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A Genealogy of Radical Islam

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A genealogy of the radical ideas that underline al-Qaeda's justification for violence shows that the development of jihadi thought over the past several decades is characterized by the erosion of critical constraints used to limit warfare and violence in classical Islam. This erosion is illustrated by the evolution of jihadi arguments related to apostasy and waging jihad at home, global jihad, civilian targeting, and suicide bombings.

Introduction

Al Qaeda and the radical fundamentalists that constitute the new "global jihadi movement" are not theological outliers. They are part of a broader community of Islamists known as "Salafis" (commonly called "Wahhabis").[1] The term "salafi" is used to denote those who follow the example of the companions (*salaf*) of the Prophet Mohammed. Salafis believe that because the companions learned about Islam directly from the Prophet, they commanded a pure understanding of the faith. Subsequent practices, in contrast, were sullied by religious innovations that infected the Muslim community over time. As a result, Muslims must purify the religion by strictly following the Qur'an, the Sunna (path or traditions of the Prophet Mohammed), and the consensus of the companions. Every behavior must be sanctioned by these religious sources.

Although there is consensus among Salafis about this understanding of Islam, there are disagreements over the use of violence. The jihadi faction believes that violence can be used to establish Islamic states and confront the United States and its allies. Nonviolent Salafis, on the other hand, emphatically reject the use of violence and instead emphasize propagation and advice (usually private) to incumbent rulers in the Muslim world.[2] These two groups demarcate the most important fissures within the Salafi community, although there are individuals and movements that do not fall neatly into either, including influential figures like Mohammed Sorour (now in London), Safar al-Hawali, and Salman al-Auda.

Understanding the genealogy of the radical jihadis necessitates identifying the key points of divergence within the Salafi community. Given a common understanding about

following the strict model of the Prophet and his companions, what are the major points of disagreement? This article identifies four major points of contention among Salafis: (1) whether Muslims can call leaders apostates and wage jihad against them; (2) the nature of a "defensive" and global jihad; (3) the permissibility of targeting civilians; and (4) the legitimacy of suicide bombings (what radicals call "martyrdom operations"). How and why did the radicals diverge from the majority of Salafis on these issues? Who supported the divergent ideological trends, and how have these trends evolved over time?

The answers to these questions lie, to a large extent, in the inherently subjective process of religious interpretation whereby immutable religious texts and principles are applied to new circumstances and issues. The Qur'an and the Sunna of the Prophet Mohammed outline numerous rules about politics, economics, society, and individual behavior, but they do not directly respond to many questions relevant to the modern period. As a result, Salafis (and other Muslims) ask themselves what the Prophet would do if he were alive today. Given the way he lived his life and the principles he followed, how would he respond to the issues facing contemporary society? It is a process of extrapolation based on independent judgment (*ijtihad*) and reasoning by analogy (*qiyas*). So, for example, what would the Prophet say about the use of weapons of mass destruction? Clearly neither the Qur'an nor the Sunna speaks directly to this issue. Some radicals, however, argue that there is evidence that the Prophet would have supported the use of weapons of mass destruction if he were alive today. Specifically, they cite the siege of Ta'if in which the Prophet authorized the use of a catapult against a walled city where enemy fighters mixed with civilians, what jihadis call the "weapon of mass destruction of his day."[3] This process of reasoning invariably leads to differences of opinion about how the Prophet would respond to current issues.

The subjective nature of this process is nicely captured by a member of the Shura Council and Military Wing of the Gamiyya Islamiyya in Egypt during a group interview in June 2002 in which leaders explained why they abandoned the violent struggle initiated by the movement during the earlier 1990s:

> Shari'ah [the straight path of Islam, Islamic law] cannot be separated from reality. You must read both the reality and the relevant text before applying the right verses to the appropriate reality. Mistakes stem from the fact that the right text is sometimes applied on irrelevant reality.[4]

The leaders cited the decision by certain members of the movement to seize property belonging to Coptic Christians as an example. One responded that, "The person who did this used to apply certain texts to the wrong reality. The Islamic ruling on seizing loot belonging to the infidels applies to wars against the infidels, such as the war against the Jews in 1973 because it was a clear war. As for applying this principle to fellow citizens who are a part of this country's fabric, it is wrong."[5]

In tracing the evolution of jihadi thought over the past few decades, it appears that many of the shifts and changes are the result of new understandings about context rather than new readings of the religious texts and concomitant principles. Jihadis continue to use the same texts, quotes, and religious evidence as other Salafis, but they have developed new understandings about context and concepts such as "belief," "defense against aggression," and "civilians." The evolution of jihadi thought is less about changing principles embedded in the religious texts than the ways in which these principles are operative in the contemporary period.

This is not to argue that theology is completely irrelevant. Certainly, individual thinkers like Taqi al-Din Ibn Taymiyya (1263–1328), Muhammad bin Abdul Wahhab (1703–1792), Mawlana Abul A'la Mawdudi (1903–1979), and Sayyid Qutb (1906–1966) offered new understandings of the religious texts that challenged dominant interpretations, but subsequent thinkers, for the most part, merely adapted these understandings to new issues, often stretching them to their logical conclusion in a way that increased the scope of permissible violence.

Charges of Apostasy (*Takfir)* and Waging Jihad at Home

The vast majority of Muslims are conservative in their approach to declaring someone an apostate, a process known as *takfir*. The seriousness of the endeavor is underscored by a number of Qur'anic cautionary notes and stories about the Prophet. A few examples include:

> If a Muslim calls another *kafir* [unbeliever], then if he is a *kafir* let it be so; otherwise, he [the caller] is himself a *kafir*. (saying of the Prophet from Abu Dawud, *Book of Sunna*, edition published by Quran Mahal, Karachi, vol. iii, p. 484)

> No man accuses another man of being a sinner, or of being a *kafir*, but it reflects back on him if the other is not as he called him. (saying of the Prophet from Bukhari, *Book of Ethics*; Book 78, ch. 44)

> Withhold [your tongues] from those who say "There is no god but Allah"—do not call them *kafir*. Whoever calls a reciter of "There is no god but Allah" as a *kafir*, is nearer to being a *kafir* himself. (reported from Ibn Umar)[6]

Most Muslims believe that, as the Prophet said, "whoever accuses a believer of disbelief, it is as if he killed him."[7] Therefore, so long as a leader has a "mustard seed of faith" and implements the prayer, he is still considered a Muslim. (Throughout this article, the pronoun "he" is used because this is the jihadi standard. It must be recognized, however, that it encompasses both males and females.) From this perspective, a leader only becomes an apostate if he willingly implements non-Islamic law, understands that it does not represent Islam, and announces that it is superior to Islam. Otherwise, the leader could be ignorant, coerced, or driven by self-interest, failings that signify sinfulness, not apostasy. This is the line of argument represented by the Salafi mainstream.[8]

This reading of apostasy requires absolute proof of intentions, something that is nearly impossible unless the ruler publicly announces his disbelief. Nonviolent Salafis have, in fact, created a complex decision-making tree for excommunication that makes it extremely difficult to declare someone an apostate. They may charge a person with committing an *act* of apostasy, but unless that individual willingly proclaims that the act is Islamic, after clear evidence to the contrary, or announces that it is superior to Islam, he remains a Muslim. The culprit may go to Hell if he does not repent before dying, but that is for God to decide.

The nonviolent Salafis also believe it is forbidden to fight against rulers. Most cite the well-accepted prohibition against killing other Muslims, as outlined in Qur'an 4:92: "It is not for a believer to kill a believer unless (it be) by mistake."

The current jihadi argument about apostasy developed out of Egyptian and Saudi

intellectual streams. The Egyptian lineage has its roots in British-controlled India. Conservative Indian Muslims were concerned that many Hindu converts to Islam were retaining earlier cultural practices and that Shi'ism and the British were undermining the purity of Sunni Islam. Hardliners reacted by drawing a sharp distinction between "true believers" and the infidels, which included Muslims who deviated from a rigid interpretation of Islam (apostates). Radical Sunni groups supporting this Manichean perspective emerged in Northern India during the 1820s and 1830s, including a movement led by Sayyid Ahmad Rai-Barelvi.[9] The conservative bent to these groups prompted the British to denote them as "Wahhabis" after the puritanical sect found on the Arabian Peninsula.

These conservatives were the intellectual predecessors to Mawlana Abul A'la Mawdudi, who in the 1930s seemed to give a "modernist cast to Sayyid Ahmad Rai-Barelvi's approach."[10] Whereas Rai-Barlevi and others rejected anything Western as antithetical to Islam, Mawdudi sought to appropriate Western technology, science, and other aspects of modernity while returning to the fundamentals of Islam. For modernists, the positive aspects of the West could be used to strengthen the Muslim community against Western imperialism. At the same time, despite this difference with earlier conservatives, Mawdudi adopted the strict distinction between belief and disbelief developed by Rai-Barelvi and his ilk.

