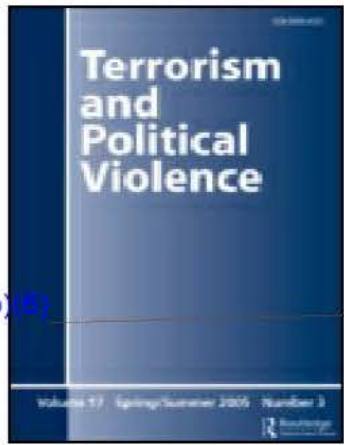


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On: 09 August 2011, At: 15:02

Publisher: Routledge

Informa Ltd Registered in England and Wales Registered Number: 1072954 Registered office: Mortimer House, 37-41 Mortimer Street, London W1T 3JH, UK



Terrorism and Political Violence

Publication details, including instructions for authors and subscription information:

<http://www.tandfonline.com/loi/ftpv20>

Haram or Halal? Islamists' Use of Suicide Attacks as "Jihad"

[redacted]^a

^a Independent Scholar, Stafford, Virginia, USA

Available online: 09 Aug 2011

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(b)(6) cite this article: [redacted] (2011): Haram or Halal? Islamists' Use of Suicide Attacks as "Jihad", Terrorism and Political Violence, 23:4, 582-601

To link to this article: <http://dx.doi.org/10.1080/09546553.2011.578185>

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Haram or Halal? Islamists' Use of Suicide Attacks as "Jihad"

(b)(6)

Independent Scholar, Stafford, Virginia, USA

Suicide attacks are an important, and effective, terror tactic in Al Qaeda and other Islamist Movements' (AQOIM) tool kit as they wage jihad al saghir (lesser jihad) against the kuffar (infidels). The successful 9/11 terrorist attacks on American soil would not have been possible without the willingness of 19 young Arab men to commit inUihar (suicide). AQOIM's "marketing" of suicide attacks in their propaganda campaigns as "martyrdom operations," leads one to ask: Is the use of suicide as a military tactic in war against the kuffar sanctioned in Islam both scripturally and/or by the interpretations/opinions of Muslim scholars and religious figures, as well as by the Muslim public? This article explores the ongoing jihad (struggle) within Islam on what does and does not constitute "martyrdom operations." It does so by exploring the legality of such acts through the lens of Islamic doctrine (Quran and Hadith), as well as studying the interpretations of respected ulma (scholars) on whether or not suicide attacks are indeed "martyrdom operations" to be praised as "halal," or to be condemned as "haram" (forbidden).

Keywords Al Qaeda, Hizballah, ijihad, Islamists, jihad, jihad al saghir, martyrdom operations, suicide attacks, terrorism

Indeed, whoever (intentionally) kills himself, then certainly he will be punished in the Fire of Hell, wherein he shall dwell forever.

—*Hadiths*: Bukhari #5778 and Muslim #109 and 110

Most Islamist terrorist groups (to include Al Qaeda)¹ have come to rely on various suicide attacks as part of their ongoing "global jihad" to both defend, and expand, the boundaries of Dar al Islam.² The most gruesomely vivid images of such operations in the minds of most people occurred on 9/11, when nineteen Al Qaeda operatives hijacked four U.S. commercial airliners in order to deploy them as missiles in a suicide mission that killed over 3000.³ Other successful

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(b)(6) is currently completing a book on state-society relations in Pakistan, Afghanistan, and Iran. She has worked as an assistant professor (contractor) at the National Defense University in Washington, DC (2009–2010); with the USMC as a subject matter expert on South Asia and Southwest Asia (2006–2008); and as a contractor with USAID based out of Peshawar, Pakistan on the Tribal Areas Development Sub-Project (1987–1989). She completed her PhD in political science from the University of Utah in 2007.

The author would like to thank the Association for the Study of the Middle East and Africa (ASMEA) for the opportunity to present her initial draft of this paper at their third annual conference.

(b)(6)

Address correspondence to (b)(6)

E-mail: (b)(6)

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suicide attacks by Al Qaeda and affiliates, as well as other Islamist groups like Lebanon's Hizballah and Gaza's Hamas, have involved the Beirut and Kuwait City U.S. Embassies (1983),⁴ the U.S. Marine barracks at Beirut airport (1983) and the French barracks in Beirut (1983),⁵ U.S. Embassy Annex in Beirut (1984),⁶ Israeli Embassy in Buenos Aires (1992),⁷ Khobar Towers in Dhahran (1996),⁸ the U.S. African Embassy bombings (1998),⁹ the USS Cole attack in Aden (2000),¹⁰ and the London tube bombings (2005),¹¹ numerous suicide bombings in Israel since 1994 (many attacks on public buses, bus stops, and restaurants),¹² and Chechen suicide bombings since 2000.¹³ Such suicide attacks have been justified as being *halal*¹⁴ by Islamist terrorist groups via their media arms as religiously sanctioned acts of *istishhad* (Arabic: martyrdom) and thus necessary actions against the stronger *kuffar* (infidels).¹⁵

