



Contemporary Warfare and Political Jurisprudence (*Fiqh Siyasah*): An Analysis of Asymmetric Warfare in Military-Political Doctrine (*Siyasah Harbiyyah*)

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Abstract

Islamic Jurisprudence (*Fiqh*) as a Legal Framework seeks to guide the dynamics of human life comprehensively, including *fiqh siyasah* (political jurisprudence). In warfare contexts, *fiqh siyasah* encompasses the practice of war (*siyasah harbiyyah*). However, with the evolution of warfare, questions arise about the relevance of jurisprudence to contemporary phenomena such as asymmetric warfare. By exploring Islamic sources in *fiqh*, particularly *siyasah harbiyyah*, and sources discussing new warfare forms, this paper outlines Islamic principles of warfare in analyzing asymmetric warfare. This research uses a qualitative design to examine the relationship between contemporary warfare and *Fiqh Siyasah* (Islamic political jurisprudence) in asymmetric warfare contexts. The data includes primary sources like classical and modern Islamic legal texts, fatwas, and religious edicts, along with secondary sources such as academic articles, books, and reports on recent asymmetric conflicts. Additionally, semi-structured interviews with Islamic legal scholars, political scientists, and defense strategists provided expert insights. Analytical methods include thematic analysis to identify key themes, content analysis to detect patterns and contradictions, and triangulation to ensure data reliability. The findings conclude that *siyasah harbiyyah* within *fiqh* cannot address the challenges of asymmetric warfare linearly, as it involves both state and non-state actors, lacks significant military involvement, and includes different war stages. This form of warfare does not always conform to international war conventions. However, the framework of *fiqh* principles, particularly *qawaid fiqhiyyah* (juridical rules), can respond to these new warfare forms. Relevant principles include views on war motivations, consequences caused by state and non-state actors, and defensive, offensive, and active defensive principles according to Islamic jurisprudence. Therefore, *fiqh siyasah*, especially *siyasah harbiyyah*, needs to accommodate responses to contemporary warfare forms in the future.

Keywords: Islamic political jurisprudence (*fiqh siyasah*), war strategy (*siyasah harbiyyah*), contemporary warfare, asymmetric warfare

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Introduction

The changing dynamics of global politics and security in the contemporary era have laid the foundation for new forms of warfare that are no longer confined to conventional conflicts between major states. One phenomenon that is increasingly emerging and attracting attention is asymmetric warfare, where the parties involved have disproportionate power and non-linear resources (Coker, 2001). Asymmetric warfare often involves non-state actors or armed groups using creative tactics and strategies to bridge these gaps (Kaldor, 2013). In this context, it is crucial to understand asymmetric warfare not only from a military or political perspective but also involving legal and ethical aspects, particularly within the framework of Islam. *Fiqh siyasah*, as a branch of Islamic jurisprudence that studies governance and political policy, offers rich insights into the situation of asymmetric warfare (Hamid, 2011). Therefore, this research aims to analyze and understand contemporary forms of warfare, including asymmetric warfare, from the perspective of *fiqh siyasah*, thereby contributing profound thoughts on societal welfare and social justice, for example, in the case of the Palestine-Israel conflict.

The understanding of *fiqh siyasah* in the context of asymmetric warfare is expected to provide a comprehensive view consistent with Islamic values regarding the use of military force, the protection of human rights, and the balance of justice in conflict (Hashmi, 2012). Consequently, this research can serve as a foundation for formulating more ethical and effective policies in addressing the challenges of asymmetric warfare, as well as exploring the potential positive contributions of religious perspectives to global peace and stability. Jurisprudence as an Islamic legal framework seeks to provide broad guidance on the dynamics of human life, one of which is *fiqh siyasah*. In the context of war, *fiqh siyasah* encompasses the practice of war known as *siyasah harbiyyah* (Zaman, 2002). However, with the development of new forms of warfare, questions arise about the relevance of *fiqh* to new phenomena such as asymmetric warfare. This research aims to elucidate the principles of war in Islam towards new forms of warfare.

This research uses a qualitative research method. Qualitative research methods are descriptive and interpretative approaches to understanding social phenomena. Therefore, this method focuses on a deep understanding of context, meaning, and interaction in a particular context (Wright, 1983). This research elaborates on Islamic sources in the field of *fiqh*, specifically *siyasah harbiyyah*, and sources discussing new forms of warfare. Thus, in practice, it can be useful as a legal standing for the government to combat terrorism and insurgency in the era of asymmetric warfare in Indonesia.

Method

This study uses a qualitative research design to examine the relationship between contemporary warfare and *Fiqh Siyasah* (Islamic political jurisprudence) in the context of asymmetric warfare. The data consists of primary sources such as classical and modern

Islamic legal texts, fatwas, and religious decrees, along with secondary sources like academic articles, books, and reports on recent asymmetric conflicts. Additionally, semi-structured interviews with Islamic legal scholars, political scientists, and defense strategists were conducted to gain expert insights.

Data collection involved an extensive literature review, documentary analysis, interviews, and archival research. The analysis methods included thematic analysis to identify key themes, content analysis to detect patterns and contradictions, and triangulation to ensure data reliability. Contextual analysis placed the findings within the broader framework of international law and defense strategy.

This research aims to offer a nuanced understanding of how Islamic legal principles are applied to modern conflicts by highlighting the ethical, legal, and strategic dimensions of warfare in Islamic jurisprudence. This approach provides comprehensive insights into the interaction between *Fiqh Siyasa* and contemporary asymmetric warfare, contributing valuable knowledge to Islamic studies and the field of defense strategy.

Result

Concept of War and Warfare in Islam

The history of war in the world is as old as the existence of humanity. When examining the concept of war and warfare, there are at least three main elements to consider in identifying their similarities and differences: basic concepts, dimensions, and objectives (Curley, 2012). Conceptually, war is a major conflict involving military forces on land, sea, air, or other strategies to achieve victory. War encompasses political, economic, social, and military aspects and can lead to significant changes in societal structure, governance, and international relations. The objectives of war vary, including defending independence, securing resources, upholding ideologies, and resolving conflicts (Curley, 2012).

