who opened the way for other IS fighters to enter and seize the army base which was full of arms and military vehicles (*The Star Online* 14 June 2014).

The operation marked the expansion of ISIS into wider Iraqi territory, hence giving IS the confidence to declare itself as a state, and renamed the organisation to 'Islamic State' (IS) instead of ISIS. The *Shura* council (supreme council) of IS then unanimously agreed to elect Abu Bakar al-Baghdadi to be the *Khalifah* or the 'Caliph' of Muslims worldwide (Abdul Bari 2015).

On 5 July 2014, al-Baghdadi appeared on the pulpit of al-Nouri mosque in Mosul province, Northern Iraq; proclaiming himself as the 'Caliph' for Muslims and officially announcing the establishment of a 'Caliphate State' for Muslims. He then strongly urged Muslims who share the same aspiration to migrate to their territory, perform the oath of homage (*Bay'ah*) to the Caliph, or at least support the 'real Islamic State' that will expand its dominance throughout Muslims lands (*Middle East Star* 5 July 2014).

The declaration had been celebrated with joy by IS sympathizers from all over the world. The fascination was followed by 'online' *bay'ah* (oath of homage) events performed by IS followers and

sympathizers from all over the globe, including some Muslim youths in Malaysia and Indonesia. By giving the *'bay'ah*, these individuals agreed to support and follow any orders given by the Caliph, and give their loyalty only to the 'Caliphate State' called the 'Islamic State' or in Arabic *'al-Dawlah al-Islamiyyah'* (*Da'esh*).

Despite the wide range of topics and discussions during the sessions with SOSMA detainees, since the third session, most of the detainees kept raising the issue of the importance of Caliphate state for Muslims globally. For most of them (with the exception of two detainees who remained ambiguous until their sentence), a united Caliph for Muslims is the central issue for contemporary Muslims. To them, the responsibility to establish and be affiliated with a 'united Caliph' ruling the united Muslim land under the banner of a 'Caliphate state' or *'Dawlah Islamiyyah'* (Islamic State) is imperative towards all Muslims. They strongly assumed that the existence of such a state would not only serve as an imperative to Muslims, but will also be the solution to many problems faced by Muslims globally at present. With that assumption, they believe that the emergence of IS as a caliphate state for all Muslims is legit and necessary.

In justifying the need for a Caliphate state and a united Caliph as a supreme leader for all Muslims around the world, most of the detainees quoted several Prophetic traditions; but most of their justifications instead came from their perception of reality. They believe that a Caliphate state could provide the remedy for the current perceived global injustice towards Muslims.

They often quoted the issue of Palestine, the endless crisis in Iraq, the mass massacre of Rohingya Muslims in Myanmar, the mass killing of Muslims in Central Africa as classic examples of how Muslims need a powerful leader to unite them under the umbrella of a Caliphate to improve the conditions of their Muslim brethren who are victims in the aforementioned conflict areas. On a similar basis, most of the detainees argue about the different treatment accorded by the international community to Bashar al-Asad and his armies who have on their hands, the life of 250,000 innocent civilians, while 4 million became refugee. Despite all those, Bashar and his armies have never been identified and labeled by the international community as 'terrorist.' They also implied the Rab'a massacre committed by General al-Sisi during his *coup de tat* on the democratically elected president, Mohammad al-Morsi which caused

the death of thousands of innocent lives and put thousands other in prison including the ministers and members of parliaments with dissent voice. For them, the *coup de tat* in Egypt proves that democracy will never work in Muslim countries.

They believe that the current 'Islamic State' in Iraq and Syria fulfills the imaginary utopian 'Islamic' abode that they always dream of; in which justice could prevail, and only the competent will be given the responsibility to rule with Shari'ah Laws. Furthermore, IS comes with a complete package of Islamic prerequisites of a Caliphate state prophesied by the Prophet Muhammad in some of his eschatological traditions. This Islamic State is believed to be the only 'Messiah' that could save Muslims from the *'dajjal'* (anti-Christ), according to their literal interpretation of some prophecies by Prophet Muhammad about the End of Day.