Mawdudi's work drew extensively from Taqi al-Din Ibn Taymiyya, the best known medieval Salafi scholar, particularly his writings on the sovereignty of God.[11] One of Ibn Taymiyya's most important contributions to Salafi thought is his elaboration of the concept of *tawhid*—the unity of God. He divided the unity of God into two categories: the unity of lordship and the unity of worship. The former refers to belief in God as the sole sovereign and creator of the universe. All Muslims readily accept this. The second is affirmation of God as the only object of worship and obedience. Ibn Taymiyya reasoned that this latter component of divine unity necessitates following God's laws. The use of human-made laws is tantamount to obeying or worshipping other than God and thus apostasy. Mawdudi adopted this position and drew a sharp bifurcation between the "party of God" and the "party of Satan," which included Muslims who adhered to human-made law.

In making this argument, Mawdudi introduced his concept of "the modern jahiliyya" (circa 1939). The term "jahiliyya" refers to the "period of ignorance" (or period of paganism) preceding the advent of Islam. He argued that the deviations of self-proclaimed Muslims, the influence of imperialist powers, and the use of non-Islamic laws were akin to this earlier period of ignorance. For Mawdudi, true Muslims must struggle against this ignorance, just as the Prophet and his companions struggled against the paganism of the dominant Quraysh tribe in Mecca. In 1941, he formed the Jamaat-i-Islami as the spearhead of this struggle, a vanguard viewed as necessary to promote God's sovereignty on Earth.[12]

Mawdudi's importance for the Egyptian stream is his impact on Sayyid Qutb, often seen as the godfather of revolutionary Sunni Islam (he was executed by Nasser in 1966).[13] Qutb read Mawdudi's most influential works, including *Jihad in Islam*, *Islam and Jahiliyya*, and *Principles of Islamic Government*, which were translated into Arabic beginning in the 1950s. A more direct connection existed through one of Mawdudi's most important protégés, Abdul Hasan Ali Nadvi, who was a central figure in transmitting his mentor's theories to the Arab world. In 1950, Nadvi wrote *What Did the World Lose Due to the Decline of Islam?*, a book published in Arabic that expounded on Mawdudi's theory of modern jahiliyya. When he first traveled to the Middle East in 1951, Nadvi met with

Qutb, who had already read his book. Both Mawdudi and Nadvi are quoted at length in Qutb's *In the Shade of the Qu'ran*, published in 1953.[14]

In *In the Shade of the Qu'ran*, Qutb outlines his view of the modern jahiliyya, which provides the cornerstone for declaring rulers apostates and waging jihad.

> Jahiliyya (barbarity) signifies the domination (hakamiyya) of man over man, or rather the subservience to man rather than to Allah. It denotes rejection of the divinity of God and the adulation of mortals. In this sense, jahiliyya is not just a specific historical period (referring to the era preceding the advent of Islam), but a state of affairs. Such a state of human affairs existed in the past, exists today, and may exist in the future, taking the form of jahiliyya, that mirror-image and sword enemy of Islam. In any time and place human beings face that clear-cut choice: either to observe the Law of Allah in its entirety, or to apply laws laid down by man of one sort or another. In the latter case, they are in a state of jahiliyya. Man is at the crossroads and that is the choice: Islam or jahiliyya. Modern-style jahiliyya in the industrialized societies of Europe and America is essentially similar to the old-time jahiliyya in pagan and nomadic Arabia. For in both systems, man is under the dominion of man rather than Allah.[15]

Qutb brought together Mawdudi's "modern jahiliyya" and Ibn Taymiyya's argument that the unity of God requires that Muslims follow divine law, creating a synthesis that reinforced the stark distinction between the Party of God and the Party of Satan: all those who do not put faith into action through an Islamic legal system and strictly obey the commands of God are part of the modern jahiliyya and no longer Muslims. In the Middle Eastern context, this meant apostasy because most members of the "jahiliyya community" were born Muslims.

Qutb's solution to the modern jahiliyya, however, was a stark departure from Mawdudi, who sought to work within the system. Whereas Mawdudi formed a political party and social movement to promote reform, Qutb advocated jihad to establish an Islamic state. In doing so, he argued against well-established Islamic legal opinions that jihad was primarily a struggle against the soul (*jihad al-nafs*) or a defensive war to protect the Muslim community. In a kind of Islamic liberation theology, he argued that force was necessary to remove the chains of oppression so that Islamic truth could predominate. Even more importantly, because the rulers in the Muslim world used non-Islamic legal codes, they were part of the modern jahiliyya and therefore not real Muslims. As infidels, they could be fought and removed from power, because the primary objective of Muslims is to establish God's rule on earth (divine *hukm*).

Qutb's argument found its most infamous manifestation in Mohammed al-Faraj's *The Neglected Duty*.[16] Faraj was a member of Islamic Jihad and used the book as a kind of internal discussion paper to explain and defend the group's ideology.[17] The book uses several lines of argument that have become staples of jihadi discourse. First, Faraj draws on Ibn Taymiyya to argue for the centrality of jihad in faith. He uses an assortment of quotes and hadiths (stories about the Prophet) in an effort to demonstrate that "jihad is second only to belief" in Islam. This is used to elevate the importance of jihad as a "pillar of Islam," a mandatory requirement to be a Muslim. Faraj argues that jihad has become "the neglected duty" (a phrase adopted by today's jihadis), something that must be resurrected as a central pillar of the faith.

Second, he reiterates Qutb's argument that rulers who do not implement Islamic

law are unbelievers and must be removed from power. This is based on a Qur'anic verse consistently cited by Al Qaeda: "Whoever does not rule by what God hath sent down—they are unbelievers" (Qur'an 5:48). In making this argument, Faraj turns to Ibn Taymiyya's fatwa against the Mongols (or Tatars). As they conquered Muslim territory, the Mongols converted to Islam, thus raising questions about whether combat against them was a legitimate jihad. Ibn Taymiyya responded by arguing that someone who professes to be a Muslim is no longer a believer if he fails to uphold Islamic law or breaks any number of major injunctions concerning society and behavior. As Johannes Jansen notes, "The list of injunctions he draws is quite long; and it is not altogether clear how many nonapplied injunctions bring the ruler (or the individual believer) to the point of no return. When does he become an apostate to be combated?"[18] For the jihadis, the rationale was clear: the Mongols continued to implement the Yasa code of Genghis Khan and were therefore no longer Muslim because they did not adhere to the unity of worship. Jihadis viewed (and continue to view) this as analogous to contemporary states where rulers have adopted Western legal codes rather than Islamic law alone.

Qutb's influence on Faraj and other Egyptian jihadis is unquestionable. He inspired an assortment of radical groups, including The Islamic Liberation Organization, Takfir wal Hijra (Excommunication and Flight), Salvation from Hell, the Gamiyya Islamiyya (Islamic Group), and Islamic Jihad. He also had an important impact on two Egyptian thinkers who have been critical for the international jihadi movement. The first is Omar Abdul Rahman, the former mufti of Islamic Jihad and the Gamiyya Islamiyya who is currently serving a life sentence for conspiracy to commit terrorism in the United States. As a graduate from al-Azhar University, Rahman had substantial cachet among the radicals inspired by Qutb. Because most of his pronouncements were oral (he is blind), there is little textual data about his views. He did, however, fervidly support Qutb's emphasis on the necessity of God's governance on earth and the use of jihad to remove apostate rulers. Rahman also argued that, "the enemy who is at the forefront of the work against Islam is America and the allies."[19] For many jihadis, Rahman replaced Abdullah Azzam, one of Al Qaeda's founders, as the theological leader of the global jihad after the latter was assassinated in 1989. His incarceration, of course, has diminished this role.

Qutb also dramatically impacted Ayman Zawhiri, Al Qaeda's second in command. In his *Knights under the Prophet's Banner*, Zawahiri calls Qutb "the most prominent theoretician of the fundamentalist movements."[20] For Zawahiri, Qutb's greatest contribution seems to have been that,

> He affirmed that the issue of unification [tawhid] in Islam is important and that the battle between Islam and its enemies is primarily an ideological one over the issue of unification. It is also a battle over to whom authority and power should belong—to God's course and the shari'ah, to man-made laws and material principles, or to those who claim to be intermediaries between the Creator and mankind. . . . This affirmation greatly helped the Islamic movement to know and define its enemies.

> Sayyid Qutub's [sic] call for loyalty to God's oneness and to acknowledge God's sole authority and sovereignty was the spark that ignited the Islamic revolution against the enemies of Islam at home and abroad. The bloody chapters of this revolution continue to unfold day after day.[21]

Zawahiri adopted both Qutb's Manichean view of the world and his unwavering desire to establish an Islamic state at any cost, using violence if necessary. This dichotomous struggle for God's sovereignty on earth eliminates the middle ground and sets the stage for a millennial, eschatological battle between good and evil.