War and warfare are closely related to the legal consensus on war issues. Traditional military law of war is generally articulated through two categories: *jus ad bellum* and *jus in bello*. The origins of the armed forces concept with these two perspectives can be traced back to the legal traditions of the interwar period (Rakha Pratama, 2023). According to Baarda & Verweij (2009), with the increasing complexity of intervention, armed conflict, and peacebuilding in the contemporary context, there is a need to refine the classical rules of *jus ad bellum* and *jus in bello* by integrating a third branch of law, namely the rules and principles governing post-conflict peace efforts (Baarda & Verweij, 2009). The idea of a concept encompassing post-war justice aspects is then known as '*jus post bellum*'. Stahn (2006) argues that this idea must be reconsidered within the legal framework, especially when contemporary regulations on *jus ad bellum* and *jus in bello* are increasingly influenced by normative concepts of law and justice, as well as the expanding concept of human security (Stahn, 2006).

Recent warfare around the world has become a thought-provoking topic in various local and international media. Ironically, in recent times, the phenomenon of civil war has become increasingly evident in the Middle East, a region predominantly Muslim, particularly when such actions become uncontrollable. Bomb explosions carried out by terrorists allegedly of Islamic faith have sparked comments in some circles, suggesting that Islam is a religion spread by the sword (violence), both globally and in Indonesia (CNN Indonesia, 2021). Additionally, the prolonged war between Hamas and Israel has also drawn global attention, not only because of the high number of casualties but also

due to the geopolitical instability it has caused, with the conflict spreading to Lebanon, Syria, and Yemen (Al-Jazeera, 2024).

The negative stigma in the world towards some teachings of Islam, such as the concept of war, has prompted Muslims to deconstruct Islamic rules by reinterpreting the Quran and Hadith. However, their efforts have not fully gained support from the Muslim community and have instead caused disputes within society. Muslims are developing a contextual understanding of the Quran and Hadith regarding warfare, often referred to as the *Qital* verses (Asyhari, 2015). Therefore, the Western view that Islam is a religion that teaches violence and is anti-peace is very mistaken. This erroneous view is illustrated by Karen Armstrong, who stated that Islam is called the religion of the sword, a belief that abandons true spirituality, justifies its followers to commit violence, and is intolerant of others (Armstrong, 2004).

War in Islam is governed by certain principles found in the Quran and Hadith (traditions of the Prophet Muhammad). Some basic concepts of war in Islam include: First, war is only permissible for certain purposes. In Islam, war is only allowed as a form of self-defense or to protect human rights. The Quran permits war in response to oppression or to defend religious freedom. Second, Islam emphasizes the importance of proportionality and justice in warfare. Disproportionate actions or those involving injustice against non-combatants are not allowed. Third, Islam forbids harming non-combatants, including women, children, and the elderly. This principle is found in many Quranic verses and Hadiths. Fourth, Islam stresses the importance of honoring treaties and promises, including in the context of war. Breaking a treaty is considered a very serious act. Fifth, Islam recognizes human rights, even in the context of war. The protection of individual rights, such as the right to life, freedom, and property, must be respected.

War is not forbidden in Islam; however, Islam provides guidelines, methods, and purposes for warfare. Unfortunately, many Muslims do not understand these principles. They do not grasp the methods and objectives of warfare as taught by Islam. Islam also has clear laws and does not allow killing indiscriminately, but only those who attack directly or indirectly. On this basis, warfare within the Islamic conception is permitted for the defense of the country and religion and does not aim to seize the sovereignty of other nations that do not share the same faith.

Today, in addition to physical warfare, there is a new pattern of attacking Islam through asymmetric warfare, known as *Ghazwul Fikri* (intellectual warfare), which involves ideas, writings, theories, dialogues, debates, including AI and social engineering, both defensively and offensively. The exhortation to kill Jews and others is an old recommendation and is no longer contextual in the present time.

History of War in Islam

The history of war in Islam covers various periods, including the time of the Prophet Muhammad (peace be upon him), the era of the *Rashidun* Caliphs (the first four caliphs), and subsequent events in Islamic history. A summary of the history of war in Islam can be described as follows.

Table 1
History of War in Islam

The Period of Prophet Muhammad's Life (610-632 CE)	Prophet Muhammad faced numerous battles during his period of life in Mecca and Medina (Ibn Ishaq 1987); The Battle of Badr (624 AD), the Battle of Uhud (625 AD), and the Battle of Khandaq (627 AD) are some examples of battles during this period.
The Khulafaur Rashidin period (632-661 CE)	Abu Bakr, Umar ibn Khattab, Uthman ibn Affan, and Ali ibn Abi Talib (Khulafaur Rashidin) were the caliphs who led the Muslims after the death of the Prophet Muhammad. The War of Riddah (632-633 AD) involved the restoration of Islamic authority after the death of the Prophet Muhammad. Extensive territorial conquests during the reigns of Abu Bakr and Umar, including the conquests of Syria, Egypt, and Persia (Ibn Kathir 1992)
Period of Umayyad Rule (661-750 AD)	The expansion of Islamic territory continued during the Umayyad reign, including the conquest of Spain and France. Major battles such as the Battle of Tours (732 AD) in Spain played an important role during this period.
Period of Abbasid Rule (750-1258 AD)	The peak of Islamic civilisation occurred during Abbasid rule, and there were several internal and external conflicts, including wars against Byzantium and the Khawarij. The Crusades began in the 11th century, which involved conflicts between European Christian and Muslim forces in the Middle East region.
Mongol and Timur Lenk influence (13th-14th century AD)	Mongol raids and conquests by Timur Lenk (Tamerlane) led to the collapse of several Islamic centres of power, including the Abbasid centre in Baghdad (Karen Armstrong 2000).
Ottoman Empire (1299-1922 AD)	The Ottoman Empire was one of the last great Islamic powers. During this period, the Ottomans were involved in battles against many powers, including the war against the Safavids and conflicts with the Persian Empire and Europe (Marshall G.S. Hodgson 1999).