In many occurrences too, the detainees would be reflecting on the social condition of Malaysia and other Muslim countries which, according to them, is full of sinful activities and corruption. This condition, according to them, is due to the refusal of Muslim leaders, including Malaysian leaders, to implement Shari'ah law and to establish the Caliphate state. They suppose that, if there is a Caliphate state, those sinful conditions would be eradicated with force by using Islamic Criminal Laws (*hudud*). Consequently, they also believe that Western so-called democratic power has failed humanity; hence democracy is only a tool of the powers-that-be for their own interest. Furthermore, most of them believe that Muslims are now being the target of the global conspiracy of the Jews and the Christian crusaders.

Despite the unanimous consensus amongst the detainees on the 'urgency' of re-establishing the Caliphate state with a single leader of the Muslim nation, the foundations of the belief somewhat vary. For those who have been recruited by groups related to al-Qaeda or IS (in Malaysia), they would usually have a fixed mindset, due to the indoctrination; hence, it became a religious conviction that is hard to change. As for the few who were radicalized through the social media, their belief could still be challenged through rational arguments of historical facts and religious explanations.

The different levels of understanding and belief in the topic could be seen clearly during the discussions. Surprisingly, out of the 34 detainees, only one of them possessed a comprehensive picture of the details of Islamic rulings relating to the topic of *Khalifah* as being debated by Muslim jurists. The rest of the

detainees, on the other hand, were merely subscribing to a hollow sentimental-based vision of the Caliphate state and a unified Caliph for Muslim nation.

In the attempt to clarify the un-Islamic nature of the IS Caliphate to the detainees, the detainees were told about the views of many contemporary Muslim scholars towards IS and that most prominent scholars from all over the world have been heavily refuting the declaration of the Caliphate state of IS. For example, in August 2014, the Grand Mufti of Saudi Arabia dismissed IS's claim on the Caliphate and labeled both IS and al-Qaeda as enemies of Islam. Additionally, the World Federation of Muslim Scholars, through its leader, the famous Qatar-based Egyptian Islamic scholar, Dr. Yusuf al-Qaradawi declared that the IS declaration of a Caliphate state, along with Baghdadi's declaration of the Caliphate 'is totally un-Islamic and is void under the true teaching of Islam' (*Aljazeera* 7 July 2014).

Similarly, in September 2014, 126 top Muslim scholars from all over the world issued an open letter to the 'self-proclaimed Caliph' al-Baghdadi, denouncing his Caliphate and denouncing IS for committing numerous crimes and transgressions under the name of religion (*Daily Sabah* 25 September 2014).

Interestingly, the acceptance of the detainees to these statements varied. Some argued that the scholars involved in the condemnation of IS do not understand the situation in Syria. Few others challenged the authority and credentials of these scholars on the ground that they have never participated in jihad, thus that alone turned them into armchair commentators. About five of the detainees believed that these scholars were co-opted scholars, or what they called as 'scholars for dollars.' Quite a significant number of the detainees chose not to take any stance saying that they needed more time to contemplate further on the issue, while at the same time asking for an alternative to the caliphate system that they believed in to overcome the current situation and predicament of Muslims all over the world. This was so because, according to them, it is useless to condemn the IS Caliphate if those scholars fail to provide a better solution.

DECONSTRUCTING THE CALIPHATE STATE DISCOURSE

The call for the re-establishment of a united Caliphate state is not a new phenomenon. Since the collapse of the Ottoman Caliphate in Turkey in 1924, there were few international attempts to revive a Caliphate state

beyond the borders given to Muslim land under the international framework of the 'nation state' or the 'territorial state.'

Rashid Redha (1865-1935) was amongst the earliest Muslim thinkers who initiated an international effort to revive the Caliphate institution by establishing the "Khilafah Movement" which consisted of Muslim scholars from different parts of the world. However, the movement ended in the year 1935 with his demise amid the movement's failure to find someone who is suitable to be the 'unifying' Caliph for Muslims worldwide. Redha's ideal for a Caliphate state was spelled clearly in his monumental book, *al-Khilafah aw al-Imamah al-Uzma* (The Caliphate or the Grand Leader) (Enayat 2000, Belén 2008).

