EXHIBIT B

Case 2:20-cv-01080-DMF Document 1-3 Filed 06/02/20 Page 2 of 15

~3

\$

FUTURE JIHAD

Terrorist Strategies against America

WALID PHARES



٢

Chapter One

THE HISTORICAL ROOTS OF JIHAD

WHEN THE PRESIDENT OF THE UNITED STATES delivers speeches about "them," he calls them "terrorists." When they address the world, they call themselves "the men of jihad." Are the terrorists waging a war whose name we do not want to accept, or is the international community waging a war against terrorism while ignoring its goals and its ideology? This is more than a question of semantics. When asked about "jihad," many diplomats and scholars used to dismiss it as irrelevant in world politics. Today, however, we have to ask whether in doing so we are just ignoring a name or whether we are also turning a blind eye to the enemy's aims, deepest beliefs, and the wellspring of its will. If we do this, are we actually mobilizing against the instruments of terror rather than against the roots of its creation?

To understand who the jihadists really are and what they ultimately want, we need to examine the complex history involved in the term, the ideology behind it, its evolution, and its effect on individuals. We need to understand the historical alliances of jihadists as well as their ideological enemies. Without understanding this past, we can never fully understand our enemy and what the future might hold.

We first need to absorb then later we need to get familiar with the origins of jihad as a word and as an ideology in order to develop an understanding of who the ideological and political users of this concept are today. Osama bin Laden, Ayman Thawahiri, al Zarqawi of al Qaeda, and Hassan Nasrallah of Hezbollah all invoke jihad; we cannot afford to ignore or dismiss the concept and its history. Among the many important questions that have to be answered are: Why is there a debate about the concept of jihad? Does it have a single meaning or

FUTURE JIHAD

multiple ones? When did it arise, and why? Who has used it and for what purposes? What is the relationship between jihad and the "infidels"? What is the connection between jihad and peace?

WHY IS THERE A DEBATE?

The first time I read about jihad was in middle school, in my native Beirut, Lebanon. I attended classes in more than one school in different parts of that small multiethnic country. At the time, there was no major media debate about jihad, as everyone had just one understanding of what it was. It was part of history, part of the dominant culture, and so it was never questioned. Decades later, after I relocated to the United States in 1990, I had my second encounter with the word. But this time it was in the center of a public debate and the object of much intellectual and academic wrestling. In the sophisticated elite establishment of America, the term "jihad" brought unease, even before September 11, 2001. But the concern was not about what jihad might mean for the future. High-profile professors, respected journalists, and political activists were trying to diffuse the tension surrounding the word and deflect its historical sense. In most literature, scholarly articles, public lectures, and lobbying and social efforts related to Middle East politics, as well as religious studies and interfaith activities, there was a constant attempt to portray jihad as a spiritual phenomenon that could be and was abused by extremist ideologies and radical political factions who were making it into something it really was not.¹ In the early 1990s, I was stunned to read and hear the western establishment making these tremendous efforts to convince audiences and readers of the benign character of jihad; in the Middle East, for the most part, the term retained its age-old, unreconstructed meanings. Jihad is not benign, and the West's denial of that fact was terribly ironic. By instinct and as a result of my personal and professional background, I realized the enormity of what was happening: The United States was paving the way for its own defeat, by blurring its vision, confusing its mind, and moderating its reactions to the early danger signs, not to mention the terrorist strikes to come. It was clear that the nation turned a blind eye to the historical definition of jihad, the one that would really come to matter.²

ONE MEANING: OR TWO?

In my classrooms, in the books I read, on the radio, and on the black-and-white television programs of my childhood and school years, jihad was simple and clear. It was a word that had meant one thing for the last thirteen centuries. It was part of the history of many peoples and of a gigantic region, and was understood by all parties—those whom it was applied against and those who applied it—as *a call for action*. The concept of jihad was so widespread and so deeply rooted in the culture of the region that many—even non-Muslims—used it as a name for their children. A cousin of mine and other children in my own village shared the name jihad. It was used as commonly as the word "crusade" in the West. In all Arabic stories, legends, and even in cartoons, jihad was omnipresent. No one was trying to hide it, camouflage it, or moderate its meaning. From Morocco to Afghanistan, the word meant only one thing.³

In the United States, however, political and intellectual forces were mobilizing to insert a new meaning into the concept and inject that new and reshaped concept into mainstream American thinking. The question is: Why? Why would lobbies want to blur the meaning of jihad in the West, while those who called for jihad east of the Mediterranean had no intention of redefining it? This question can be answered only after we have investigated the various strategies developed by the jihadists and the efforts made by their apologists inside the United States and the West in general.