Source: Processed by researchers, 2024

Verses of War and Hadith in Islam

It is important to understand that a verse does not stand alone but is closely related to other verses, particularly those about warfare. Therefore, to understand it, one must refer to other verses with similar themes, such as those related to *qital* (warfare), though not all verses are like those in the Quran, Surah Al-Baqarah: 216, 217, 218, and Surah Al-Hajj: 39. Surah Al-Baqarah, verse 216, emphasizes that Allah has made it obligatory for Muslims to fight against disbelievers, even though war is a difficult task that consumes wealth and causes many casualties. However, sometimes what is disliked has great benefits, and what is liked may have undesirable or harmful aspects.

This verse is the first revealed to mandate warfare, revealed in the 2nd year of *Hijra*. Prior to this, during the Meccan period, Allah did not permit warfare because the Muslims

were not strong enough. Only after the Prophet's migration (*Hijra*) was it allowed to fight against the polytheists who opposed the Prophet, as indicated by verse 39 of Surah Al-Hajj. Subsequently, in verse 218, Allah explains that those who believe, migrate, and strive in the way of Allah are truly seeking Allah's mercy. Scholars have differing opinions on the obligation of migration from a non-Muslim country to an Islamic one today. Some scholars argue that the obligation to migrate depends on the reason; if someone cannot fulfill their religious duties due to threats to their life, then migration is obligatory. The *jihad* referred to in this verse means making every effort to defend Allah's religion and does not necessarily imply warfare.

War is only permissible if there is oppression, as stated in Surah Al-Hajj. The Quran outlines several rules and ethics of war: when and where it is allowed, how to treat prisoners, how to handle spoils of war, and when to cease fighting and make peace. First, warfare is permitted for self-defense against enemy attacks, as emphasized in Surah Al-Baqarah: 90. Second, to avenge oppression, as mentioned in Surah Al-Hajj. Third, to uphold the truth, as noted in Surah At-Tawbah. Fourth, to eliminate persecution, as mentioned in Surah Al-Baqarah: 193. Fifth, to maintain religious peace, as stated in Surah Al-Baqarah: 191.

From this explanation, it can be concluded that war in Islam is fundamentally for self-defense. Islam prohibits its followers from initiating attacks, but if attacked, Muslims are forbidden from retreating, as stated in Surah Al-Anfal: 15-16. In this verse, Allah emphasizes that retreating during battle will incur His wrath. Even if Muslims are victorious, they are not allowed to mistreat defeated enemies, as outlined in Surah Al-Mumtahanah: 7-8. Regarding war captives, Islam provides two options: freeing them without ransom or freeing them with ransom, as specified in Surah Muhammad: 4. Besides these verses, there are also extremist groups that believe Islam should be spread through warfare. Generally, such groups cite a hadith narrated by Ibn Umar as their evidence. The text of the hadith is as follows:

Ibn Umar (may Allah be pleased with him) reported that the Messenger of Allah (peace be upon him) said, "I have been commanded to fight people until they testify that there is no deity but Allah and that Muhammad is the Messenger of Allah, establish prayer, and pay zakat. If they do so, their blood and property will be protected from me, except by the right of Islam. Their reckoning is with Allah." (Reported by al-Bukhari and Muslim)

If this hadith is understood textually, it may lead to the interpretation that non-Muslims can be fought against as long as they do not profess the *shahada* and fulfill the pillars of Islam. Such an understanding could result in widespread conflict. Therefore, to avoid this, it is important to interpret the hadith within the context of why the Prophet made such statements.

Views of Islamic Jurisprudence Schools on the Principles of Islamic Law Regarding War

The opinions of Islamic jurisprudence schools on war vary, and interpretations of Islamic law can be influenced by the legal perspectives of each school (Hanafi, Maliki, Shafi'i, and Hanbali). The Hanafi school tends to adopt a more flexible approach to the law of war. This means that war can occur at any time but is situational and places a greater emphasis on diplomacy. In this regard, Imam Abu Hanifah and his followers stress

the importance of seeking peaceful solutions and advocating tolerance (Burhan al-Din Al-Marghinani, 1990).

The Maliki school, on the other hand, considers local conditions and customs in determining the law of war. War is not viewed as a matter of territorial conquest but rather as influenced by the culture of specific tribes, thus there are specific rules according to the local customs (*Al-'urf*). Imam Malik bin Anas emphasizes respecting local traditions and striving for balance in the application of law.

The Shafi'i school, founded by Imam Al-Shafi'i, tends to view the law of war from a more rigid perspective. War is seen as a complex matter requiring careful consideration due to its significant impact on all aspects of life. Imam Al-Shafi'i established strict principles of warfare, including protection for non-combatants (Imam Abi Abdullah Muhammad Bin Idris Al-Shafi'i, 2014).