Qutb's arguments inform jihadis in other countries as well. Many of his disciples fled Egypt during the massive crackdown by Nasser in the 1960s and moved to Saudi Arabia, where at least a few prominent thinkers took positions as university professors. Sayyid Qutb's brother, Mohammed, is perhaps the best example. In 1964, he published *The Jahiliyya of the Twentieth Century*, which rearticulated Sayyid's arguments (radicals often cite his *Islam: The Misunderstood Religion* as influential as well).[22] Not only did Mohammed Qutb teach Osama bin Laden at university, but he taught some future Islamist dissidents as well, including Safar al-Hawali. The Saudi government tolerated (perhaps even supported) the spread of Qutb's ideology because it coincided with their antipathy toward Nasser and foreign policy objectives vis-à-vis Egypt.

Although it is tempting to place all the blame on Sayyid Qutb for the radicalization of Islamism, the Saudis developed their own jihadi intellectual stream through Ibn Wahhab, who remains extremely influential. The Saudi jihadis recognize Qutb as a good Muslim who did good work, but they do not rely on him to the same extent as the Egyptian groups, instead using Ibn Wahhab as their direct pipeline to Ibn Taymiyya,[23] although there is some evidence that Taymiyya was less of an influence on Ibn Wahhab than is conventionally thought.[24]

Ibn Wahhab's most relevant work for the radicals is a small book titled *The Ten Voiders [or Nullifiers] of Islam* (see Table 1), which outlines ten things that automatically expel someone from the religion.[25] Three are of particular importance for the jihadis. First, a Muslim becomes a disbeliever if he associates someone or something in worshipping God. During his life, Ibn Wahhab was combating some Islamic practices he viewed as deviant polytheism, such as Sufism. Given the jihadis' emphasis on Ibn Taymiyya's argument about the unity of worship, this "voider" is also used to condemn any ruler who uses non-Islamic law.

Second, any Muslim who judges by "other than what God revealed" and believes this is superior to divine law is an apostate. For nonviolent Salafis, the two parts of this "voider" are critical: to be an apostate a ruler must not only implement non-Islamic law

Table 1
The ten voiders according to Ibn Wahhab
(i.e., automatic apostasy)

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1) Polytheism (associating others with God in worship)
2) Using mediators for God (for example, praying to saints)
3) Doubting that non-Muslims are disbelievers
4) Judging by non-Islamic laws and believing these are superior to divine law
5) Hating anything the Prophet Mohammed practiced
6) Mocking Islam or the Prophet Mohammed
7) Using or supporting magic
8) Supporting or helping non-believers against Muslims
9) Believing that someone has the right to stop practicing Islam
10) Turning away from Islam by not studying or practicing it

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but also believe he is using legal means that are better than Islam. Unless the leader flagrantly admits that he has rejected Islam or believes in the supremacy of human-made law (extremely unlikely), he remains a Muslim.[26]

Jihadis, on the other hand, argue that actions are grounds for apostasy. For radicals, there are certain things about Islam that are "known by necessity," such as the ten voiders (some radicals use a much longer list). As a result, if a leader violates one of these, it is evidence of apostasy because he willingly flouts God's will. Like Qutb and the Egyptian radicals, the Saudi jihadis root this argument in Ibn Taymiyya's perspective on the unity of God: it requires both belief in the Creator as well as action (obeying and worshipping God).

Third, supporting or helping nonbelievers against Muslims is apostasy. This one, above all others, seems to have become the central "evidence" used by Al Qaeda to charge regimes in the Muslim world with apostasy. The movement and its supporters continually refer to the same Qur'anic verse: "O you who believe! Take not the Jews and Christians for your friends and protectors [*awliya'*]; they are but friends and protectors to each other" (Qur'an 5:51). It is important to note that there is an important grammatical ambiguity in this verse: it uses the term "wali" (pl. *awliya'*), which is an old Arabic technical term for patron, although in contemporary usage it has developed a broader connotation.[27] The jihadis use an expansive definition of *wali* to include virtually any relationship with non-Muslims.

The jihadis cite, in particular, the Saudi regime's decision to allow American troops in the kingdom to fight Iraq in 1990–1991. This was seen as taking nonbelievers as friends and helping them in a war against other Muslims (though Al Qaeda would never view Saddam Hussein as a Muslim). Bin Laden makes direct reference to this in his 1996 "Declaration of War": "The regime betrayed the Ummah [Muslim community] and joined the Kufr [unbelievers], assisting and helping them against the Muslims. It is well known that this is one of the ten 'voiders' of Islam, deeds of de-Islamisation" (his use of the term "voider" comes from Ibn Wahhab).[28]

The terms "helping" and "supporting" are inherently subjective, and Al Qaeda uses this to create an expansive understanding that includes any kind of support for the United States in its "war on terrorism." Even a word of support is considered apostasy. Take the following statement from a bin Laden tape that emerged in February 2003 as the United States was positioning to invade Iraq:

> We also point out that whosoever supported the United States, including the hypocrites of Iraq or the rulers of Arab countries, those who approved their actions and followed them in this crusade war by fighting with them or providing bases and administrative support, or any form of support, even by words, to kill the Muslims in Iraq, should know that they are apostates and outside the community of Muslims. It is permissible to spill their blood and take their property. God says, "O ye who believe! Take not the Jews and the Christians for your friends and protectors: they are but friends and protectors to each other."[29]

Although it is difficult to verify, it seems that the radicalization of the Saudi Salafis comes from three sources, in addition to Ibn Wahhab himself. First, there were always some radical elements among the Saudi Salafis, what Guido Steinberg refers to as the "radical wing" of the Wahhabiyya. These elements have existed since at least the 1920s and joined the Ikhwan revolts in 1928–1929. Second, Qutb's influence was felt through

his books as well as Egyptians working and teaching in Saudi Arabia after the Nasser crackdown against Islamists.[30] Third, there was a radicalization process as a result of the war against the Soviets in Afghanistan. The conflict brought together Egyptians, Saudis, and other nationalities in a conflict zone where they learned about Islam in a context of violence. This period also witnessed the influence of more radical elements coming out of the Deobandi madrasa system in Pakistan. This provided greater opportunity for exposure to the jihadi elements from Egypt and elsewhere, which likely shifted the ideology of some of the Saudi fighters. Prior to that experience, Saudi Salafis were, for the most part, pro-regime, often ferociously so because the regime supported Salafism and helped export it as part of the kingdom's foreign policy. It took Afghanistan to significantly shake that support (exacerbated in the immediate aftermath by the stationing of American troops in Saudi Arabia).

Global Jihad

In Islam, there are two types of external jihad: offensive and defensive. In Islamic jurisprudence, the offensive jihad functions to promote the spread of Islam, enlightenment, and civility to the *dar al-harb* (domain of war). In most contemporary interpretations, the offensive jihad can only be waged under the leadership of the caliph (successor to the Prophet), and it is tempered by truces and various reciprocal agreements between the Islamic state and non-Muslim governments, such as guaranteed freedom of worship for Muslim minorities. Today, very few Islamists focus on this form of jihad.

The defensive jihad *(jihad al-dafa'a),* however, is a widely accepted concept that is analogous to international norms of self-defense and Judeo-Christian just war theory.[31] According to most Islamic scholars, when an outside force invades Muslim territory it is incumbent on all Muslims to wage jihad to protect the faith and the faithful. Mutual protection is seen as a religious obligation intended to ensure the survival of the global Muslim community. At the root of defensive jihad is a theological emphasis on justness, as embodied in chapter 6, verse 151 of the Qur'an: "Do not slay the soul sanctified by God except for just cause." Defending the faith-based community against external aggression is considered a just cause *par excellence*.

Although Muslim scholars almost uniformly agree that a defensive jihad is an obligation for Muslims, the issue remained relatively dormant until the Soviet invasion of Afghanistan in 1979. At the time, the majority of scholars had accepted the argument that jihad should focus on the struggle of the soul and inner purification, what has been dubbed "the greater jihad."[32] For the jihadis, the most important objective was to challenge this perspective and inspire participation in the war against the Soviets on behalf of Muslim brothers and sisters in Afghanistan. As a result, much of the writing at this time included extensive exhortations to jihad that outlined both the duty and glory of participation.

In making this argument, jihadis relied extensively on Ibn Taymiyya, whose contribution to the ideology of jihad has more to do with the religious and moral elements of jihad rather than legalistic issues related to just war or rules of engagement in combat.[33] In his writings, he argued that, "The command to participate in jihad and the mention of its merits occur innumerable times in the Koran and Sunna. Therefore it is the best voluntary [religious] act that man can perform. All scholars agree that it is better than the hajj (greater pilgrimage) and the *'umra* (lesser pilgrimage) [performed at a time other than the Hajj], than voluntary salat [prayer] and voluntary fasting, as the Koran and Sunna indicate. The Prophet, Peace be upon him, has said: '*The head of the affair is Islam, its*

central pillar is the salat and its summit is the jihad.' And he has said: '*In Paradise there are a hundred grades with intervals as wide as the distance between the sky and earth. All these God prepared for those who take part in jihad*'."[34] [original italics]

Jihadis also drew extensively from the work of Ibn Nuhaas al-Demyati (d. 1412). In *Advice to Those Who Abstain from Fighting in the Way of Allah*, Ibn Nuhaas methodically addresses the various concerns of those who resist participating in jihad.[35] He touches on fears of death; concern for children, spouses, relatives, friends, social status, and lineage; love for material things; and desire to improve oneself before participating in battle. For each of these, Ibn Nuhaas quotes the Qur'an and Sunna of the Prophet to argue that this life means nothing when compared with the hereafter.