To understand the ideology of the jihadists, or those who call themselves *jihadiyun* or *mujahidin* (and thereby extrapolate their policies, strategies, and future actions), one must first understand the full definition of the word. This is not as easy as you might think, for several reasons.⁴

First, the word itself: Arab linguistics are very complex; furthermore, the field is dominated by schools that are malleable to political pressures. It seems prudent to say that, in addition to mastering the Arabic language, I have also been trained in comparative cultural analysis, the next step after linguistic translation. While you do not need this level of education to understand and interpret the term "jihad," it is the level of knowledge you need to be able to identify the influences and permutations that can exist in Arabic over one single word. My unique perspective provides me with the advantage of a strategic cultural analysis, but at the same time makes it more difficult to relate findings to either western or arab society. That is to say, it is very difficult for a genuinely bilingual person to explain an alien culture and its cultural history to a monolingual society, and vice versa. Linguistic translation is one thing, cultural explanation is something else. Among Arab speakers, for example, the concept of jihad comes naturally. In western or non-Arab, non-Muslim societies, serious academic effort is required to explain the term. And herein lies the challenge. The "translator" may neither be able nor willing to convey the fundamental meaning.

We in the West have been at the mercy of those who where supposed to translate and explain an entire ideology but instead sanitized it and camouflaged it. The same applies on the other side. In western culture, democracy is

FUTURE JIHAD

being taught in the classroom, but it is a historically understood concept. The intellectual translation into Arab Muslim culture depends on the "translating party." In those cultures, its real meaning has been complicated and altered in the *madrassas* (Islamic religious schools) or when taught by antidemocracy teachers.

A second difficulty is the fact that jihad as a concept has actually mutated to some degree over time. In the early seventh century A.D./C.E., jihad meant a unified set of values in full adherence to what was then the ambient political vocabulary of the time. Jihad was a dual religious and political theme at its very first inception. Centuries later, as the stages of Arab Islamic statehood and doctrines developed, the jihad concept would be reinforced by what was achieved by the Islamic state and the related worldview. In other words, it was strengthened, not weakened. But with the modern age, the rise of international secular ideas, the development of international law, and the surge of different strategic interests among the Islamic ideologies, jihad developed different meanings in different intellectual settings as a way to satisfy various interests. Hence, what was universally accepted in the seventh century or commonly understood in the seventeenth century has become more complex at the beginning of the twenty-first century. Therefore, one has to use the term "jihad" carefully, while remaining faithful to the popular and historical perception of it.

THE LINGUISTICS OF JIHAD

A short lesson in the linguistic history of the term is necessary to further understand its complexity. "Jihad" comes from the root word *Jihd*, but is not synonymous with it. *Jihd* means "effort." From that root many other branches were developed in ancient Arabic, depending on the action, context, and the historical meanings that developed as a result of linguistic mutations.

In Arabic syntax, the word "jihad" (Jehaad) means *haalat al Jihd*, or "a state of *jihd*." In analytical linguistics, "jihad" transliterates into "a state of permanent efforts." The word was constructed to launch a particular vision. It came from a specific situation, at a specific time, and espoused the need of that time but has continued to develop since. In essence, it was created to change with the relevant historic situation.

Many in the scholarly community in the West admit that the word "jihad" had an initial meaning, but not all interpretations are alike. Some believe the word first had only one sense, while others affirm that it always had two senses. In Arab Muslim culture, the consensus on the meaning of jihad is much larger. It definitely draws from historical accounts and religious citations. But yet again, even in the culture of origin, ideologies and schools produce their own versions. Some stress its intangible meaning; others widen its sense into alternatives and shades. But the comprehensive and widely understood content of "jihad" is universal. It was born during the early stages of the Islamic expansion and developed for centuries as a state and religious concept, before being redefined by an ideological movement at the onset of the twentieth century.

HISTORICAL BIRTH

Because of its implications for international politics, the question of war and peace, and most recently its connection with terrorist movements, which have adopted it fully in their lexicon, the concept of jihad has dramatic importance in today's world. Regardless of its ancient use, jihad as practiced by terror networks such as al Qaeda and Hezbollah and regimes such as the Taliban or Iran's mullahs is in conflict with all types of secular and human rights-based laws. But since its users—the radical organizations—and modern doctrines refer to jihad in the most historicist dimension, we are forced to investigate it historically. In other words, even if great powers used the term "jihad" in the past as a tool of war and peace, it nevertheless deserves a historical understanding since the jihadists of modern times fully adhere to its past roots (or so they claim).

Jihad as a concept was initially advanced by the early Muslim leaders at the onset of the establishment of the Islamic state, *al dawla al Islamiya*. The first recorded use of the concept of jihad as a political word goes back to the early military efforts made by the followers of Prophet Mohammed during their struggle with the Meccan establishment (seventh century A.D./C.E.). According to Islamic history, this occurred after the migration of the faithful from Mecca to Medina in what Muslims believe was the beginning of the *Hijra* era, or emigration. In fact, the Islamic era starts then, and the foundation of the political entity of Islam can be traced to the Medina era.⁵

The debate about the identity of Islam as a religion and a state has had many streams. Historically, the early Muslims formed a state around their religion. "Al islam deen wa dawla," said the founding fathers: "Islam is a religion and a state." Hence at the time of the inception, theology and politics were molded in one. While I intend to bypass the theological discussion on Islam, it must be noted that, according to historical accounts of both secular and Muslim historians, the Islamic movement was political as much as it was religious. In comparative religion, one could compare it to the biblical march of the ancient Hebrews or the movement of Christian empires. The divine was part of the sociopolitical. The early movement of Muslims, first under their Prophet

Case 2.20-CV-01000-DMF Document 1-3 Fileu 00/02/20 Page 6 01 15

FUTURE JIHAD

and later after his passing, advanced both religion and political dynamics. In addition to the five tenets of faith, the organization of the community was centered on structures, movements, decision-making systems, and political agendas.