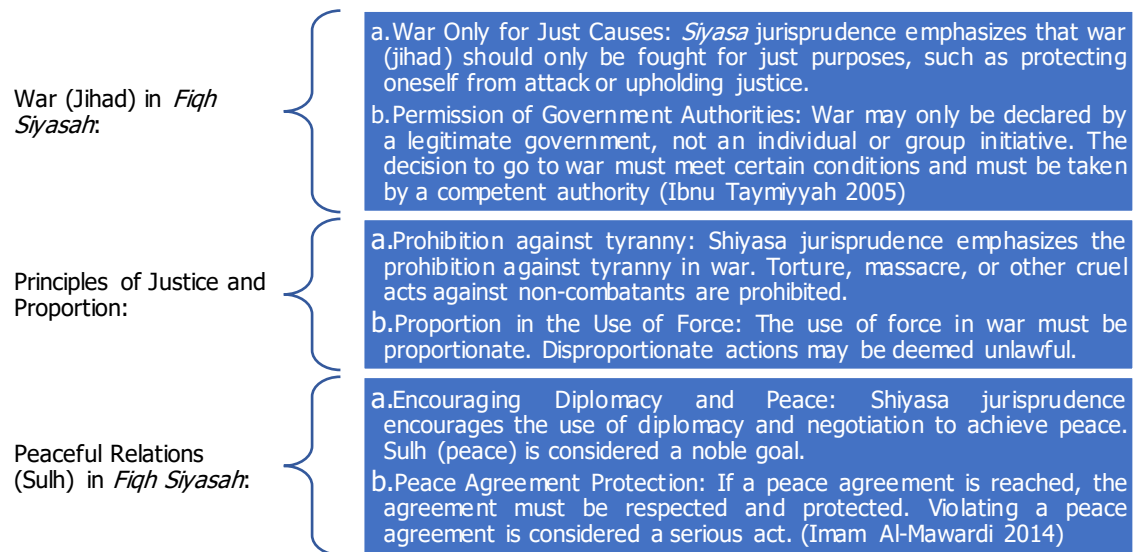
The Hanbali school, continued by Imam Ahmad bin Hanbal, adopts a stringent approach to the law of war. Similar to Imam Shafi'i, determining the stance or conditions of war is considered challenging and requires thorough deliberation. Imam Ahmad bin Hanbal emphasizes adherence to Islamic principles in all aspects of warfare (Ibnu Qudamah, 2013).

Maqasid al-Syariah on War According to Islamic Law

Maqasid al-Syariah, or the objectives of Islamic law, cover various aspects of life, including the issue of war or *jihad*. These principles reflect the positive intentions and general goals that Islamic law seeks to achieve. Some *maqasid* opinions on war or *jihad* in Islam concern the protection of human rights, justice, and the maintenance of society. Some of the key concepts in *al-muwafaqot* are: First, *hifzu al-nafs* (protection of life). One of the main *maqasid* is to preserve and protect human life. Therefore, war in Islam is only allowed in the context of self-defense and against oppression. Second, *hifzu al-mal* (protection of property). Property and property rights must be protected. In the context of war, this means not destroying property and possessions without a valid reason.

Third, *hifzu al-nasl* (protection of offspring). Offspring and family must be protected. Therefore, in warfare, non-combatants as well as women and children must be safeguarded and must not be haunted. Fourth, *hifzu al-din* (protection of religion). Freedom of religion must be respected and protected. In war, Islam allows military action to protect religious rights and freedom of worship. Fifth, *hifzu al-aql* (protection of reason). Human intellect must be protected. Therefore, cruel and brutal actions that harm society and humanity as a whole are not allowed.

Figure 1
Key Aspects of the Fiqh Siyasah Perspective on War and Peaceful Relations



Source: Processed by researchers, 2024

In the literature on *fiqh siyasah*, there are actually two types of *siyasah*: *siyasah syar'iyah* and *siyasah wadh'iyah*. *Siyasah syar'iyah* is a type of *siyasah* that considers religious norms and ethics in its formulation. In contrast, *siyasah wadh'iyah* is a type of *siyasah* that is solely the product of human thought, developed without regard for religious norms and ethics. Both *siyasah syar'iyah* and *siyasah wadh'iyah* have only one source: the source from below, which comes from humans and their environment, such as the opinions of experts (*ara'ahl basher*), customary practices (*al-urf*), traditions (*al-adah*), experiences (*al-tajarib*), and inherited rules (*al-awda'al maurutsah*). These sources of law, derived from humans and their diverse environments, continue to evolve.

In addition to differing in their sources, *siyasah syar'iyah* and *siyasah wadh'iyah* can also be distinguished by their objectives. *Siyasah syar'iyah* aims to guide people toward happiness in both this world and the Hereafter, whereas *siyasah wadh'iyah* seeks only to achieve worldly happiness. Just governance is essential and should be developed and preserved, while unjust governance is inappropriate.

The paradigm of thought is that Islam is a comprehensive religion that encompasses various life systems, including governance (Suyuthi J. Pulungan, 1994). Within this governance system, there must be a leader who governs the surrounding community. This leadership must adhere to the law and not contradict Islamic law regarding the principles of *siyasah fiqh*, which are derived from the Qur'an and Hadith. This regulation concerns the relationships between humans on this earth; as humans, we are obligated to perform good deeds, so Allah SWT will always be pleased with us, as mentioned in QS Ali-Imran (3:27), QS An-Nur (24:55), QS An-Nisa (4:135), and QS Ali-Imran (3:159) (Departemen Agama Republik Indonesia, 2015).

Thus, *fiqh siyasah* is an independent field of knowledge and part of *fiqh*, shaping individuals, society, and the state, covering areas such as worship, transactions, family relations, interpersonal relationships, wealth, inheritance, crime, justice, proof procedures, governance, and international law. The scope of *Fiqh Siyasah* can be