Abdullah Azzam is the most important figure to resurrect active participation in defensive jihad in the contemporary period. Following in the tradition of Ibn Taymiyya and Ibn Nuhaas, parts of his writings are intended to inspire participation. In his *Join the Caravan*, he opens by arguing that, "Anybody who looks into the state of the Muslims today will find that their greatest misfortune is their abandonment of Jihad (due to love of this world and abhorrence of death)."[36] To muster support, Azzam turns to Qur'anic verses consistently cited by Al Qaeda today, such as, "Proscribed for you is fighting, though it be hateful to you. Yet it may happen that you will hate a thing which is better for you; and it may happen that you will love a thing which is worse for you. God knows and you know not" (Qur'an 2:216).

He also makes a more legalistic argument to demonstrate that jihad is an undeniable duty. Azzam uses Ibn Taymiyya's distinction between collective and individual duties (*fard kifayah* and *fard 'ayn*) in Islam. Collective duties are obligations that can be fulfilled by a group of Muslims on behalf of the entire Muslim community. Individual duties are those that each and every Muslim must fulfill to avoid falling into sin. In the context of jihad, Ibn Taymiyya argued that, "jihad is obligatory if it is carried out on our initiative and also if it is waged as defense. If we take the initiative, it is a collective duty [which means that] if it is fulfilled by a sufficient number [of Muslims], the obligation lapses for all others and the merit goes to those who have fulfilled it. . . . But if the enemy wants to attack the Muslims, than repelling him becomes a[n] [individual] duty for all those under attack and for the others in order to help him."[37]

Azzam adopted Ibn Taymiyya's reasoning and argued that if a group of Muslims trying to fulfill a duty to repel aggressors fails to do so alone, it becomes an individual obligation for those nearest the conflict zone:

> Ibn 'Abidin, the Hanafi scholar says, "(Jihad is) fard 'ayn [an individual obligation] when the enemy has attacked any of the Islamic heartland, at which point it becomes fard 'ayn on those close to the enemy. . . . As for those beyond them, at some distance from the enemy, it is fard kifayah [a collective duty] for them unless they are needed. The need arises when those close to the enemy fail to counter the enemy, or if they do not fail but are negligent and fail to perform jihad. In that case it becomes obligatory on those around them—fard 'ayn, just like prayer and fasting, and they may not abandon it. (The circle of people on whom jihad is fard 'ayn expands) until in this way, it becomes compulsory on the entire people of Islam, of the West and the East.[38] (original sentence structure from translation)

According to Azzam, the Afghans could not fulfill the obligation without help from other Muslims: "the jihad is in need of men and the inhabitants of Afghanistan have not

met the requirement which is to expel the Disbelievers from Afghanistan. In this case, the communal obligation (fard kifayah) is overturned. It becomes individually obligatory (fard 'ayn) in Afghanistan, and remains so until enough Mujahideen [holy warriors] have gathered to expel the communists in which case it again becomes fard kifayah."[39]

Azzam also argues that this obligation is eternal. In making this claim, he is clearly influenced by Sayyid Qutb and quotes the following passage from Qutb's writing:

> If Jihad had been a transitory phenomenon in the life of the Muslim Ummah, all these sections of the Qur'anic text would not be flooded with this type of verse! Likewise, so much of the sunnah [sic] of the Messenger of Allah (may Allah bless him and grant him peace), would not be occupied with such matters. . . . If Jihad were a passing phenomenon of Islam, the Messenger of Allah (may Allah bless him and grant him peace) would not have said the following words to every Muslim until the Day of Judgment, "Whoever dies neither having fought (in Jihad), nor having made up his mind to do so, dies on a branch of hypocrisy."[40]

So, Azzam concludes, the jihad in Afghanistan is an eternal individual obligation. Under these circumstances, it is elevated to the status of the five pillars of Islam, necessary to be a Muslim. Azzam, like Al Qaeda later, uses a quote from Ibn Taymiyya to emphasize the importance of the defensive jihad as a religious obligation: "As for the occupying enemy who is spoiling the religion and the world, there is nothing more compulsory after faith (iman) than repelling him."[41] Building on this, Azzam argues that, "everyone not performing jihad today is forsaking a duty, just like the one who eats during the days of Ramadan without excuse, or the rich person who withholds the Zakat [religiously obligated charity] from his wealth." This means that, "The obligation of jihad today remains fard 'ayn until the liberation of the last piece of land which was in the hands of Muslims but has been occupied by the Disbelievers" (such as Spain, for example). This argument sets the stage for what Olivier Roy has termed "the nomadic jihad," an eternal struggle to "defend" Muslims from the disbelievers.[42]

The influence on Al Qaeda's current thinking is unmistakable. This is not surprising given that Azzam helped found Al Qaeda and provided the underlying rationale for the movement in an April 1988 article titled "The Solid Base" (al-Qa'ida al-Bulba), published in *al-Jihad*. Various Al Qaeda statements extend Azzam's argument about the obligations of the nomadic jihad to justify attacks against the United States. To apply this argument, however, the jihadis have to demonstrate that the Americans are occupying Muslim land. For bin Laden, this rationale became clear in 1990 after King Fahd ignored his offer to use Afghan war veterans to repel Saddam and instead authorized the presence of American troops in Saudi Arabia. In a 1998 fatwa, bin Laden and several other jihadis argued that, "for over seven years the United States has been occupying the lands of Islam in the holiest of places, the Arabian Peninsula, plundering its riches, dictating to its rulers, humiliating its people, terrorizing its neighbors, and turning its bases in the Peninsula into a spearhead through which to fight the neighboring Muslim peoples. If some people have formerly debated the fact of the occupation, all the people of the Peninsula have now acknowledged it."[43]

In this argument, the jihadis received support from less radical Islamists like Safar al-Hawali and Salman al-Auda, who opposed the American presence. In his 1996 "Declaration of War," for example, bin Laden explicitly references Hawali: "The imprisoned Sheikh Safar al-Hawali, may Allah hasten his release, wrote a book of seventy

pages; in it he presented evidence and proof that the presence of the Americans in the Arab Peninsula is a pre-planned military occupation."[44]

Bin Laden and Al Qaeda also found comfort with the oppositional Islamists who signed the Memorandum of Advice in July 1992, which represented an unprecedented public critique of the Saudi regime's domestic and foreign policies.[45] Although many of these oppositional clerics do not support Al Qaeda's tactics and use of violence, their critique of the regime and overall opposition to the U.S. presence in the kingdom provided the fodder bin Laden needed to frame America as an occupying force supported by an un-Islamic regime, thereby justifying a defensive jihad.

The critical need for a defensive posture to legitimize jihad is apparent in Al Qaeda's penchant for framing all its actions as defensive. In a 1998 interview, bin Laden argued that, "We are carrying out the mission of the Prophet Muhammad (peace be upon him). The mission is to spread the word of God, not to indulge in massacring people. We ourselves are the target of killings, destruction, and atrocities. We are only defending ourselves. This is a defensive jihad. We want to defend our people and our land. That is why we say, if we don't get security, the Americans, too, would not get security. This is the simple formula that even an American child can understand. Live and let live."[46]

For most jihadis, this "defensive argument" was absolutely necessary to legitimate 11 September in particular. For example, immediately after the 11 September attacks, Abu Hamza al-Misri, a radical Al Qaeda supporter in London, argued that it "was done in self defense. If they did it for that reason then they are justified." He added that, "If you ask how could it be self defense in doing this in America, it is as much as it was in self defense in Hiroshima."[47]

Killing Civilians[48]

The Qur'an and Sunna of the Prophet Mohammed are replete with enjoinments against killing civilians. Nonviolent Salafis and other Muslims repeatedly emphasize the following pieces of religious evidence to argue for a prohibition against targeting noncombatants:

> We decreed for the Children of Israel that whosoever kills a human being for other than manslaughter or corruption in the earth, it shall be as if he had killed all mankind, and whoso saves the life of one, it shall be as if he had saved the life of all mankind. (Quran 5:32).

> And fight in God's cause against those who wage war against you, but do not transgress, for God loves not the transgressors. (Qur'an 2:190).