The five pillars of the faith are (1) witness (Shahada); (2) prayer (salat); (3) pilgrimage (hajj); (4) alms (Zakat); and (5) fasting (sawm).⁶ All of these articles of faith are entirely spiritual and in some ways comparable to elements from the previous monotheist religions, Judaism and Christianity. Muslim theologians believe that Islam is the last expression of Abrahamic revelations that started with Adam and Eve and ended with Mohammed. But many secular historians and sociologists argue that early Islam was influenced by Jewish and Christian teachings. This debate will remain in the realm of comparative religions as it deals with metaphysical beliefs and messianic revelations. The question of Mohammed's prophetic character is comparable to the question of Jesus' divine nature and of the Hebrews' covenant with God. It was, is, and will remain a question of faith, above and beyond international relations. The question of jihad, however, is qualitatively different.

Jihad was declared by the early Muslim leaders as *a sixth unofficial pillar* of *Islam*. It was conceived as an "instrument of Islam," a sufficient but not a necessary condition for the spread and defense of the religion. In its pure logic, jihad was needed if things were not going smoothly. To simplify, for one to be a Muslim, he or she had to perform the five duties mentioned above. But if the conditions requiring jihad were not present, one could still be a Muslim. What were the necessary conditions for jihad?

From historical accounts, including (but not only) religious texts and references, jihad was a state of mobilization in the interest of the Muslim umma (nation) as it developed its military and strategic dimensions. When Muslims fled Meccan oppression at the hands of Mecca's pagan political establishment, they defined themselves as an "umma." As they settled in Medina, north of Mecca, the followers of Mohammed organized themselves into a political and military institution. They decided to overrun Mecca's ruling institution and replace it with a dawla, a state. It was to become the dawlat al Islam: the state of Islam, soon to become the Islamic state. That theologically grounded choice to establish a government for the new religion was the basis on which the rulerfirst the Prophet himself, then his successors-granted themselves the right of sovereignty to manage the affairs of the state for the nation. The protection of, expansion of, and management of the dawlat al umma (the state of the Muslim nation) led logically to the buildup of instruments of governance for war and peace. Jihad, as per all theological and historical references, is a state of juhd: a state of effort at the service of the umma, the state, and Allah. It is a call to mobilize the resources, energies, and capabilities of individuals in the service of the higher cause. Jihad is the sum of all *jihds*, or efforts. It is triggered by an order given by the legitimate authority. It has a theological force that cannot be canceled except by a legitimate authority.⁷

Nida' al jihad, or the call for jihad, is the highest injunction to gather the forces of the community in the service of the Islamic *umma*. Originally there was no jihad for one's personal interests. Jihad outside the global effort prescribed by the *umma* does not exist. Personal efforts to enhance jihad are part of communal jihad. Many analysts and scholars in modern times presented jihad as either personal-spiritual or as collective-political. Muslim scholars' distinction between al jihad al akbar (greater internal and spiritual strife) and *jihad fi sabeel al umma* (at the service of the community) force modern scholars to draw political conclusions. In fact, Muslim scholars conceive all levels of jihad to be at the service of the global jihadic effort for the advancement of the community.

Personal jihad is at the service and in preparation for the wider, ultimate jihad. Many western writers and apologists for modern jihad have tried to portray personal jihad as a "spiritual experience on the inside," almost like yoga. Such efforts can only blur the public's vision and its grasp of the real dangers emanating from the modern use of jihad.

Since jihad was an obligation (wajib) to act, the next questions are why and what for? Why did the early Muslim leaders invent, develop, and use jihad as an instrument of struggle? Historians have done significant work in this regard; what is commonly accepted as a tradition in the Arab and Muslim world is that collective jihad was launched under two conditions: The first condition was when the umma was in physical danger of being attacked. There was a pre-Islamic precedent for this. In seventh-century Arabia, the main mobilizing power was the tribal one. Before Islam, in what Muslims call the era of Jahiliya (pre-Islamic era of ignorance), most Arabs, including urban and nomadic ones, were organized into tribes. The head of the tribes called for military mobilization for "tribal" causes.8 But after Islam was established, the new "community" bypassed the individual tribes and had to legitimize the call for mobilization under supreme religious values. Hence jihad was to become the legitimate call for mobilization and action and ultimately war. But the second condition for jihad was not defensive but offensive: to promote, propagate, and conquer for Islam. The umma was not static in its geography. The essence of its initial marching order was to expand universally. By comparison, the divine marching 70 order received by the Jews was to head toward the Promised Land. The equivalent in early Arabian Islam was to expand outward to the world.