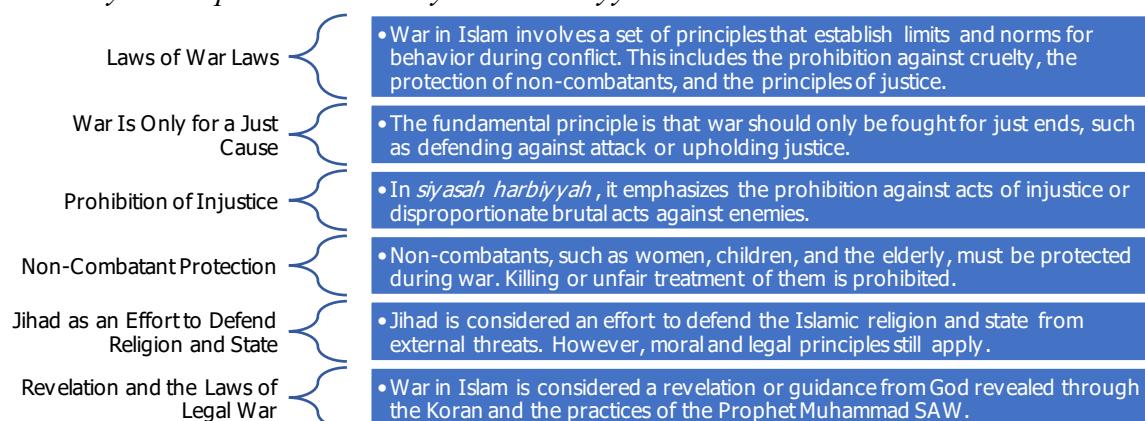
extensive, depending on the areas that need regulation. Some categorize it into five areas, and so on. According to Imam al-Mawardi, the scope of *fiqh siyasah* can be summarized as follows, a) *Siyasah Dusturiyyah*; b) *Siyasah Maliyyah*; c) *Siyasah Qadla'iyah*; d) *Siyasah Harbiyyah*; e) *Siyasah 'Idariyyah* (Al-Mawardi 2006).

According to Ibn Taymiyyah, based on QS An-Nisa (4:58 and 59), Ibn Taymiyyah divided the scope of *fiqh siyasah* into a) *Siyasah Qadla'iyah*; b) *Siyasah 'Idariyyah*; c) *Siyasah Maliyyah*; and d) *Siyasah Dauliyyah/Siyasah Kharijiyyah*. Meanwhile, Abdul Wahhab Khalaf believed that *Fiqh Siyasah* involves creating necessary legislation for state administration in accordance with the core principles of religious teachings (Abdul Wahab Khallaf, 1977).

Maqasid al-Siyasah al-Harbiyyah, or the laws of war in Islam, include principles that govern warfare within the context of *siyasah fiqh*. This involves understanding the laws of war (*jihad*) and principles that regulate relations with enemies. Some key concepts related to *siyasah harbiyyah* are:

Figure 1

Key Concepts Related to Siyasah Harbiyyah



Source: Processed by researchers, 2024

So, war is the last way Islam regulates and has a conception of relations as a form of peace between *Dar al-Salam* and *Dar al-Kuffar* since long ago in the form of treaties or agreements such as the Medina charter, *Hudaibiyah* agreement, *Aqobah 1* and *2* agreements, and so on. The regulation shows the greatness of the Islamic concept of Human Rights. Human Rights in international relations according to the perspective of *Fiqh Siyasah*, especially in *Siyasah Harbiyyah* to maintain social stability.

The Dynamics of War Generations and Understanding Asymmetric Warfare

The methods and practices of warfare can generally be categorized into various types based on different factors such as periods (e.g., prehistoric warfare, ancient warfare, modern warfare); theaters, meaning the locations of battles (e.g., land warfare, naval warfare, aerial warfare); types of weapons used (e.g., submarine warfare, chemical warfare, nuclear warfare); social groups involved (e.g., Roman warfare, Chinese warfare, Arab warfare); or tactics employed (e.g., guerrilla warfare, siege warfare, asymmetric warfare) (Lele, 2014).

Throughout human history, the concept of war has undergone significant evolution alongside advancements in technology, politics, and society. War generations reflect substantial changes in the nature and character of armed conflict, distinguishing one era from another. From conventional wars involving land power tactics and strategies to symmetric and asymmetric wars incorporating multidimensional aspects like technology, information, and global policies, each generation of warfare signifies a major transformation in how humans engage in conflicts. By deeply understanding each generation of warfare, we can trace human history in responding to fundamental challenges and changes, and uncover valuable lessons for shaping a more peaceful future. At least now, the history of warfare can be depicted in five generations (Bassiouni, 2008; Curley, 2012).

The first generation of the modern era began around 1648-1615, influenced by Napoleon's military strategies, minimal technology, and linear interaction processes. This period saw the development of military tactics such as smoothbore techniques, line formations, and routes. The second generation, from 1642-1651, witnessed the emergence of APIs, military tactics, and modern warfare. This period also saw the rise of military power, with changes in military doctrine and the use of modern weapons. The third generation, between 1945 and 1970, was characterized by the rise of military power, political parties, and civil society. This generation was marked by psychological operations, time usage, and the increased influence of civil society. The fourth generation was distinguished by the use of computer systems and data storage in cyberspace, leading to a more advanced military era.

In its development, warfare has become so broad in scope that it has given rise to what is known as asymmetric warfare. Asymmetric warfare is a new form of conflict different from symmetric warfare (Arreguín-Toft, 2001), although some views see it as an old form of warfare with a new face (Lele, 2014; Svete, 2009). Symmetric warfare, conventional warfare, traditional warfare, or military warfare, involves the armed forces of a state with tools, techniques, and values of war agreed upon and regulated by International Humanitarian Law (Frank, 2009; Michael Krepon & Clary, 2003). Military warfare deploys its armed forces to dominate the opponent through three main stages: 1) bombing, 2) cavalry or mounted troops, and 3) infantry occupation. Symmetric warfare relates to the control of physical territory through percentages, whereas asymmetric warfare targets human populations, with nationalism being the primary threat (Clausewitz, 2007).

Asymmetric warfare represents a form of warfare with patterns that have existed for a long time but present new concerns. This type of warfare involves elements beyond the military, including targeting economic, political, social aspects, and more fundamentally, ideology. By definition, asymmetric warfare is a form of conflict where the parties involved have highly unequal power, resources, and strategies (Arreguín-Toft, 2001; Frank, 2009). In asymmetric warfare, one side is generally stronger militarily, economically, or politically, while the other side, often conventionally weaker, seeks alternative methods to achieve its goals. This power gap drives the weaker side to develop unconventional tactics and strategies to challenge the stronger side (Thornton, 2007).