His vision was continued by his disciple, Hassan al-Banna (1906-1949), the founder of the *Jamaat al-Ikhwan al-Muslimun* (Muslim Brotherhood) movement in Egypt (Nafi 2010).

Although Hassan's vision for the Caliphate state was not explicitly made as the sole vision of the movement, however, it has always been the long-term vision of the movement until today, despite the different countries from which it is operating and the different names given to the movement's branches globally (Helbawy 2010).

The only difference between al-Banna's vision and Redha's is that the former emphasized more on the reform of the society through providing Islamic education, welfare and local political participation in wherever it is operating – unlike Redha's which was more of a trans-border political movement that aimed only to re-establish the Caliphate institution.

However, the real foundational idea of re-establishing a contemporary Caliphate state as a religious imperative was formulated by the Pakistani-Indian Islamists' ideologue and founder of the famous Sub-Continent Islamic movement, *Jamaat-i-Islami*, Abul A'la al-Maududi (1903-1979). In his numerous writings, he insisted on the need of Muslims to establish an Islamic state to uphold God sovereignty (*Hakimiyatullah*) through the implementation of comprehensive Islamic systems in the life of the people (Mandeville 2014).

However, al-Maududi's vision was incomplete without the works and the rhetorics of the famous Egyptian-born Islamist ideologue, Syed Qutb (1906-1966). Qutb further enshrined al-Maududi's arguments with his rethoric by giving a theological arguments deduced from Quranic verses. This can be seen explicitly in his discussions on the verses from chapter five (*al-Maidah*) of the Quran in his Quranic exegesis, 'Fi Zilal al-Quran.'

He insisted that Islamic political identity to Muslims is equivalent to their belief and creed. As for Qutb, the re-establishment of an Islamic state to uphold '*Hakimiyatullah*' (God sovereignty) is part of Muslims' creed, in which its rejection by any Muslim individual is equal to the rejection of Islam as a whole. In both his famous Quranic exegesis called '*Fi Zilal al-Quran*' (Under the Shade of al-Quran) which he authored during his imprisonment, and his monumental '*Ma'alim fi al-Tariq*' (Milestones), Qutb laid down theological arguments as the foundations of the urgency and imperative nature of a Caliphate state (Qutb 1994, Qutb 1983).

Qutb and his works were often quoted by those who believe in the necessity of the re-establishment of a 'Caliphate state.'

Another serious effort worth mentioning here is the movement established by a Palestinian-born Muslim scholar, Taqiyyuddin Nabhani (1909-1977), who founded the '*Hizb ut tahrir*' (Liberation Party). The movement not only shared the same aspiration of Redha's, but also made its *raison de etre* to re-establish the Caliphate state through its unique method which the followers claimed had been inspired by the life and the struggle of Prophet Muhammad (Al-Nabhani 2002, Al-Nabhani 1999).

This movement, similar to Muslim Brotherhood, operates internationally across the borders and has its own significant impacts to security and political concerns of some countries all around the world. It aims to establish a Caliphate State through propaganda, and assistance from the foreign power without using violence.

The closest group which shares similar aspirations with Hizb ut tahrir on the re-establishment of a 'Caliphate State,' and working towards it, is Al-Qaeda, which was established by Osama ben Laden (1957-2011) and Abu Ayman al-Zawahiri (1951-). The big difference is Al-Qaeda is fine with using violence to achieve its goal while Hizb ut tahrir is non-violence in nature.

In many of Al-Qaeda's statements, both figures kept reiterating the group vision and their belief that the 'united Caliphate State' is imminent due to the Prophet's prophecy; and that Al-Qaeda is working towards it by adopting 'jihad' or arm struggle as its sole means to bring this vision into reality (Atwan 2009).

Al-Qaeda's vision and mission have been echoed by its direct offshoot, IS or ISIS, or ISIL, or in its Arabic term, *al-Dawlah al-Islamiyyah fi al-Iraq wa Bilad al-Sham* (Islamic State in Iraq and Levant) (Madeville 2014).