FUTURE JIHAD

Hence jihad cannot be oversimplified as either defensive or offensive only. From the outside, it may look as if it were a mechanism at the disposal of the rulers of the *umma* if attacked, or when they decide to march forward.⁹ From the inside of the concept, it is an all-out doctrine that legitimizes an action on behalf of the ruler. The legitimate leaders, civilian or religious, have the duty of performing jihad when possible and at their discretion. Hence, even though jihad may overlap with other principles of law, such as legitimate defense or struggle for national liberation or resistance, it has a different doctrinal source and must be articulated under the Islamic set of laws known as *Sharia*, not other laws. This debate, begun in the seventh century, was renewed in the twentieth century and is today, fourteen centuries later, at the heart of the fundamentalist ideology. Like any weapon, it could be used to defend oneself or to attack, but why did the early leaders of the community "need" jihad per se?

The first assembled Muslim community was in a state of war within Arabia against the dominant establishment in Mecca and eventually against non-Muslim tribes as well. The founder, Prophet Mohammed, was among other things a military commander.¹⁰ After the retreat from Mecca, the army of followers had to rebuild their strength in Medina and move forward. The decision was to wage war against Mecca until it surrendered. This point in history marks the first comprehensive jihad. Had early Muslims not decided to form an army to conquer the de facto capital of the peninsula, and had they decided to reduce their call to individual preaching only, jihad may never have been put in place. But the "need" for a military doctrine to mobilize the community above the tribal level produced a duty for all adherents to offer their resources, even up to the ultimate sacrifice of their lives. With jihad instituted as a duty, it became practically a sixth tenet of the religion. If the five articles of faith were acts of personal commitment to particular beliefs, jihad became the engine to shield as well as expand the community of believers. In other words, the people of faith were granted a tool to preserve and advance the faith, beyond personal commitment to their religious beliefs. In simple words, because jihad was developed as a religious duty fourteen centuries ago, modern-day radicals refer to it as such. And since Islamic religious authority has never refuted holy war, and no such reformation has yet taken place, it is difficult to prevent the use of religion to legitimize today's "jihadist" warfare. Organizations such as the Sunni al Qaeda and the Shiite Hezbollah skillfully take advantage of that fact. ٢

The Mecca-Muslim war was the first geopolitical jihad. After that, all battles became holy; all encounters with the enemy were inscribed as part of religious duty. Somewhat parallel to the biblical wars that were considered to be sanctioned by God, the early wars in Arabia were perceived as religiously inspired. These wars enabled the Muslim armies to defeat Mecca's rulers and declare Islam as the only religion in Mecca. From there on, the successes were lightning-quick; historical accounts show a rapid progress in all directions within the peninsula. Many tribes came to join the movement; others fought it and lost; and some were ejected from Arabia. The war for Arabia was the very first victory for Islam and was owed to jihad. By the time of the Prophet's death, most of Arabia had been unified under the banner of Islam. The next stage for jihad was after the passing of the *Rasul* (i.e., the Messenger of Allah). His companions and commanders had the choice between confining themselves to Arabia or resuming the jihad outside the realm of Islam's birthplace. They chose the latter.

THE FATAH: CONQUEST

The conquest of the outside world was a choice of historical dimension. After the death of Mohammed, his companions met in a council, a *mejliss*. This council became the first institution after the passing of the founder. The leadership made important decisions. The first, which would affect all of Muslim history, was to agree on the principle of succession to the *nabiy* ("Prophet" in Arabic). Succession is *khilafa*. Successor is *khalifa*, from which the westernized equivalent is caliph. The institutional successor would inherit the divine inspiration from the Messenger of Allah and at the same time his power to guide the *umma*. That passage from the Prophet to the caliphate made Islamic history possible. Had the companions not decided to establish a caliphate, no one would have guaranteed that the Muslims would be successful in marching onward. The next step would affect the history of the world.¹¹

After they decided to create an institution that would succeed the Messenger and take into its hands the affairs of the Islamic state, the *mejliss* made another decision that was to impact the entire destiny of the caliphate, the Arabs, and the evolution of Muslim politics for the following thirteen centuries. It was about the actual frontiers of the Islamic state. Where should they be drawn, around Mecca and Medina, or should they be limitless? Again, leaving apart a discussion of the initial five articles of faith, the historical geopolitical fact of what happened in the seventh century and after was that the decision to expand was taken—meaning the territorial expansion of the Islamic state. While religious conversion and evangelism may be matters of theology, state expansion is primarily military. It is interesting to note the differences between Arab and Muslim history textbooks compared to modern western and American academic texts with regard to these crucial developments. In most cases, the latter

24

Case 2.20-01-01000-Divir Documentary Theorem 00/02/20 Page 6 01 13

17:

FUTURE JIHAD

skillfully dodge the question of military conquest and talk about "propagation" of Islam between the seventh and the ninth centuries. Traditional Arab and Muslim books, however, faithfully relate the facts: The Muslim "army" undertook a comprehensive, openly acknowledged series of military campaigns from Arabia to Spain in the West and to India in the East. Later on, the expansion of the religion of Islam went beyond the sovereignty of the caliphate: Both in Africa and in Asia, different types of conversions took place. But as the big sorties from Arabia began, the caliphate devised a doctrine of conquest so that religion and the *umma* would both expand, rationalizing that expansion with the concept of establishment of religion, or *Iqamat al deen*. Here again, future militants would base their action on past realities. It is striking to see, a millennium later, jihadi groups such as al Muhajirun in Great Britain calling for a resumption of the conquests and referring to precisely this early stage in Muslim history.¹²

The logic was impeccable: Since the caliphate is the supreme institution of the Islamic state, and since the state is responsible for the future of the *umma*, and since the *umma* has a mission to expand so that the religion will be established around the world (*Iqamatu eddine*), the mechanics must come together. The principle was to expand religion, and the means was the Islamic state. And therefore the state (the caliphate in this framework) had to devise the techniques, the reasons, the arguments, and the doctrine for the expansion. Unlike the Huns or the Vikings, who marched at will with no self-explanation for conquest, the Arab conquerors were intellectually sophisticated. They wanted to achieve state expansion goals under a sound religious doctrine, and so they constructed one.