> Set out for jihad in the name of Allah and for the sake of Allah. Do not lay hands on the old verging on death, on women, children and babes. Do not steal anything from the booty and collect together all that falls to your lot in the battlefield and do good, for Allah loves the virtuous and the pious. (Sunna of the Prophet Mohammed)

> Stop, O people, that I may give you ten rules for your guidance in the battlefield. Do not commit treachery or deviate from the right path. You must not mutilate dead bodies. Neither kill a child, nor a woman, nor an aged man. Bring no harm to the trees, nor burn them with fire, especially

those which are fruitful. Slay not any of the enemy's flock, save for your food. You are likely to pass by people who have devoted their lives to monastic services; leave them alone. (Instructions given by Abu Bakr, the first caliph or successor to the Prophet Muhammed, to a Muslim army setting out to battle against the Byzantine Empire in Syria)

Although nonviolent Salafis view this kind of religious evidence as a prohibition against *purposely* targeting civilians, they do recognize the possibility of civilian casualties in the course of warfare, considered an acceptable consequence in a legitimate jihad. Islamic fighters must do everything they can to limit noncombatant casualties, but "collateral damage" (to use Western terminology) is often inevitable. This is particularly the case where the enemy uses human shields. Under these circumstances, the Islamic fighters are permitted to attack, and the responsibility for noncombatant deaths lies with the enemy.

From this perspective, only combatants can be targeted. This includes not only soldiers, political leaders responsible for waging war, and intelligence officers, but support staff outside the military and political structure as well, such as advisors who help plan the war. Although they may not be directly involved in actual fighting and combat, support personnel are considered part of the war effort, thereby making them legitimate targets.

The move toward civilian targeting seems to be a recent development with little precedent. Neither Sayyid Qutb nor Ibn Wahhab argued that civilians could be targeted during combat and war, and there was little discussion about the subject until the 1990s. As a result, Al Qaeda has reached directly back to the example of the Prophet and classical and medieval scholars such as Ibn Taymiyya, Ibn Kathir, Ibn al-Qayyim, Shawkani, Ibn al-Qasim, and Ibn Qudamah. Given the vast religious evidence from the Qur'an and Sunna emphasizing the sanctity of life and limiting attacks against noncombatants, Al Qaeda could hardly argue against noncombatant immunity. But it has broken new ground over the past decade or so to develop an expanded understanding about permissible targets in war.

The jihadi debate about civilian targeting began in the mid-1990s in response to the Algerian civil war, which erupted after the regime cancelled Parliamentary elections in January 1992 as it became clear that the Islamic Salvation Front would dominate the new government.[49] Following the coup, Islamist rebels limited attacks to government officials, military personnel, and the police. The scope and tenor of the conflict, however, escalated dramatically in 1993 with the emergence of the Armed Islamic Group (Groupes Islamiques Armé or GIA). Initially, the GIA launched broader attacks against the security services and assassinated junior ministers and members of the National Consultative Council (formed by President Mohammed Boudiaf to provide a democratic façade following the coup).

During this period, there is some evidence that bin Laden and Al Qaeda provided limited support to the GIA through Qamareddin Kharban, the leader of the "Algerian Afghans" (Algerians who had fought in Afghanistan against the Soviets). This included financial support; Al Qaeda fighters sent to Algeria; and theological cover through Al Qaeda-linked scholars like Abu Qatada, who also helped publish and distribute the GIA's *al-Ansar* bulletin (in conjunction with Abu Musab) in London.[50]

This growing relationship changed dramatically in 1996 when Antar Zouabri became the emir of the GIA. He initiated his new leadership position by issuing a fatwa charging the entire society with apostasy and authorizing attacks against any Algerian who refused to join or aid the GIA (including other armed Islamist groups). In this manner, Zouabri took Qutb's Manichean view of the world to an extreme: you are

either with the GIA and thus Islamic truth or against it and thus God. The position was summed up in a GIA communiqué posted in an Algiers suburb in 1997: "There is no neutrality in this war we are waging. With the exception of those who are with us, all others are apostates and deserve to die."[51]

The fatwa shifted GIA operations away from the state and toward softer targets in society, eventually leading to widespread civilian massacres. Whereas civilians comprised only 10% of the casualties in 1992, by 1997 this figure rose to 84%.[52] Thousands were massacred. Ordinary citizens were maimed, decapitated, and burned alive. According to GIA chief Abou el-Moudhir, all of these people "have become the enemies of our fighters, from the youngest of their children to the oldest of their elderly."[53] Although there is some evidence of possible regime complicity in a few attacks, the GIA claimed responsibility for most of them.

The underlying justification for the massacres portended the later Al Qaeda justification for 11 September and purposeful civilian targeting: individuals who support the government act as surrogates and representatives of the enemy; they are thus legitimate targets. Take the GIA's rationale for attacking journalists and editors:

> The rotten apostate regime did not stop using the mercenary media to cover its crimes and rationalize its aggression. This has turned all written, seen, and heard media outlets into a tool of aggression spreading lies and rumors. It would have been an obligation for these writers to stand with their nation in these hard times and embrace the blessed jihad, but instead they have turned their pens into swords defending the low lives of apostasy and treason. Based on that, mujahidin consider every reporter and journalist working for radio and television as no different than regime apostates. GIA calls on every reporter working there to immediately stop work, otherwise the group will continue hitting hard those who do not comply. Whoever fights us with the pen will be fought with the sword.[54]

In other words, "civilian" journalists and editors were no longer noncombatants because they served the interest of the government.

The same kind of reasoning was used to attack teachers and school children: by attending government-controlled schools, they signaled support for the regime. In a statement published in the Arabic daily *al-Hayat*, the GIA warned that those who "continue their studies are helping the tyrant to ensure stability and thereby are not accomplishing the jihad." They are considered heretics and deserve death.[55]

More broadly, the GIA argued that any Algerian who did not support the GIA was tacitly supporting the regime, thereby removing their noncombatant immunity. The menu of legitimate targets was thus expanded to include almost the entire society.

The massacres sparked a debate within international jihadi circles. Supporters were frustrated by the GIA's apparent unwillingness to elaborate on the religious justification for their attacks. Some supporters initially denied GIA involvement, dismissing such claims as government propaganda (Abu Hamza al-Misri is a case in point, although he eventually withdrew his support for the movement in 1997). But when it became clear that Algerian jihadis were involved, there was widespread condemnation and opposition from the international jihadi network. Abu Qatada, considered the GIA's mufti, withdrew his support as a direct response to the massacres.[56] Allegedly dismayed by the un-Islamic nature of the massacres, bin Laden provided support for the rival GSPC (Groupe Salafiste pour la Predication et le Combat, Salafi Group for Combat and

Propagation) led by former GIA emir Hassan Hattab. Zouabri became increasingly isolated and the GIA disintegrated into rival factions. He was eventually killed in February 2002.[57]

The primary concern for bin Laden and the international jihadis seems to have been that the targets were Muslims rather than infidels. According to Islamic law, Muslims cannot kill other Muslims, except under very stringent conditions (such as banditry, but even then there are restrictions). The idea of using *takfir* against such a broad portion of the population was rejected by the international jihadis. For Al Qaeda, killing apostate government officials is one thing; attacking ordinary Muslim citizens is entirely different because they have been led astray by the regime and its battalion of state clerics, who purposely obfuscate and hide Islamic truth from the people. The massacres also threatened Al Qaeda's strategy to win the hearts and minds of Muslims in its battle against the United States and its "puppets."[58]

Emerging from the debate about civilian targeting in Algeria, Al Qaeda began sharpening its position in the late 1990s with support from a consortium of contemporary scholars. The movement uniformly rejected targeting Muslim civilians, unless they assisted the infidel (in which case they were no longer Muslims in any event). It also displayed great sensitivity to concerns that Muslims could be caught in the crossfire, arguing that Muslims should not mix with non-Muslims and should stay away from potential targets. Those who are killed inadvertently are considered martyrs for the cause, and blood money should be paid to the families. This argument about blood payment appears to have come from Ayman Zawhiri, who offered this solution after members of Islamic Jihad inadvertently killed a young child during an attack against Prime Minister Atif Sidqi's motorcade in Egypt in 1993.[59] This was also the solution offered for Muslims killed in the 11 September attacks.[60]

The jihadis predominantly use two lines of argument to justify targeting non-Muslim civilians (see also Table 2). First, they use a "doctrine of proportional response." Although accepting the general prohibition against killing noncombatants, the jihadis consistently draw on Ibn al-Qayyim, al-Shawkani, al-Qurtubi, Ibn Taymiyya, and others to argue that when the infidel kills Muslim civilians it becomes permissible to attack their civilians in kind. This is supported by Qur'an 2:194: "And one who attacks you, attack him in like manner as he attacked you." In his *Shadow of the Lances*, Al Qaeda spokesman Suleiman Abu Gheith argues that, "Anyone who peruses these sources reaches a single conclusion: The sages have agreed that reciprocal punishment to which

Table 2
Conditions for killing civilians according to Al Qaeda
(only one condition is necessary)

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1) The enemy has purposefully killed Muslim civilians*
2) Civilians have assisted the enemy in "deed, word, or mind"*
3) Islamic fighters cannot distinguish between combatants and non-combatants
4) There is a need to burn enemy strongholds or fields where there are civilians
5) Heavy weaponry needs to be used
6) The enemy uses civilians as human shields
7) The enemy violates a treaty with the Muslims and civilians must be killed as a lesson

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*These are the most often cited conditions.

the verses refer is not limited to a specific instance. It is a valid rule for punishments for infidels, for the licentious Muslims, and for oppressors."[61] In other words, if the enemy uses tactics that are prohibited according to Islam, these tactics become legal for Muslims.