The difference between ISIS and the rest of the movements is that it managed to crystallize the 'utopia' by declaring a real 'state' of their own, with its own armies, bureaucracy, people, economic instruments, its own 'Shariah' legal system (*hudud*), and most important of all, it has a Caliph, whom the followers strongly believe is representing Muslims all around the world (Atwan, p. 188).

As for many of the detainees, this situation has led them to feel that the emergence of ISIS with its Caliph, al-Baghdadi is a dream come true situation. It is the answer to Muslims prayers. It is the Messiah whom the Muslims have waited since 1924 to save Muslims from their current malaise and miserable condition. With this euphoria, those amongst the detainees who decided to go to Syria feel that they no longer have ties with the non-Shariatic Malaysia, since they are already linking themselves with the full Shariah-compliant 'legitimate' Islamic State. Their plan for migration to ISIS is part of what they believe as '*Hijrah*' (religious migration) to the abode of Islam, where the 'real Islamic life' exist. This state of confusion led to the feeling of euphoria for migration amongst those who share the same sentiment with the detainees and most of Malaysians who are already in Syria or Iraq joining the IS. For them, the legitimate leader of Muslims is the Caliph of the IS, al-Baghdadi, and he alone has the authority to declare war and enact any Islamic rulings related to the political life of Muslims globally.

In short, similar to many other Islamists, the failure to acknowledge the legitimacy of the current territorial state framework, in reality, will lead them towards imagining a utopian 'Caliphate state' across current borders of Muslim countries. Consequently, it will also further them to disacknowledge the leaders elected of the countries, hence dismissing these leaders' legitimacy over the political, economic and social life of the people. Hence, according to such paradigm, the life of Muslims in any Muslim countries is not considered Shari'ah-compliant, and therefore they need to strive to re-establish the Caliphate that will bring the real legitimacy of power for Muslims i.e. enforcing the Shari'atic life. Otherwise, to them, the political life of Muslims would never be considered Islamic. Based on this paradigm too, those who subscribe to such a vision will never feel loyal to neither the 'country' they live in nor the other citizens who they live with. This is where the problem lies.

JIHAD ISSUE: A DISCUSSION

In one of the rehab sessions, the topic of jihad was discussed. Amongst the important subjects in jihad is the conditions and stipulations of jihad (Al-Qaradawi 2009).

According to Muslim jurists, based on many traditions of Prophet Muhammad, one of the stipulations of jihad, according to Islamic jurisprudence, is the call for jihad from the head of state (Ahmad Ghazi 2010), which is in accordance to many constitutions of many modern countries in the world. When the detainees were told that in Malaysia, according to the *fiqh al-Jihad* (the rulings of Jihad), nobody could declare war and send armies to war except the highest leader of Malaysian army, with the consent of the King (*Yang di-Pertuan Agong*), because he is considered the supreme leader of the country, or the Islamic term ‘*ulil amri*’ (literally translated as ‘The one who possesses the authority’), some of them disagree since he is not considered by them as a Caliph (Al-Arabiyyah 29 July 2014).

The vision for an Islamic state or Caliphate state uniting all Muslims is not grounded on reality and historical facts. Since the establishment of Abbasid Caliphate in the year 750CE (132AH), Muslims then have been living under two caliphs. One belonged to the Abbasid, who was based in Iraq, while the other was the Andalusian-based Umayyad Caliph. Furthermore, during the classical days, before the years of colonialization, Muslims had kings, emirs, and imams who ruled their own lands, emirates and territories far away from the Turkish Ottoman Caliph, without denying the power and influence of the Ottoman empire that used to rule many parts of what is currently known as the Middle East and Northern Africa. However, these parts of history were not taken into the discourse of the Islamists in their thoughts and deliberation on the envisioned Caliphate State. Furthermore, those who read the situation of Ottoman Caliphate towards the end of its reign would realize that Muslim reformists at the end of the 19th century had been calling for a democratic rule, independent from the colonials, and a just state to replace the weak Ottoman Empire which ruled its territory through corrupt governors (Haddad 1999).

Muhammad Abduh (1849-1905), the teacher of Redha, and the prominent 19th century reformist from Egypt, when was asked by his disciple, Redha to write a foreword in his book on Caliphate, commented that ‘Muslims don’t need any Imam (Caliph) nowadays apart from the Quran, any discussions about this issue

will further divide them rather than benefitting their life.’ (Rashid Redha 2008).