DAR EL HARB

At first, the scholars of the caliphate depicted the world to their followers as divided in two. In this worldview, on one side was the area where the Islamic state reigned and the *Sharia* of Allah was sovereign. It was called *dar el Islam*. Literally it translates to "house (or abode) of Islam." This "zone" overlapped with but did not correspond completely with the areas of Muslim settlement; it matched the borders of Islamic state control. In the area of Islamic *dawla*, Islam had legal authority. It was also called *dar el salam*, meaning "house of peace." The idea was that wherever the Islamic state is found, peace will be prevalent and guaranteed. On the other side of the equation, there was *dar el Harb*, which translates simply as "house of War," or, technically, War Zone. It did not mean specifically that war was the dominant social-political reality in those areas. It meant that outside the *dar el Islam*, there is no real peace. Many historians argue that *dar el Harb* was an area at the discretion of *dar el Islam*: The caliph would decide, depending on his judgment and on circumstances, if the Islamic state should advance into *dar el Harb* and how. Modern-day jihad warriors picked up this division from ancient times. Drawing legitimacy from these old unreformed concepts, radical groups in Sudan, Indonesia, Lebanon, Chechnya, and other areas claim they are reestablishing the *dar el Islam* and waging campaigns against the other side, with full conviction that they are resuming an unachieved mission.

Hence the caliphate created a unilateral dynamic of moving forward. There is to be no reversal of the geography of the Islamic state. On the contrary, there is only one way open: onward and upward. This doctrine was called al fatah, translated literally as "the opening." In simple geopolitical terms, fatah was the conquest of non-Muslim lands. It was the legitimization of the expansion of the state. It was not called occupation. It was perceived as a divinely authorized march into the land outside the state. "Invasion" has a name in Arabic: ejteyah. "Occupation" has another: ehtelal. Both have negative connotations, which would invite legitimate reprisal from the conquered peoples. Hence, the inventors of the word "fatah" were proposing a new term that means, practically, both invasion and occupation, but without saying it. It was often connected to a higher aim-such as at the service of Allah, religion, or the umma-a connection that both rendered the concept legitimate and provided an emotional component to its adherents. To perform *fatah* in the seventh century was perfectly legitimate in the eyes of the followers of the caliphs, as if the lands of dar el harb were awaiting the "liberators." Fatah was mubah-permissible if conducted by the proper authorities, which in those days meant the supreme commander of the believers, the caliph.

Conquest was not a unique characteristic of the Islamic expansion or of Arab invasions. At different times many nations simply conquered others and settled their own populations on foreign lands. That is the core of world history. But the uniqueness of studying the *fatah* today is that many historians, not only in the Arab world but also in the West, continue to deny that those armies marching out of the Arabian peninsula were simply conquerors. It would be the equivalent of stating that the Roman Empire spread by convincing the Mediterranean peoples of the justness of Rome, or that Spain talked the South American Indians into accepting its colonial rule, or that Britain used lawyers, not battleships, to build its empire. All of these empires, too, furnished themselves with ideas—from the Pax Romana to the "white man's burden"—that morally justified their conquests in the eyes of their followers.

26

3

THE HISTORICAL ROOTS OF JIHAD

FUTURE JIHAD

The move to invade the outside world was the single most important geopolitical development (triggered by Arab Muslims) in world history, along with the European settlement of the Americas. After the death of Mohammed, the council selected Abu Bakr al Siddiq (632-634 A.D./C.E.) as his successor. He resumed the campaigns of integration of all Arab tribes. These early companions of the Messenger of Allah were known as the wise caliphs, or al Rashidun. Today all Muslims consider them to be Islam's founding fathers. Some later saw them as the precedent to follow, or the salaf. They attended to the newly formed "nation" and proceeded with the unification of the Arabian tribes across the peninsula, a task never before achieved in the history of the Arabs. At his death he was replaced by Caliph Umar (634-644), then by Caliph Uthman Ibn Affan (644-656). Caliph Ali ruled from 656 to 661 A.D./C.E. The Muslim forces were disciplined by religion, which motivated them by transcending the limits of tribes. The other Arabian tribes were divided and of different religious affiliations. Most of them worshipped a variety of deities, but some tribes were Eastern Christians, mostly in northern Arabia, while others were Jewish, particularly in Yemen and around Yathrib and Medina. The unification of Arabia was mostly by way of direct military subjugation, but in many cases occurred by tribes rallying the Muslims. The conversions into the new religion were fast, and often tribes attempted to reject Islam and return to their deities. But the Islamic state would not allow what it called *ridda*, or return to a previous religious belief. In such cases, there was a clear injunction for physical elimination. After the death of Mohammed, there took place the hurub al ridda, or wars of reinstating Islam among tribes that decided to quit it. These military campaigns were very bloody. The dawla, or state of Islam, was at stake: A domino effect might erode the demography of the new umma. In later times, and especially in the twentieth century, the ideology of jihadism would refer to these wars as a reason to attack any Muslim who would divert from religion or change faith. Cases of jihadist execution of former Muslims or of converts to other religions are widespread at the hands of the modern-day radicals. The terror unleashed by the contemporary jihadi reached missionaries in Lebanon, Africa, and Iran and civilians engaged in outreach to Muslims. Here again, the use of ancient history has had dramatic consequences.¹³