To make the doctrine of proportional response operable against Americans, the jihadis have to demonstrate that the United States is purposely targeting Muslim civilians. It does so by citing a number of conflicts involving the United States in which civilians have been killed, including Afghanistan and Iraq, among others. Without actually demonstrating intent, which is critical for the use of the proportionality doctrine, the radicals conclude that the United States has strategically killed Muslims to terrorize the Islamic nation (umma). It makes this argument with particular emphasis on the Palestinian territories (and unwavering American support for Israel), in effect tapping into the widespread sense of despair felt by millions of Muslims exposed to the images of children and other civilians killed during confrontations with Israeli soldiers. In the justification for 11 September, Al Qaeda argues that,

> There currently exists an extermination effort against the Islamic peoples that has America's blessing, not just by virtue of its effective cooperation, but by America's activity. The best witness to this is what is happening with the full knowledge of the world in the Palestinian cities of Jenin, Nablus, Ramallah, and elsewhere. Every day, all can follow the atrocious slaughter going on there with American support that is aimed at children, women, and the elderly. Are Muslims not permitted to respond in the same way and kill those among the Americans who are like the Muslims they are killing? Certainly! By Allah, it is truly a right for Muslims.[62]

For Al Qaeda, the evidence points to a clear conclusion:

> It is allowed for Muslims to kill protected ones among unbelievers as an act of reciprocity. If the unbelievers have targeted Muslim women, children, and elderly, it is permissible for Muslims to respond in kind and kill those similar to those whom the unbelievers killed.[63]

For Suleiman Abu Gheith, the sheer volume of Muslims killed by the United States means that Muslims have the right to kill four million Americans in order to reach parity.[64]

Al Qaeda's use of the doctrine of proportional response hinges on its interpretation of U.S. intentions: are American troops purposely targeting civilians? If the answer is yes, even nonviolent Salafis would agree that it is permissible to target American civilians. If the answer is no, then Muslims are limited by religious edicts against killing women, children, the elderly and other noncombatants. Bombarded by images of young, stone-throwing boys shot by Israeli soldiers, most Muslims accept the argument that Israel purposely targets civilians. Increasingly, many have also come to believe that the United States is doing the same. Some argue, for example, that U.S. technology is so effective that the only way civilians can be killed is if American troops target them. Al Qaeda thus plays into widespread frustration and apprehension about American military power and the "collateral damage" of war.

The second major line of argument builds on Ibn Taymiyya, who argued that, "Since lawful warfare is essentially jihad and since its aim is that the religion is God's entirely and God's word is uppermost, therefore, according to all Muslims, those who stand in

the way of this aim must be fought. As for those who cannot offer resistance or cannot fight, such as women, children, monks, old people, the blind, the handicapped and their likes, they shall not be killed, unless they actually fight with words [e.g., propaganda] and acts [e.g., spying or otherwise assisting in the warfare]."[65] This defines enemy populations in terms of their capacity to fight, in effect introducing subjectivity into the definition of "civilian."

The jihadis argue that anyone who assists the enemy in any way loses the protection of noncombatant status: "It is allowed for Muslims to kill protected ones among unbelievers on the condition that the protected ones have assisted in combat, whether in deed, word, mind, or any other form of assistance, according to the prophetic command." Perhaps the most oft-cited piece of evidence for this line of argument is a story about Duraid Ibn al-Simma, a well-known Arab poet who strongly opposed Mohammed and the message of Islam. According to tradition, he was brought to the battlefield to advise the Hawazin troops about battle procedures in a conflict against the Muslims. As a very old man, he posed no physical threat to the Muslim forces, but the intelligence he provided to the enemy made him a target and led to his death in battle.[66]

Although even nonviolent Salafis agree that individuals who directly assist combat through advice in war planning or other supportive functions are legitimate targets, Al Qaeda uses the subjectivity inherent in the "capacity to fight" threshold to dramatically broaden the menu of legitimate targets. Anyone the movement itself deems as supporting the "war against Islam" is fair game, including NGOs, journalists, academics, government consultants, and businesses.

The most important new line of thinking, without precedent in Islamic law, is the jihadi argument about personal and individual culpability in a democracy. This argument is best represented in a fatwa about 11 September issued by Hammoud al-Uqla al-Shuaybi, considered the godfather of the Saudi jihadis. In the fatwa, al-Uqla argues that:

> [W]e should know that whatever decision the non-Muslim state, America, takes—especially critical decisions which involve war—it is taken based on opinion poll and/or voting within the House of Representatives and Senate, which represent directly, the exact opinion of the people they represent—the people of America—through their representatives in the Parliament [Congress]. Based on this, any American who voted for war is like a fighter, or at least a supporter.[67]

In addition to citing Ibn Taymiyya's stance vis-à-vis the capacity of the enemy population to fight, al-Uqla also cites another ruling in which Ibn Taymiyya argued that Christians could be fought because "they assisted the enemies of the Muslims against them, and helped them with their wealth and weapons, despite the fact that they did not fight us." Al-Uqla's perspective has influenced some of his more radical jihadi students, including Ali bin Khudayr al-Khudayr, Nasir Hamad al-Fahd, and Suleiman Alwan. Alwan and al-Khudayr issued fatwas after 11 September saying that anyone who assisted the United States was an apostate. Al-Fahd issued a fatwa supporting the use of weapons of mass destruction.

This kind of argument is replicated in several Al Qaeda publications. In its justification for September 11, the movement reasons that because a democratically elected government reflects the will of the people, a war against Islam of this magnitude must have popular support. Using the term "public opinion" (*al-ra'y al-'amm*) to represent the will of the people in a democracy, Al Qaeda argues that,

It is stupidity for a Muslim to think that the Crusader-Zionist public opinion which backs its government was waiting for some action from Muslims in order to support the Crusader war against Islam and thereby enkindle a spirit of hostility against Islam and Muslims. The Crusader-Zionist public opinion has expended all it has in order to stand behind the nations of the cross, executing their war against Islam and Muslims from the beginning of the colonization of Islamic countries until the present day. If the successive Crusader-Zionist governments had not received support from their people, their war against Islam and Muslims would not have taken such an obvious and conspicuous form. It is something that would not attain legitimacy except by the voices of the people.[68]

Abd al Aziz bin Saleh al-Jarbu, author of *Basing the Religious Legitimacy of Destroying America*, recounts a story in which the Prophet ordered his followers to kill a woman because she sang songs to inspire the enemy warriors. "If this was the decree against anyone who sang songs of vituperation against the Messenger," he reasoned, "then it is all the more a decree against those who to this added participating in a vote approving massacres of Muslims and against those who spread shame and prostitution to Islam and the Muslims."[69]

Obviously Ibn Taymiyya did not discuss the culpability of individuals in a democracy because this was not a medieval or classical issue. The jihadis have transmogrified his line of argument and a well-established principle in Islamic jurisprudence that those who assist in combat, even if they are not soldiers, are legitimate targets. By declaring all Americans personally responsible simply because they live in a democracy, Al Qaeda has manipulated the subjective nature of defining "the capacity to fight" to justify wide-scale attacks on non-combatants.

Although GIA emir Zouabri was never considered a theological luminary and had little direct influence on theological debates about civilian targeting, his rationale for the massacres in Algeria runs throughout Al Qaeda's justification for 11 September. In both cases, the definition of "civilian" was stretched to include broad swathes of the population. So whereas Al Qaeda may have objected to killing Muslim civilians in Algeria, its logic for killing non-Muslim civilians mirrors Zouabri's reasoning.

Suicide Bombings

Like civilian targeting, the issue of suicide bombings or "martyrdom operations" is relatively recent. The use of suicide bombings by Muslims began in Lebanon and was popularized by Hizballah. Tactically speaking, this influenced Palestinian groups. Theologically speaking, however, it is unlikely that Hizballah directly influenced Al Qaeda and the Sunni jihadis because its arguments derived from Shi'ite traditions of martyrdom (and it focused on military and political targets). The real debate about the religious permissibility of these kinds of operations among Salafis, in fact, did not emerge until the mid-1990s and was a response to its widespread usage by Hamas and other Palestinian factions.

What is interesting about the current jihadi arguments about suicide bombings is how little attention seems to be given to constructing a theological argument justifying such attacks. Instead, the vast majority of materials focus on extolling the virtues of martyrdom. Abdullah Azzam's *Virtues of Martyrdom in the Path of Allah* is a classic example.[70] In it, he elaborates twenty-seven points of evidence about the benefits of

martyrdom. Most writings argue that the martyr has a seat in Paradise, avoids the torture of the grave, marries seventy black eyed virgins, and can advocate on behalf of seventy relatives so that they too might reach Paradise. Scholars from all ideological persuasions agree about the virtues of martyrdom.