CONCLUSION

There are six major points that can be concluded from the observation. The first one is on the level of understanding of Islam on the part of detainees. The level of understanding and knowledge is minimal and superficial. It would be wrong to assume that those inclined to join militant or illegal armed activities to possess in-depth knowledge of the history of Islam, its political system or the concept of *fiqh* in details. The selective readings on Muslim history, and the lack of criticism while looking at the bigger picture of Islamic history while reading it, has led not only those detainees but many Muslims alike to arrive at a partial understanding of Islamic political thought and the Caliphate institution itself (Olivier 2004).

During the rehab discussions, many of the detainees would be surprised to read and discover that there was no linear trajectory of what they understood as the ‘Caliphate State’ in Islamic history. By presenting insights of critical scholars, and exposing them to the comprehensive history of Muslims without being selective, they were surprised to learn that the vision they used to subscribe to was just one of the responses of Muslim thinkers towards colonialism and colonial projects.

Secondly, it is possible to correct, influence and change the mindset of the detainees from justifying violence activities and adhering to dogmatic and rigid institutional ideology to the idea that Islam is a religion that promotes peace in accordance with the concept of ‘*rahmatan lil alamin*’ (blessings to the whole universe). Introducing the detainees to the notion of Islam as a set of value and ethical principles rather than a dogmatic institutional ideology limited in the realm of politics was rather helpful in helping them revisit their initial position towards the issue of Caliphate State. Rashid Ghannouchi (1993) and Sa’ededin Uthmani (2009) versions of the separation between the realm of religion and the realm of politics would be helpful too; since both of them departed from Islamic epistemology and came from Islamic tradition. Both thinkers offered a more realistic role of religion (Islam) as a set of values and ethics for Muslims to embrace the common modern political principles of justice, freedom, accountability, people’s empowerment, good governance and democracy. Both of them emphasized on the realization of the

highest objectives of Shari'ah to be achieved in the political realm, which for them is a neutral space; rather than the vision to bring some classical and archaic institutions of the past into present reality.

Thirdly, it is essential to continuously educate the detainees and open their minds to the flexibility and kindness of Islam. Instead of forcing the younger Muslim generation subscribe to the vision of the re-establishment of a Caliphate state to abandon their 'radical ideology,' opening new horizons before their eyes would be a better way in convincing them to retrospect and re-evaluate their mindset.

Fourthly, there is an urgent need to produce and expose the public at large to constructive and positive literature on Islam to dispel the myth that Islam is a religion that promotes or tolerates violence. Lack of available literature on the subject written in Bahasa Melayu and in popular publications might make it difficult for the detainees to embrace the new dimensions offered to them. The scarcity of literature produced by local Muslim scholars on the subject too proves to be another impediment to educate and encourage the young Muslims who might subscribe to the radical ideology of al-Qaeda or IS to analytically examine their radical thought concerning Islam and politics.

Thus, it is timely for local Muslim scholars to produce popular literatures dealing with the issue and replacing the conventional Islamists' discourse of Khalifah and the Caliphate State with a new and progressive one. The acknowledgement of the legitimacy and Shari'ah-compliance of current 'territorial nation-states' by Muslims scholars is of the utmost importance, not only for Malaysians, but also for Muslims living in majority non-Muslims states like those in Singapore, Thailand, Cambodia, Australia and other Western countries.

Fifthly, it is essential that the discourse on the political relation between Muslims and non-Muslims be developed further by taking into account modern challenges and reality. Classical discourse on the political relation between the Muslims and non-Muslims such as the demarcation of non-Muslims living within a majority Muslims country to *Kafir Dhimmi* (good infidels) and *Kafir Harbi* (Bad Infidels to be fought) is very counter-productive in the current set-up of constitutional-based modern state. New contemporary Islamic discourses on the legitimacy of citizenship in a constitutional state, which has been popularized by many moderate scholars such as al-Ghannouchi, Fahmi Huweydi, Yusuf al-Qaradawi, Tariq Ramadhan, Muhammad Imarah, Jasser 'Audah and the like should be dominating the political

mindset of Muslims in dealing with the issues of citizenship and statecraft.