Characteristics of asymmetric warfare involve the use of non-traditional tactics such as guerrilla warfare, terrorism, propaganda, and information technology. The weaker side can exploit complex environments, such as cities or densely populated areas, to fight the stronger side in unconventional battles. Additionally, weaker parties tend to use

unexpected resources and strategies, such as propaganda campaigns or terrorist attacks, to undermine the morale and security of their opponents (Blank, 2003; Cordesman et al., 2016).

It can be synthesized that the understanding and practice of warfare today differ from those in the past, which were governed by customary laws. Nowadays, besides physical warfare, new patterns in warfare within the context of Islamic understanding include “*Al-harbu ghayyru al-mutakafiat*” (Asymmetric Warfare), such as “*Al-Harbu Al-Teknulujiah*” (Technological Warfare), “*Al-Harbu Al-Fikriyat*” (Intellectual Warfare), “*Al-harbu Dzaakai Al-Istinaiy*” (Artificial Intelligence Warfare), and “*Al-Harbu Al-Akhbari Al-Kadzibati*” (Fake News Warfare). These involve thinking, writing, theories, ideas, dialogue, hoaxes, AI, propaganda, and debates that are both defensive and offensive.

Dimensions of Asymmetric Warfare

The state's response to new forms of asymmetrical challenges can be seen from two approaches, namely the threat target dimension approach and the threat coverage approach. First, the threat dimension target approach is understood as a line, aspect, or field of state life that is potentially affected by asymmetrical threats. The target dimensions include politics, society, culture, ideology, economy, and science and technology. Second, the threat scope approach is understood concerning the linkage of defense and security functions. This scope approach includes military and non-military. This scope also relates to who (in the sense of any state institution) will carry out policies to deal with the above contemporary challenges. This can be illustrated through the pattern of state policy seen in the description below (Frank, 2009; Lele, 2014; Svete, 2009).

Table 2
State Policy Patterns

Dimensions of Threat Targets	
Politics	: Relates to general state policies, the interests of large groups, interdependence between states, the interests of other countries, and international organizations in Indonesia, including patterns of national stability and security, as well as national defense.
Ideology	: Concerns the discourse of ideological change, the infiltration of transnational ideologies, and the erosion of Pancasila through ideological mixing.
Sociocultural	: Involves changes in societal conditions, the introduction of foreign cultures, and the assimilation-acculturation of cultures that are not matched by the level of societal civility.
Economics	: Includes trade wars, capitalist groups, debt instruments, and the economic interests of other countries.
Science and Technology	: Encompasses massive information, negative impacts of technology, and technological competition for non-physical attacks (cyber, proxy, etc.).

Scope of Threats	
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Military	: Handled by defense and security apparatus (TNI and Polri).
Non-military	: Managed by Ministries/Agencies/Local Governments and across sectors.

Source: Processed by researchers, 2024

In the context of history, there has been a significant difference in the military strength and strategies applied by countries involved in conflicts during various periods. However, following the events of 9/11, there has been a substantial shift in the characteristics and nature of warfare itself, particularly in the context of conflicts between state and non-state entities. There is a clear trend in the use of unconventional tools and tactics, such as guerrilla warfare, terrorism, irregular conflicts, and other forms increasingly identified with non-state actors. All of this results in a dynamic of warfare where non-state actors asymmetrically exploit certain methods to leverage the vulnerabilities of states, aiming to achieve impacts disproportionate to the efforts made. This article discusses the concept of asymmetric warfare, involving the characteristics of the parties involved, and state responses in the context of the 21st century (Lele, 2014). The asymmetrical power patterns between states and non-state actors in a conflict generally lead to violations of International Humanitarian Law (IHL) by the weaker non-state parties. Additionally, non-state actors tend to prioritize media attention, driving them to engage in IHL violations that cannot be ignored by the media. The actions of the state are then used by non-state actors as justification to continue or even escalate IHL violations (Bassiouni, 2008).

Forms of Asymmetric Warfare

In general, asymmetric warfare can be categorized into three main types: strategic asymmetry, tactical asymmetry, and proxy warfare. In the context of 'strategic asymmetric warfare,' the parties involved initially deploy similar forces, and the outcome is determined by the quality and quantity of the opposing forces. Sometimes, even when parties deploy similar forces, the outcome of battles and/or campaigns can be determined by the larger number or more effective command and control by one side. In 'tactical asymmetric warfare,' one party may have a technological advantage that can overcome the numerical superiority of the enemy. Training, tactics, and technology have proven to have a significant impact, allowing a smaller force to counter a much larger one (Bassiouni, 2008). When the weaker force is in a defensive position, such as in situations of attack or occupation, unconventional tactics like selective hit-and-run can be employed to exploit the vulnerabilities of the superior force, serving as effective actions without violating the principles of the laws of war. Lastly, in 'proxy warfare,' asymmetric warfare is conducted (usually covertly) by non-state actors with ties or loyalty to the interests of a state actor. In other words, non-state actors function as proxies for state actors (Anthony H. Cordesman & Toukan, 2016).

The stages of asymmetric warfare include: 1) infiltration, 2) exploitation, 3) political manipulation, 4) brainwashing, and 5) achieving objectives. Asymmetric warfare involves at least four main variables: (a) the massive use of technology, (b) the influence of leadership and power, (c) the role of the population or human resources, and (d) military doctrine and thought, which still appear in some cases (Caforio, 2012; Manwaring, 2012).

The confrontation between two major states—the United States (US) and Russia—in the cyber realm provides a glimpse into how new forms of warfare emerge (George Bush Institute, 2017). This form of unconventional attack can be placed within the perspective of asymmetric warfare: situated within the context of warfare and viewed through the lens of asymmetric threats. Tensions between Russia and the US have existed since the 1940s, specifically since the onset of the Cold War, and they seem to persist today. Although open warfare has not occurred between the two, it manifests in other forms of “warfare” not widely visible to the public (Sebayar, 2020).