Some would argue that the *ridda* wars were the reason for the conquests. According to this theory, the *fatah* march into the *dar el harb* was intended to unite the converted tribes and offer them a way to expand outside Arabia. Instead of internal wars among Arabs threatening the new Islamic state, outside wars to open new lands and opportunities were the logical path to ensure unity.¹⁴ But historians who draw from analysis based on political economy believe that the *fatah*—although inspired by the powerful doctrine of jihad—was essentially a solution to the socioeconomic needs of Arabian tribes. This analysis merits some consideration. Insulated and isolated for centuries, the inhabitants of these vast deserts were structured around nomadic traditions and centered on Mecca's supremacy. When the Islamic state was established as a sort of transcendent power across their known world, the promise of a higher power had to be translated into enlarged boundaries. In short, because the Bedouin norms were disrupted and the hopes for a better life were raised very high, the caliphate of the *Rashidun* sought expansion. The theories are abundant, and not all explored. This is one problem with Middle East studies. But whatever the speculations of research, according to all accounts the march of the *fatah* was nevertheless a hurricane.

After the death of Uthman Ibn Affan, two candidates for the caliphate were considered: Ali, the younger cousin and son-in-law of the Prophet, and a bright and handsome qaid, or commander of the armies; and Umar, older companion of the Messenger of Allah. An arrangement was made to select Umar and to have Ali take over later. This would be the first seed of a historic internal dissention among Muslims. But under Caliph Umar, the world of antiquity changed. For the first time in known history, a unified Arab army marched out of the peninsula under the banner of Islam. One of its greatest generals, Khalid Ibn al Walid, moved north toward the Syrian plateau and met the then sophisticated and large Byzantine army. The fatah took place in an unprecedented context. Barefoot nomads, with no advanced weapons and no experience in classical warfare, were taking on the two largest empires of the time: the Byzantine Roman Christian Empire to their west and the Persian Zoroastrian Empire to their east. Comparatively speaking, it was like a force coming out of the Arabian desert during the Cold War to attack the Soviet Union and the United States simultaneously. Outnumbered Arab Muslims, with little experience and almost no technology, marched head-on to meet two imperial armies with numerical superiority, better technology, and backed by dozens of wealthy cities. How did the Arab jihad win such a war?

Historians argue and counterargue but I find four reasons to be sound.

1. In the mid-seventh century A.D./C.E., the two "superpowers" had already been at war for a few centuries, which had weakened their economy, military forces, and determination to fight.

2. The Arabs were motivated, mobilized by the doctrine of jihad, and had nothing significant to lose in Arabia. The green prairies, water, and cities of light lay ahead of them.

Case 2:20-cv-01080-DMF Document 1-3 Filed 06/02/20 Page 10 of 15

ത

Real

FUTURE JIHAD

4. The fact that the Byzantines and Persians had scant knowledge about the new invader worked in the latter's favor. The imperial elites had not prepared the peoples and the rulers for the advent of the *fatah* armies.

These reasons, in addition to other geopolitical ingredients of the times, made it possible for a small but determined fish to devour a pair of large but ailing whales. We will see later that other reasons allowed the Arabs to maintain their conquests after they obtained them.

The single most important date in Arab-Islamic military history, a date that has changed the face of the planet, is August 5, 636 A.D./C.E. This is the day the armies of the *fatah* won the crucial battle of Yarmuk against the Byzantine army. A plateau situated next to a small river by the same name, Yarmuk is technically on the southern hills of the Golan Heights, between Jordan and Syria. Khalid Ibn al Walid moved his forces swiftly to face off with Heracles' Roman legions, in a battle scene similar to those in *The Lord of the Rings*. The accounts of this vast battle are impressive by military history standards, but its consequences are too important not to analyze. The battle of Yarmuk is in every Arab textbook, including the ones I have used in my classrooms. It is central to the collective reading of history, at least in the Arab world. Yet unlike the battles of Troy, Carthage, Waterloo, and Normandy, it is not mentioned in western textbooks.¹⁵

By the end of the day, and after a sandstorm (which has been laden with religious interpretations), the men on camels and light horses had destroyed the Byzantine army with all of its heavy armor. From that day on, no power was able to stop the forces of the *fatah* and the jihad energy that had exploded. Allah was on the side of the soldiers of the caliphate and rewarded their commitment against superior forces with a victory of biblical dimensions. Within one year, Palestine and the city of Jerusalem fell to the conquerors. The year after, Damascus, Syria, and lands all the way to Asia Minor were in the hands of the marching jihad forces. To the east, the equally crucial battle of Qadissiya (or Nehavend) resulted in the defeat of the large Persian army and their retreat from Mesopotamia, which fell to the commanders of the *fatah*. The victories were so stunning, the captured lands and cities so vast and populated, that the march resumed immediately. Unlike previous conquests by the Egyptians, Assyrians, Greeks, Romans, and Persians, the Arab-Islamic invasions were fast, decisive, and unstoppable.