Sixthly, in order to further persuade the public to adopt constructive and positive interpretation of Islam, it is necessary to develop scholars with the necessary credentials. There are certain efforts and critiques by Muslim academics from the West on the topic, as well as their onslaught criticism on the classical pieces (An-Naim 2008, Hallaq 2013).

However, it must be noted that general Muslims, or to be more precise, the conservatives and moderate Islamists alike would only buy in to the argument if the line of reasoning on these matters are derived from certain Islamic epistemology by well-known Islamic studies scholars with the necessary credentials. Likewise, it is also important for these scholars to produce more writings to convince Muslims in general on the legitimacy of the current territorial state, and to debunk the myth that the Caliphate state and united Caliph for Muslims worldwide is the sole solution to all problems faced by Muslims nowadays, simply because the history has proven otherwise. These writings are important to save the younger Muslim younger generation from becoming preys to a radical ideology which eventually would lead them towards extremism and violence. This new alternative discourse too is important to bring Islam forward as a useful set of values for nation-building and for the common good of the World.

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REFERENCES

- Ahmad Ghazi, Mahmoud. 2010. *Mabadi' al-Fiqh al-Dawli al-Insani*. Beirut: Dar al-Bashair al-Islamiyyah. 2010.
- Abu al-Majd Abdul Jalil. 2010. *Maqhum al-Muwatanah fi al-Fikr al-'Arabi al-Islami*. Cassablanca: Ifriqiya al-Sharq.
- Akil Yunos, "Local IS Fighter Claims Movida Bombing is 'First Attack on Malaysian Soil.'" The Star Online, 4 July 2016. Retrieved on the 11 September 2016 via (<http://www.thestar.com.my/news/nation/2016/07/04/local-is-fighter-claims-movida-bombing-is-first-attack-on-malaysian-soil/>).
- Al-Arabiyyah. Net. (<http://www.alarabiya.net/ar/arab-and-world/2014/06/29>). 29 Julai 2014.