In asymmetric warfare, the role of psychology is closely related, often referred to as psychological (cognitive) operations. In understanding the role of psychology in asymmetric threats, public opinion is influenced in such a way that collectively creates a certain understanding according to the desires of the influencing actors. These actions are undertaken to gain sympathy, strengthen the legitimacy of certain groups or ideologies, and frame opponents with negative or positive perceptions. The psychological aspect of asymmetric warfare serves as a form of “brainwashing” through the mass dissemination of information (Svete, 2009). In this context, it means that framing is created to achieve specific outcomes, such as winning support for a political figure. This becomes a powerful element of asymmetric warfare where the strength of the population is capitalized into a reliable force (Manwaring, 2012). The boundaries in the cyber arena become very blurred due to the difficulty of identification (George Bush Institute, 2017). Another tangible example of asymmetric warfare is the 2003 report of a large-scale cyberattack by China on the United States, known as the Titan Rain attack. This attack persisted for three years, targeting key institutions in the United States (DetikNet, 2021).

Conclusion

Based on the analysis previously, it can be concluded that there are two important aspects that illustrate the relevance of the concept of war in Islam to the concept of asymmetric warfare. First, the concept of war in Islam is viewed as a last resort after failed peace efforts, emphasizing the defense of the state and religious beliefs. In Islam, war is only permitted as a last resort when peace efforts have failed, aligning with the concept of asymmetric warfare where conflicts often occur in non-military and unconventional domains before direct military engagement. In Islam, war is not prohibited as long as it aims to defend the state and religious beliefs, reflecting an asymmetric aspect where the goals of warfare may be related to protecting values and beliefs rather than conventional military objectives. Essentially, war is permissible in situations of extreme urgency or as a last resort.

Second, the shift in modern warfare dynamics towards asymmetry is heavily influenced by advancements in technology and science. Contemporary warfare not only involves physical conflicts but also includes battles of ideas, information, and artificial intelligence. The understanding that modern warfare encompasses not only military aspects but also non-military and asymmetric elements aligns well with the evolving characteristics of asymmetric warfare in the modern context.

This research concludes that although *siyasaḥ harbiyyah* has accommodated the understanding of warfare, it cannot be applied linearly to address new challenges posed by asymmetric warfare. This is due to the involvement of non-state actors, non-military forms of warfare, and stages that differ from conventional military warfare. However, the framework of Islamic jurisprudence can be applied to respond to these new forms of

warfare, including addressing ambiguities between defining victims and perpetrators. Therefore, it would be valuable for future research to explore different perspectives, such as changes in warfare forms to non-military aspects like technological warfare, cognitive warfare, AI warfare, and fake news warfare, which demonstrate the evolution of warfare toward more complex and abstract dimensions. Such research would highlight how warfare today is no longer purely military but has transformed into non-military and asymmetric forms, making it crucial to enhance a country's human resource capacity to prepare for these asymmetric threats.

References

- Al-Jazeera. (2024). Israel war on Gaza updates: 'Pattern of systematic mass killing' continues.
- Al-Maraghi, AM (1969). Tafsir al-Maraghi Jilid IV. Mesir: Musthafa al-Bab al-Halabi.
- Al-Marghinani, B. (1990). Al-bidayah syarh bidayah al-mubtadi Beirut: dar al-kutub imiyyah.
- Al-Mawardi, I. (2014). Al-Ahkam al-Sultaniyyah (terjemahan). Jakarta: Qisthi Pers.
- Athony H. Cordesman, & Toukan, A. (2016). Tantangan Perang Asimetris: Intimidasi, Pencegahan, dan Pertikaian dari Iran dan Aktor Non-Negara.
- Armstrong, K. (2000). Islam: Sejarah Singkat. New York: Perpustakaan Modern.
- Armstrong, K. (2004). Muhammad Biografi Nabi, Ter. Joko Sudaryanto, "Biografi Muhammad Sang Nabi", Yogyakarta: Penerbit Jendela.
- Arreguín-Toft, I. (2001). Bagaimana Yang Lemah Memenangkan Perang: Teori Konflik Asimetris. Keamanan Internasional.
- Ash Shiddieqy, Hasby. 1991. Pengantar Siyasa Syar'iyah, Yogyakarta: Madah
- Astina, I. (2018, Juli 15). *12 Agen intelijen Rusia Didakwa AS Terlibat Peretasan di Pemilu 2016*. Retrieved from Merdeka.com: <https://www.merdeka.com/dunia/12-agen-intelijen-rusia-didakwa-as-terlibat-peretasan-di-pemilu-2016.html>
- Bassiouni, M. C. (2008). New Wars and the Crisis of Compliance with the Law of Armed Conflict by Non-State Actors. *Journal of Criminal Law and Criminology*, 98(3), 711–810.
- BBC. (2016, Desember 30). *Amerika Serikat Usir 35 Diplomat Rusia Terkait Tuduhan Serangan Maya*. Retrieved from BBC News Indonesia: <https://www.bbc.com/indonesia/dunia-38464027>
- Burhan al-Din Al-Marghinani. (1990). Al-Bidayah Syarh Bidayah al-Mubtadi. Dar al-kutub al-ilmiah.
- CNN Indonesia. (2021). "Daftar Kasus Ledakan Bom di Indonesia 2 Dekade Terakhir." <https://www.cnnindonesia.com/Nasional/20210328150157-20-623072/Daftar-Kasus-Ledakan-Bom-Di-Indonesia-2-Dekade-Terakhir>.
- Coker, C. (2001). *Asymmetric warfare: A primer*. Routledge.