If you read the jihadists' contemporary literature or listen to their online chats, you will understand how they portray their future victories as reflective of Yarmuk and the subsequent advances of the Islamic army.

AL QAEDA Reader

THE

edited and translated by RAYMOND IBRAHIM

INTRODUCTION BY

VICTOR DAVIS HANSON

BROADWAY BOOKS

"JIHAD, MARTYRDOM, AND THE KILLING OF INNOCENTS"²

PREPARED FOR THE COUNCIL OF THE JIHAD ORGANIZATION UNDER THE SUPERVISION OF DR. AYMAN AL-ZAWAHIRI

In the name of Allah, the Compassionate, the Merciful

Allah Most High said: "O you who have believed! Fear Allah as He should be feared, and die not except as Muslims" [3:102].

And the Most High said: "O you who have believed! Fear Allah and speak accurately, so that He may fix your affairs and forgive your sins; and whoever obeys Allah and His Messenger indeed achieves a mighty victory" [33:70–71].

Allah Most High has imposed *jihad* on His behalf upon His believing slaves. The Most High said: "Fight in the path of Allah those who fight you, but do not transgress, for Allah loves not the transgressors" [2:190].

And the Most High said: "Then, when the sacred months have passed, slay the idolaters wherever you find them—seize them, besiege them, and make ready to ambush them!" [9:5].

And the Most High said: "[A]nd fight the Pagans all together as they fight you all together" [9:36]. And the Most

142 THE AL QAEDA READER

High said: "[M]ake war on the leaders of infidelity—for no oaths are binding with them—until they give in" [9:12].

The Prophet has shown that war is deceit between the believers and their foes. He said: "War [is] deceit." Structurally, the subject of the clause is "war," the predicate, "deceit"—in other words, the essence of warfare, and its most important cornerstone, is deceit. Just like his saying: "Pilgrimage [is at] Arafat"—that is, the most important thing in pilgrimaging is attaining Arafat, despite the fact that there are other pillars in the pilgrimage. Moreover, these are like his saying: "The religion [is] advice."

Deception in warfare requires that the mujahid bide his time and wait for an opportunity against his enemy, while avoiding confrontation at all possible costs. For triumph, in almost every case, is [achieved] through deception: triumph achieved through confrontation possesses many dangers. Nonetheless, this deception needs to be gauged by the sharia's prescriptions-for all advantages not regulated through sharia law are unworthy. Therefore, engaging in that which is forbidden as a pretext for deception is inexcusable. To that end, al-Nawwawi said in his commentary regarding this hadith: "The ulema are agreed that deception against the infidels in war is legal, unless it reneges an existing pact or treaty in which case it is unacceptable." And Ibn Hajar al-Asqalani said: "Revealing one thing while secretly planning another is the essence of deception; moreover, the hadith incites [Muslims] to take great caution in war, while [publicly] lamenting and mourning in order to dupe the infidels. Whoever does not do so has no guarantee that he himself is not being deceived [by the enemy]."

Ibn al-Arabi said: "Deception in warfare has to do with [issuing] obvious hints while working in stealth, and things of this nature. And in the *hadith*, practicing deceit in war is well demonstrated. Indeed, its need is more stressed than [the need for] courage. Likewise, the summary of this *hadith* comes to a point—in the same manner as when he said: 'Pilgrimage [is at] Arafat.' " Ibn al-Munir said: "War means

"Jihad, Martyrdom, and the Killing of Innocents" 143

deceit: in other words, the most complete and perfect war waged by a combatant is a war of deception, not confrontation, due to the latter's inherent danger, and the fact that one can attain victory through treachery without harm [to oneself]."

In this message we demonstrate, Allah Most High willing, the legality of one of the methods of deception against the enemy—that is, martyrdom operations. Many disputes have revolved around its legitimacy, both from the people of Islam themselves and from their foes. We will discuss the legality of martyrdom operations in the following sections:

- Introduction: Regarding the duty of *jihad* and the superiority of martyrdom
- Part one: The *sharia*'s perspective on martyrdom operations Part two: The permissibility of bombarding infidels when Muslims and others who are not permitted to be killed are dispersed among them

INTRODUCTION: REGARDING THE DUTY OF JIHAD AND THE SUPERIORITY OF MARTYRDOM

Allah, the Blessed and Most High, said: "Allah has bought from the believers their lives and worldly goods, and in return has promised them Paradise: they shall fight in the way of Allah and shall slay and be slain. It is a promise binding on Him in the Torah and the Gospel and the Koran. And who is more true to his pledge than Allah? Rejoice then in the bargain you have struck, for that is the supreme triumph" [9:111].