- Arief Irsyad, "Malaysia Is Top 50 On the Global Terrorism Index 2015 – Are We Taking It Seriously?," Malaysiandigest.com, 2 December 2015.
- Atwan, Abdul Bari. 2015. *Islamic State, The Digital Caliphate*. London: Saqi.
- Atwan, Abdul Bari 2009. *Al-Qaeda: al-Tanzim al-Sirri*, Lubnan: Dar al-Saaqi.
- Audah Jaser. 2012. *Bayna al-Shari'ah wa al-Siyasah*. Beirut: Arab Network for Research and Publishing.
- Bureau of Counterterrorism and Countering Violent Extremism. 2015. Country Reports on Terrorism. East Asia and the Pacific' via (<https://www.state.gov/j/ct/rls/crt/2015/257515.html>)
- Daily Sabah. 2014. Muslim Scholars Present Religious Rebuttal to ISIS. (<http://www.dailysabah.com/mideast/2014/09/25/muslim-scholars-present-religious-rebuttal-to-isis>). 25 September 2014.
- Enayat, Hamid. 2000. *Modern Islamic Political Thought*. Petaling Jaya: Islamic Book Trust & The Other Press.
- Soage, Ana Belén. 2008. Rashid Rida's Legacy. *The Muslim World* 98/1 (Jan. 2008), pp. 1-23.
- Al-Ghannouchi, Rached. 1993a. *Al-Hurriyat al-'Ammah fil-Dawlah al-Islamiyah* (Public Liberties in the Islamic State). Beirut: Arab Unity Studies Center.
- Al-Ghannouchi, Rached. 1993b. *The Participation of Islamists in a Non-Islamic Government*, in Azzam Tamimi, *Power-Sharing Islam?*, London: Liberty for Muslim World Publication, pp. 51-64;
- Al-Ghannouchi, Rached. 2001. *On the Dilemma of the Islamic Movement: A Political Party or a Reformist Organization?*, in Abdel Wahab el-Affendi (ed.), *Rethinking Islam and Modernity (Essays in Honour of Fathi Osman)*. Leicester: The Islamic Foundation.
- Al-Ghannouchi, Rached. 2012. *Al-Dimuqratiyah wa Huquq al-Insaan fi al-Islam*. Doha: Aljazeera Centre For Studies.
- Haddad, Yvonne. 1994. *Muhammad Abduh: Pioneer of Islamic Reform*, in Ali Rahnama (ed.), *Pioneers of Islamic Revival*. London: Zed Books Ltd.
- Helbawy, Kamal. 2010. *The Muslim Brotherhood in Egypt: Historical evolution and future prospects*. In Hroub, Khaled, *Political Islam: Context Versus Ideology*, London: SOAS (2010): 61-85.
- Ibn Qudamah al-Maqdisi. (n.d). *al-Mughni wa al-Syarh al-Kabir*, Jedah: Dar Taybah.
- Imarah, Muhammad. 2011. *al-Islam wa al-Ta'addudiyah: al-Ikhtilaf wa al-Tanawwu' fi Itar al-Wihdah*. Kaherah: Dar al-Salaam.
- ISIS and the First Malaysian Bomber. The Star Online. 14 June 2014.
- ISIS leader calls for global Muslim obedience. *Middle East Star*. 5 July 2014. (<http://www.middleeaststar.com/index.php/sid/223540031>). 7 July 2014.
- AlJazeera. 2014. Muslim leaders reject Baghdadi's caliphate. (<http://www.aljazeera.com/news/middleeast>). 7 July 2014.
- Joshua A. Krisch, *The Psychology of A Terrorist: How ISIS Wins Hearts and Minds* (<http://www.vocativ.com/news/251306/psychology>). 9 December 2015.
- Malay Mail Online, Trio's Arrest Foil IS' Planned Eve of Merdeka Day Attacks in Capital. (<http://www.themalaymailonline.com/malaysia/article/trios-arrest-foil-is-planned-merdeka-day-attacks-in-capital>). 11 September 2016
- Mandeville, Peter. 2014. *Islam and Politics*. New York: Routledge.
- Nafi', Bashir Musa. 2010. *al-Islamiyun*. Doha: AlJazeera Centre For Studies.
- Al-Nabhani, Taqiyuddin. 1999. *Nizam al-Hukm fi al-Islam*. Beirut: Manshurat Hizb al-Tahrir.
- Al-Nabhani, Taqiyuddin. 2002. *al-Dawlah al-Islamiyyah*. Beirut: Manshurat Hizb al-Tahrir.
- An-Naim, Abdullahi. 2008. *Islam and the Secular State: Negotiating the Future of Shari'a*. London: Harvard University Press.
- Hallaq, Wael. 2013. *The Impossible State: Islam, Politics, and Modernity's Moral Predicament*. New York: Columbia University Press.
- Ramadan, Tariq. 2001. *Islam, the West and the Challenges of Modernity*. Leicester: The Islamic Foundation.
- Rashid Redha, Muhammad. 2008. *Tarikh al-Ustadh al-Imam li al-Sayyid Muhammad Rashid Redha 1* (2008): 913.
- Roy, O. 2004. *Globalized Islam: The Search for New Ummah*. New York: Columbia University Press.
- Al-Qaradawi, Yusuf. 2009. *Fiqh al-Jihad: Dirasat al-Muqaranah Li Ahkamihi wa Falsafatihi fi Dhaw al-Quran wa al-Sunnah*, Kaherah: Maktabah Wahbah.
- Qutb, Syed, *Fi Zilal al-Quran*, Cairo: Dar al-Shuruq, 1994; Qutb, Syed, *Ma'alim fi al-Tariq*, Cairo: Dar al-Shuruq, 1983.
- Siddiq Fadhil. 2012. *Pembinaan Bangsa: Kepelbagaian Dalam Bingkai Kesatuan*. Kertas Kerja Mukhtamar ABIM.
- Uthmani, Sa'de al-Din. 2009. *Al-Din wa al-Siyasah: Tamyiz La Fasl* (Religion and Politics, Demarcation not Separation). Cassablanca: al-Markaz al-Thaqafi al-'Arabi.
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