- Curley, R. (2012). *The Science of War: Strategies, Tactics and Logistics* (First Edit). Britannica.
- Clausewitz, C. V. (2007). *On War*. Oxford: Oxford University Press.
- CSIS. (2021). *Significant Cyber Incidents Since 2006*. Center for Strategic and International Studies.
- Departemen Agama Republik Indonesia. (2015). *Al-Qur'an*. Departemen Agama Republik Indonesia.
- DetikNet. (2021, Oktober 21). *7 Serangan Cyber yang Menghebohkan Dunia*. Retrieved from Detik.com: <https://inet.detik.com/security/d-2084499/7-serangan-cyber-yang-menghebohkan-dunia>
- English, T. (2021, Oktober 21). *What Are EMPs and How Are They Used in Warfare?* Retrieved from Interesting Engineering: <https://interestingengineering.com/what-are-emps-and-how-are-they-used-in-warfare>
- Fauzia Gustarina Cempaka Timur, Y. M. (2019). Facing ISIS Returning Foreign Terrorist Fighters: Indonesia Perspective. *Jurnal Pertahanan: Media Informasi tentang Kajian & Strategi Pertahanan yang Mengedepankan Identity, Nasionalism & Integrity Volume 5 Issue 2*, 38-47.
- George Bush Institute. (2017). *Cyber Warfare: The New Front*. Retrieved Januari 27, 2021, from George Bush Institute: <https://www.bushcenter.org/catalyst/modern-military/sciarrone-cyber-warfare.html>
- Hamid, A. (2011). *The principles of Islamic jurisprudence*. Islamic Texts Society.
- Hashmi, S. H. (2012). *Just war in Islam: Principles and perspectives*. Oxford University Press.
- Ibnu Qudamah. (2013). *Al-Mughni* jilid 12 (Terjemahan). Pustaka Azzam.
- Imam Abi Abdullah Muhammad Bin Idris Al-Syafi'i. (2014). *Al-Umm* (terjemahan). Dar Al-Kutub al-Ilmiyah .
- Jamieson, K. H. (2018). *Cyberwar: How Russian Hackers and Trolls Helped Elect a President*. Oxford: Oxford University Press.
- Juniarto, D. (2018, 10 22). *Menguak Perang Siber dalam Pilpres AS dan Cara Menghadapinya*. Retrieved from Kompas.com: <https://tekno.kompas.com/read/2018/10/22/09141657/menguak-perang-siber-dalam-pilpres-as-dan-cara-menghadapinya?page=all>
- Kaldor, M. (2013). *New and old wars: Organized violence in a global era*. Stanford University Press.
- Kertopati, L. (2017, April 10). *Hacker Rusia yang Retas Pemilu AS Terjegal di Spanyol*. Retrieved from CNN Indonesia: <https://www.cnnindonesia.com/internasional/20170410191645-134-206419/hacker-rusia-yang-retas-pemilu-as-terjegal-di-spanyol>

- Lestari, D. (2022, Januari 2022). *Australia, Inggris Bakal Balas Serangan Siber dari China, Rusia, Iran*. Retrieved from Kompas.com: <https://www.viva.co.id/berita/dunia/1442323-australia-inggris-bakal-balas-serangan-siber-dari-china-rusia-iran>
- Manwaring, M. G. (2012). *The Complexity of Modern Asymmetric Warfare*. Norman: University of Oklahoma Press.
- Maryati. (2017, Januari 10). *Rusia Bantah Terlibat dalam Peretasan Selama Pemilu AS*. Retrieved from Antara News: <https://www.antaraneews.com/berita/605754/rusia-bantah-terlibat-dalam-peretasan-selama-pemilu-as>
- Pereira, V., & Kunkolienkar, G. R. (2013). EMP (Electro-Magnetic Pulse) weapon technology along with EMP shielding & detection methodology. *Fourth International Conference on Computing, Communications and Networking Technologies (ICCCNT)*. IEEE.
- Rakha Pratama, F. G. (2023). Revitalisasi Kewaspadaan Nasional Melalui Sistem Pertahanan dan Keamanan terhadap Ancaman Perang Asimetris. *NUSANTARA: Jurnal Ilmu Pengetahuan Sosial* 10 (9), 4538-4559.
- Sanger, D. E. (2018). *The Perfect Weapon: War, Sabotage and Fear in the Cyber Age*. New York: Crown Publishing.
- Sebayang, R. (2020, Agustus 10). *Laporan Intelijen! Capres AS Ini Didukung Rusia-China-Iran*. Retrieved from CNBC Indonesia: <https://www.cnbcindonesia.com/news/20200810070647-4-178535/laporan-intelijen-capres-as-ini-didukung-rusia-china-iran>
- Sidik, J. M. (2016, Juli 28). *Donald Trump Minta Bantuan Rusia Ungkap Skandal Email Hillary*. Retrieved from Antara News: <https://www.antaraneews.com/berita/575476/donald-trump-minta-bantuan-rusia-ungkap-skandal-email-hillary>
- Suyuthi J. Pulungan. (1994). *Fiqih Siyasah: Ajaran, Sejarah dan Pemikiran*. Raja Grafindo Persada.
- Tampubolon, K. E. (2019, Maret). Perbedaan Cyber Attack, Cybercrime, dan Cyber Warfare. *Jurist-Diction*, 2, 539-554.
- Thornton, R. (2007). *Asymmetric Warfare: Threat and Response in the Twenty-First Century*. Cambridge: Polity Press.
- Timur, C. (2021). *Psychology Roles in Asymmetric Warfare*.
- Utomo, H. F. (2018, Desember 18). *Rusia Sabotase Suara Warga Keturunan Afrika di Pemilu AS 2016?* Retrieved from Liputan6.com: <https://www.liputan6.com/global/read/3838075/rusia-sabotase-suara-warga-keturunan-afrika-di-pemilu-as-2016>
- VOA. (2016, Oktober 19). *FBI dan Polisi Ceko Tangkap Peretas Rusia di Praha*. Retrieved from VOA Indonesia: <https://www.voaindonesia.com/a/fbi-dan-polisi-ceko-tangkap-peretas-rusia-di-praha/3557715.html>

Winterfeld, S., & Andress, J. (2013). *The Basics of Cyber Warfare Understanding the Fundamentals of Cyber Warfare in Theory and Practice*. Waltham: Elsevier.

Wright, Q. (1983). *A study of war*. University of Chicago Press.

Zaman, M. Q. (2002). *The ulama in contemporary Islam: Custodians of change*. Princeton University Press.