Al-Muqadam bin Ma'ad Yakrub relays that the Prophet of Allah said: "The martyr is special to Allah. He is forgiven from the first drop of blood [that he sheds]. He sees his throne in Paradise, where he will be adorned in ornaments of faith. He will wed the Aynhour [wideeyed virgins] and will not know the torments of the grave and safeguards against the greater terror [hell]. Fixed atop his head will be a crown of honor, a ruby that is greater than the world and all it con-

144 THE AL QAEDA READER

tains. And he will couple with seventy-two Aynhour and be able to offer intercessions for seventy of his relatives."

Now, if martyrdom and martyrs are revealed in such a glorious manner, demanding martyrdom and desiring death in the path of Allah becomes legitimate, as was spoken by Abdallah bin Jahsh: "O Allah! Find me among the idolaters a mighty and furious man, full of blasphemy and unbelief, that I may fight him for your sake. Then he will overcome me, plunder me, and chop off my ears and nose. And when I meet You [Allah], You will say: 'O Abdallah bin Jahsh, why were you mutilated?' And I shall respond: 'For you, my Lord!' "

Likewise, in Bukhari's authenticated book regarding the call to *ji-had* and martyrdom for men and women, Omar declared: "O Allah! Grant me martyrdom in the land of Your Prophet."

Moreover, Allah Most High has obligated believers to battle all those who reject Him, the Exalted, until all chaos ceases and all religion belongs to Allah. The Most High said: "Fight them until there is no more chaos and [all] religion belongs to Allah" [8:39].

And among those needing to be fought at this day and age are those rulers who govern the people without the *sharia*—they who fight against the people of Islam, who befriend the infidels from among the Jews, Christians, and others. And Ibn Kathir has transmitted the consensus that it is an obligation to battle such rulers.³

These rulers and their helpers are the leaders of infidelity, whom Allah Most High spoke of: "[T]hen fight the leaders of infidelity—surely their oaths are nothing—so that they may desist" [9:12].

All *ulema* are agreed that leadership should never fall into the hands of an infidel, or if infidelity should suddenly descend upon him, and he becomes an outcast not ruling in accordance to the *sharia* of Allah, his authority diminishes and it becomes a duty for Muslims to revolt against him and eject him.

When Muslims used to undertake *jihad* in the path of Allah, they were the mightiest of people. But when they abandoned it, Allah humiliated them through division and conquest, just like the Prophet told: "If you take up a domestic life, hold on to the tails of cattle, are "Jihad, Martyrdom, and the Killing of Innocents" 145

content with farming, and thus abandon *jihad*, Allah will let humiliation lord over you until you return to your religion."

Thus the Prophet made abandonment of *jihad* in the way of Allah as the cause for humiliation and disgrace, while making glory—all glory!—incumbent upon a return to *jihad* in the way of Allah Most High, which he regarded as a "return to religion."

Al-Qurtubi said in his commentary regarding the Word of the Most High: "Warfare is ordained for you, though it is hateful unto you" [2:216]. He said: "Abu Abida said: 'You may hate what hardships you encounter in *jihad*, though it benefits you by way of total victory with an acquisition of booty as recompense. But he who dies, dies as a martyr. But perhaps you love being slothful and abandoning warfare? [Know that] this is an evil for you, as you will then be defeated and humiliated, and your authority will pass away.' This is an indisputable truth, as witnessed in Andalusia [modern-day Spain]: they [Muslims] forsook the *jihad* and shrunk away from battle, and a good number of them took to their heels. The result was that the enemy [Christian Spaniards] took over the lands—and what lands!"⁴

All the above demonstrates the greatness of martyrdom and the obligation to fight the imams of infidelity and their aides. Thus, abandoning *jihad* and becoming caught up with [the desires of] this world lead to humiliation and the loss of property, honor, and land, whereas loving martyrdom and engaging in battle lead to glory and strength.

The Prophet showed that the greatest of the believers are those who went out [to battle] with their selves and their possessions only to return empty-handed. As was relayed by Ahmad and others from their chains of authority, Abu Hurreira said that the Prophet said: "Shall I tell you who is the best among the people? A man who takes hold of his horse's reins and plunges headlong in the path of Allah." Another *hadith*, transmitted by Ibn Abbas, says: "The Messenger of Allah when he was haranguing the people of Tabuk, said: 'No one among all the people is like the horseman who plunges headlong in battle on behalf of Allah.'"

The best of people, then, are those who are prepared for *jihad* in

Case 2:20-cv-01080-DMF Document 1 3 Filed 06/02/20 Page 15 of 15

146 THE AL QAEDA READER

the path of Allah Most High, requesting martyrdom at any time or place. Whenever he hears the call to *jihad* he flies to it until Allah's authority is established. By way of Abu Hurreira, the Prophet said: "In order that the people have a livelihood, it is best that they have a man who holds on to the reins of his horse, battling in the way of Allah. He flies upon [his horse's] back every time he hears the call or alarm, wishing for death or expecting to be slain."

Thus, whoever sacrifices himself on behalf of Allah Most High, submitting himself to the path of Allah, is the best of persons, by witness of the truest of all creation [Muhammad].