Since the 1990s, Al Qaeda and the jihadis have been forced to address two central questions. First, are martyrdom operations suicide? This is critical because Islam explicitly prohibits suicide. Some of the more senior Salafi clerics in Saudi Arabia have argued that these attacks are prohibited. Muhammad Bin Salih Bin Uthaymin (d. 2000), for example, argues that, "as for what some people do regarding activities of suicide, tying explosives to themselves and then approaching disbelievers and detonating amongst them, then this is a case of suicide. . . . So whoever commits suicide then he will be considered eternally to Hell-Fire, remaining there forever."[71] In making this condemnation, the focus is on the *act* itself: consciously killing oneself.

The jihadis, however, focus on the *intent* of the perpetrator. Although he is not as radical as Al Qaeda, Yusuf al-Qaradawi outlines the basic reasoning:

> He who commits suicide kills himself for his own benefit, while he who commits martyrdom sacrifices himself for the sake of his religion and his nation. While someone who commits suicide has lost hope with himself and with the spirit of Allah, the *Mujahid* [holy warrior] is full of hope with regard to Allah's spirit and mercy. He fights his enemy and the enemy of Allah with this new weapon, which destiny has put in the hands of the weak, so that they would fight against the evil of the strong and arrogant. The *Mujahid* becomes a "human bomb" that blows up at a specific place and time, in the midst of the enemies of Allah and the homeland, leaving them helpless in the face of the brave S*hahid* [martyr] who . . . sold his soul to Allah, and sought the *Shahada* [Martyrdom] for the sake of Allah.[72]

Here Al Qaeda shares its view of suicide bombings as legitimate martyrdom operations with less radical, conservative Sunnis. This includes not only figures like al-Qaradawi, but also Mohammed Sayyed Tantawi, the Sheikh of al-Azhar in Egypt.[73] The jihadis thus find ample support among Muslims for the *tactic* itself.

The second question is related to targeting. Can Islamic fighters kill civilians in "martyrdom operations"? Much of the jihadi argument in answering this question is based on its justification for killing civilians in general, outlined in the previous section of this article: it challenges mainstream definitions of "innocent civilians" to include anyone who assists the enemy in "word, deed, or mind," an extremely expansive category. Its reliance on this line of reasoning stems from widespread opposition to killing civilians, even in suicide bombings. Although someone like Tantawi may support suicide bombings in principle, he and others object to killing civilians in the process. Even Muhammed al-Maqdisi, an extreme jihadi Salafi in Jordan, has cautioned against civilian targeting, although noting that in some contexts the Islamic fighters may not be able to distinguish between combatants and noncombatants.[74] From this perspective, collateral damage is permissible but should be avoided where possible.

It is because of the general consensus that Muslims cannot purposely target civilians that Al Qaeda and others must emphasize that alleged "civilians" are not really noncombatants. In the context of Israel, for example, al-Qaradawi and the jihadis frame Israel as a militarized country. Because there is mandatory military service for men and women (and reserve service after that), all men and women become legitimate targets in

martyrdom operations. Some more radical elements argue that because children will one day grow up and serve in the Israeli army, they too are legitimate targets. Regardless of the nuances, Al Qaeda is careful to frame the targets of the attacks as combatants through deeds, words, and thoughts.

Conclusion and Future Prospects

The development of jihadi thought is characterized by the erosion of critical constraints used to limit warfare and violence in classical Islam. Whereas most Islamic scholars throughout history have defined apostates as those who clearly leave the faith by declaring themselves non-Muslims or rejecting key tenets of Islam (prayer, the prophethood of Mohammed, monotheism, etc.), jihadis claim that any leader who does not implement and follow Islamic law (as they understand it) is an apostate. Whereas most scholars reject violent uprisings to remove rulers so long as they allow the prayer and have "a mustard seed of faith," jihadis believe it is a divine duty to wage jihad against rulers who refuse to implement the radicals' interpretation of Islamic law. Whereas there is a general acceptance throughout Islamic history that civilians should not be targeted in war, Al Qaeda has defined the term "civilian" in such a way as to make everyone living in a Western democracy subject to attack (reinforced by a doctrine of proportional response that requires Muslims to kill millions of Americans). And although there is broad support for the use of suicide bombings, Al Qaeda has expanded its use to encompass attacks on ordinary civilians in Western countries rather than just military or political targets.

This trajectory indicates that the jihadis will attack increasingly wider categories of people. This is already being witnessed with regard to the Shi'ite community in Pakistan and Saudi Arabia (and to some extent Iraq because of Zarqawi's intention to seed discord between Sunnis and Shi'ites). A number of radicals declared their intention to kill Shi'ites in the early 1990s, and this has become an increasingly common position.[75] More attacks might also be expected against others in the Sunni community, in addition to state officials and government personnel.

However it plays out, the historical development of jihadi thought has been one of increasingly expansive violence, not one of limitations. In the end, this may erode popular support for Al Qaeda, as increased violence did to the GIA in Algeria, but in the meantime more groups of people will likely find themselves on the jihadi list of legitimate targets. Given the jihadi argument about proportional response and intentions to acquire weapons of mass destruction, attacks may become increasingly deadly as well.

Notes

1. Those typically called "Wahhabis" reject the term because it suggests that they follow Ibn Wahhab, a person, rather than God. This, for conservative Muslims, would be tantamount to apostasy. They instead use the term "Salafi." For more on Salafis, see Quintan Wiktorowicz, *The Management of Islamic Activism: Salafis, the Muslim Brotherhood, and State Power in Jordan* (Albany: State University of New York Press, 2001), chapter four; Marc Sageman, *Understanding Terror Networks* (Philadelphia: University of Pennsylvania Press, 2004).

2. See Quintan Wiktorowicz "The New Global Threat: Transnational Salafis and Jihad," *Middle East Policy* 8(4) (December 2001), pp. 18–38; Michael Doran, "Somebody Else's Civil War," *Foreign Affairs* 81(1) (January/February 2002), pp. 22–42.

3. For the first fatwa on weapons of mass destruction, see the analysis of Sheikh Naser bin Hamad al-Fahd's fatwa, issued on 21 May 2003, by Reuven Paz, "YES to WMD: The First

Islamist Fatwah on the Use of Weapons of Mass Destruction," *Prism Special Dispatches* 1(1) (May 2003), available at (http://www.e-prism.org/images/PRISM%20Special%20dispatch%20no%201.doc).

4. *Al-Musawwar,* 21 June 2002, pp. 4–22, in FBIS-NES-2002-0625.

5. Ibid.

6. From quotes provided at (http://tariq.bitshop.com/misconceptions/fatwas/prohibition.htm). These are the standard kinds of evidence used by nonviolent Salafis.

7. *Sahih Bukhari* 8, p. 73; 8, p. 126.

8. For the mainstream Salafi perspective on these issues and others (translated into English), see various publications at (www.salafipublications.com). The website is well known among Salafis as supporting the Saudi religious establishment, which is tied to the Saudi regime.

9. Email from Juan Cole, 25 March 2003.

10. Ibid.

11. For Mawdudi's perspective, see Charles J. Adams, "Mawdudi and the Islamic State," in *Voices of Resurgent Islam*, edited by John L. Esposito (Oxford: Oxford University Press, 1983), pp. 99–133; and Seyyed Vali Reza Nasr, *Mawdudi & the Making of Islamic Revivalism* (Oxford: Oxford University Press, 1995). Mawdudi's most important works are readily available online. For example, see (http://www.masmn.org/Books/).

12. For more on the Jamaat-i-Islami, see Seyyed Vali Nasr, *The Vanguard of the Islamic Revolution: The Jama'at-I Islami of Pakistan* (Berkeley: University of California Press, 1994).

13. For Sayyid Qutb's ideology, see Yvonne Y. Haddad, "Sayyid Qutb: Ideologue of Islamic Revival," in *Voices of Resurgent Islam*, edited by John L. Esposito (Oxford: Oxford University Press, 1983), pp. 67–98; Ahmad S. Moussalli, *Radical Islamic Fundamentalism: The Ideological and Political Discourse of Sayyid Qutb* (Syracuse: Syracuse University Press, 1994); Ibrahim M. Abu-Rabi, *Intellectual Origins of Islamic Resurgence in the Modern Arab World* (Albany: State University Of New York Press, 1995); and William E. Shepard, *Sayyid Qutb and Islamic Activism: A Translation and Critical Analysis of Social Justice in Islam* (London: Brill, 1996). For his influence on radical jihadis in particular, see Emmanuel Sivan, *Radical Islam: Medieval Theology and Modern Politics* (New Haven: Yale University Press, 1985), Gilles Kepel, *Muslim Extremism in Egypt: The Prophet and Pharaoh*, trans. Jon Rothschild (Berkeley: University of California Press, 1993); Sageman, *Understanding Terror Networks*, chapter one.

14. Sivan, *Radical Islam*, p. 28.

15. As quoted in Sivan, *Radical Islam*, pp. 23–24.

16. Faraj's tract is translated in Johannes J.G. Jansen, *The Neglected Duty: The Creed of Sadat's Assassins and Islamic Resurgence in the Middle East* (New York: MacMillian Publishing Company, 1986). Also, see Kepel, *Muslim Extremism*, chapter seven.

17. Jansen, *The Neglected Duty*, p. 6.

18. Ibid., p. 97.

19. As quoted in Malika Zeghal, "Religion and Politics in Egypt: The Ulema of al-Azhar, Radical Islam, and the State (1952–1994)," *International Journal of Middle East Studies* 31(3) (August 1999), p. 395.

20. From *al-Sharq al-Awsat* published extracts of Ayman Zawahiri's *Knights under the Prophet's Banner*, FBIS-NES-2002-108, available at (www.fas.org/irp/world/para/ayman_bk.html). Qutb's influence on Zawahiri is corroborated in Montasser al-Zayyat, *The Road to Al Qaeda: The Story of Bin Laden's Right-Hand Man*, trans. Ahmed Fekry, edited by Sara Nimis (London: Pluto Press, 2004). Al-Zayyat has acted as the lawyer for a number of radical jihadis in Egypt and is well placed in the jihadi community, although many now view him as a security agent because of his central role in developing a nonviolent ideology among jihadis.

21. From *al-Sharq al-Awsat* published extracts of Ayman Zawahiri's *Knights under the Prophet's Banner*, FBIS-NES-2002-108, available at (www.fas.org/irp/world/para/ayman_bk.html).

22. *Islam: The Misunderstood Religion* is published by New Era publications and is available at (www.barnesandnoble.com).

23. Michael Doran made this observation in an e-mail. For more on Ibn Wahhab's ideology

and influence, see Natana J. DeLong-Bas, *Wahhabi Islam: From Revival and Reform to Global Jihad* (Oxford: Oxford University Press, 2004).

24. DeLong-Bas, *Wahhabi Islam.*

25. See (http://www.islambasics.com/view.php?bkID=64).

26. See various publications on the topic at www.salafipublications.com

27. E-mail from Juan Cole, 12 February 2003.

28. The "Declaration" is available at (http://www.pbs.org/newshour/terrorism/international/ fatwa_1996.html).

29. Originally played on *al-Jazeera*. Translated transcript available at (http://news.bbc.co.uk/ 2/hi/middle_east/2751019.stm).

30. E-mail from Guido Steinberg, 25 March 2003. Also, for those who read German, see Guido Steinberg, *Religion und Staat in Saudi-Arabien. Die Wahhabitischen Gelehrten 1902–1953* (Würzburg: Ergon, 2002).

31. See, for example, John Kelsay and James Turner Johnson, eds., *Just War and Jihad: Historical and Theoretical Perspectives on War and Peace in Western and Islamic Traditions* (New York: Greenwood Press, 1991); and James Turner Johnson, *The Holy War Idea in Western and Islamic Traditions* (University Park, PA: The Pennsylvania State University Press, 1997).

32. Jihadis believe that the story about the Prophet's reference to the "greater jihad" was fabricated.

33. Rudolph Peters, *Jihad in Classical and Modern Islam* (Princeton: Markus Wiener Publishers, 1996), chapter five.

34. Peters, *Jihad*, p. 47.

35. Available at (http://www.islamworld.net/advice_jihad.html).

36. Online version available at (http://www.religioscope.com/info/doc/jihad/azzam_caravan_ 1_foreword.htm).

37. Peters, *Jihad*, pp. 52–53.

38. Online version available at (http://www.religioscope.com/info/doc/jihad/azzam_caravan_4_ part2.htm).

39. Online version available at (http://www.religioscope.com/info/doc/jihad/azzam_caravan_5_ part3.htm).

40. Online version available at (http://www.religioscope.com/info/doc/jihad/azzam_caravan_3_ part1.htm).

41. Ibid.

42. Olivier Roy, "The Radicalization of Sunni Conservative Fundamentalism," *ISIM Newsletter* No. 2, March 1999. Available online at (http://www.isim.nl/files/newsl_2.pdf).

43. The fatwa is available at (http://www.fas.org/irp/world/para/docs/980223-fatwa.htm).

44. Online version at (http://www.pbs.org/newshour/terrorism/international/fatwa_1996.html).

45. See Mamoun Fandy, *Saudi Arabia and the Politics of Dissent* (New York: Palgrave, 1999); and Gwenn Okruhlik, "Making Conversation Permissible: Islamism and Reform in Saudi Arabia," in *Islamic Activism: A Social Movement Theory Approach*, edited by Quintan Wiktorowicz (Bloomington: Indiana University Press, 2004).

46. As quoted in John Esposito, *Unholy War: Terror in the Name of Islam* (Oxford: Oxford University Press, 2002), p. 24.

47. *London Press Association*, 14 September 2001, FBIS-WEU_2001-0914.

48. For a more elaborate discussion of this, see Quintan Wiktorowicz and John Kaltner, "Killing in the Name of Islam: Al Qaeda's Justification for September 11," *Middle East Policy* 10(2) (Summer 2003), pp. 76–92. The article is available at (http://www.mepc.org/public_asp/ journal_vol10/0306_wiktorowiczkaltner.asp).

49. For the ideological struggle in the conflict, see Mohammed Hafez, "Armed Islamist Movements and Political Violence in Algeria," *Middle East Journal* 54(4) (Autumn 2000), pp. 572–592; idem., *Why Muslims Rebel: Repression and Resistance in the Islamic World* (Boulder: Lynne Rienner, 2003), chapter five.

50. Quintan Wiktorowicz, "The GIA and GSPC in Algeria," In *In the Service of Al Qaeda:*

Radical Islamic Movements, edited by Magnus Ranstorp (New York: Hurst Publishers and New York University Press, forthcoming).

51. AFP, 21 January 1997, in FBIS-NES-97-013.

52. Calculated by the author using the *Middle East Journal* "Chronology of Events."

53. AFP, 7 August 1997.

54. Armed Islamic Group communiqué issued 16 January 1995.

55. AFP, 6 August 1994, in *Joint Publications Research Service*-TOT-94-034-L.

56. Interview by author with one of Abu Qatada's associates in Jordan, 1997.

57. Wiktorowicz, "The GIA and GSPC."

58. This strategy was discussed by Zawahiri in *Knights under the Prophet's Banner*, FBIS-NES-2002-108, available at www.fas.org/irp/world/para/ayman_bk.html).

59. Ibid.

60. Translation and original Arabic available at (http://www.mepc.org/public_asp/journal_vol10/0306_wiktorowiczkaltner.asp).

61. MEMRI, "'Why We Fight America': Al-Qa'ida Spokesman Explains September 11 and Declares Intentions to Kill 4 Million Americans with Weapons of Mass Destruction," *Special Dispatch Series—No. 388,* 12 June 2002. Available at (http://www.memri.org/bin/articles.cgi? Page=subjects&Area=jihad&ID=SP38802).

62. Available at (http://www.mepc.org/public_asp/journal_vol10/0306_wiktorowiczkaltner.asp).

63. Available at (http://www.mepc.org/public_asp/journal_vol10/0306_wiktorowiczkaltner.asp).

64. MEMRI, "Why We Fight America."

65. Peters, *Jihad*, p. 49.

66. Wiktorowicz and Kaltner, "Killing in the Name of Islam," p. 88.

67. An English translation of the fatwa was posted at (www.azzam.com) after 11 September. The fatwa was dismissed by reformist Salafis in Saudi Arabia. The Council of Ulema argued that the statement was "not worth adhering to." The council also contested al-Uqla's authority to issue fatwas. See (www.fatwa-online.com/news/0011017_1.htm).

68. Translation and original Arabic available at (http://www.mepc.org/public_asp/journal_vol10/0306_wiktorowiczkaltner.asp).

69. Yigal Carmon, "Contemporary Islamist Ideology Permitting Genocidal Murder," paper presented at the Stockholm International Forum on Preventing Genocide," MEMRI *Special Report —No. 25*, 27 January 2004, available at (http://www.memri.org/bin/articles.cgi?Page=subjects&Area=jihad&ID=SR2504).

70. Available at (http://www.islamicawakening.org/viewarticle.php?articleID=1012&).

71. Available at (www.fatwa-online.com/fataawa/worship/jihaad/jih004/0010915_1.htm). See (www.fatwa-online.com) for additional fatwas along these lines.

72. As quoted in MEMRI, "Debating the Religious, Political and Moral Legitimacy of Suicide Bombings Part 1: The Debate over Religious Legitimacy," *Inquiry and Analysis Series—No. 53,* 2 May 2001. Available at (http://www.memri.org/bin/articles.cgi?Page=subjects& Area=jihad& ID=IA5301).

73. Ibid.

74. Interview with Nida'ul Islam magazine, issue 22, February–March 1998, available at (http://www.islam.org.au/articles/22/maqdisy.htm).

75. See Michael Doran, "The Saudi Paradox," *Foreign Affairs* 83(1) (January/February 2004). Available online at (http://www.foreignaffairs.org/20040101faessay83105/michael-scott-doran/the-saudi-paradox.html).