This operational reality begs important questions: Are certain Islamist movements' reliance on suicide attacks religiously sanctioned and thus constitute *halal* tactics due to the challenging circumstances under which they operate as they claim? Or, are such brutal kinetic tactics under the rubric of "*jihad*" (struggle) actually *haram* acts of Islamic *muharribun* (terrorists) and, therefore, illegitimate? The answers are critical because the recruitment and rallying narrative of these groups relies on depicting their "struggle" *through any means* as a *just* and *noble jihad*. Furthermore, the failure of the Muslim community to continually, and aggressively, challenge the legitimacy of Islamists' brutal methodology—which relies primarily on undertaking suicide terrorist attacks on civilians—helps serve a) to legitimize their use of suicide attacks as being within the legal confines of waging "*jihad*"; and b) is interpreted as ample proof by those who believe that suicide methodology is scripturally sanctioned. This article examines the specific modus operandi of suicide attacks by Islamist groups vis-à-vis their purported claims to be waging a *legitimate jihad* in the name of Islam in order to glean whether such "martyrdom operations" that rely on suicide are indeed religiously sanctioned or are actions¹⁶ which are prohibited in the *Quran*.¹⁷

Introduction

In Islam, throughout its 1400 year history, *intihihar/khud kushee* (Arabic/Persian: suicide) has been strongly condemned as being the path to eternal damnation in hell and, until recently, was recognized by neither the clerical nor the secular establishments as an acceptable means to *any* end, even if it may involve a decisive victory over the *kuffar*. One reason why committing suicide is so strongly condemned has to do with the scripturally based belief of Muslims inculcated since childhood that only *Allah* (God) has the power to determine one's time on this earth and only *he* determines when this time is up.¹⁸ Thus for an individual Muslim to assert what is essentially *Allah's* prerogative, by taking his/her own life for whatever reason (a life which is preordained by *Allah*), is considered sacrilegious and can be viewed as heretical behavior by someone trying to play *Allah*.¹⁹ Even the specific use of suicide as a weapon against the enemies of Islam has historically been condemned as *haram*. Furthermore, what makes such behavior even more egregious in the eyes of most Muslims is the fact that the majority of the Islamists' targets, and casualties, are fellow Muslims living within Dar al Islam,²⁰ a reality that terrorist groups like Al Qaeda diligently try to avoid in their strategic narratives.



“Jihad” Defined

In order to determine if the use of suicide operations by Islamists constitute the leveraging of legitimate tactics in order to wage *jihad* against the *kuffar*, we need to first briefly examine the concept of *jihad* and how it is to be waged based on Islamic scripture and/or the historical record from the early period.²¹ *Jihad* is an important concept in Islamic theology. Its literal translation from Arabic is “to struggle or to persevere.”²² In the *Quran*, the term is used to refer to the *act of striving* to serve the purposes of God on this earth (*jihad fil sabil Allah*). Within the Muslim world and beyond, it is a powerful ideological concept that either galvanizes or inculcates fear and dread. Conceptually, its motivational power is impressive and reflects the successful leveraging by specific Muslim “leaders” to galvanize their respective populaces into undertaking military action on their behalf in the name of Islam.²³

“*Jihad*,” however, is a widely (mis)interpreted concept.²⁴ Although “*jihad*” has become a ubiquitous term that is synonymous with “violence in the name of Islam,” its *literal* translation from its Arabic root “*jhd*” means “to strive or to struggle.”²⁵ In the *Quran* it occurs forty-one times but only two times does it refer to “*jihad*” as *warfare*:

So obey not the unbelievers, but struggle with them thereby mightily.
(Arabic: *wa jihidhum jihanadan kabiran*).²⁶

Struggle for God as is His Due. (Arabic: *wa jahidu fi llahi haqqa jihadihi*).²⁷

The term “*jihad*” in the *Quran* is primarily invoked to inspire devotion to *Allah*, to strive in the path of *Allah* to please him (“striving with one’s person and one’s wealth for the sake of God”).²⁸ It is also frequently used by Muslims to describe religious “warfare” in the name of the *din* (faith) of Islam; however, the correct word for “war/fighting” in Arabic is *harb* (root “*hrb*”) and/or *qital* (root “*qtl*”). In short, “*jihad*” in contemporary times is the term used by Muslims to define a “holy war against the non-believers,” i.e., those who have not submitted to the *sahih* (authentic or correct) path as outlined in Islamic doctrine.²⁹

The term “*jihad*,” however, quickly came to define Islam’s militant “struggle” against the unbelievers (and often against fellow Muslims) as in the conduct of *harb*. It can be surmised that adoption/propagation of the term “*jihad*” (struggle/effort) perhaps sounded more appealing and legitimate than the actual Arabic terms for various kinds of warfare (even if in the name of the *din*). Thus, “*jihad*” is now generally understood to mean “religious warfare” throughout the world. The reality that the concept of “*jihad*” now has come to *primarily* connote “war against infidels” in the Muslim world is cause for concern. Furthermore, it can be argued that the definitional confusion which surrounds this important Islamic precept has facilitated the global “*jihad*” of the Islamic *Muhharibun*.³⁰ It can also be persuasively argued that the failure within the Muslim world to widely condemn the Islamists’ reliance on suicide attacks as “*jihad al saghir*” (lesser *jihad*), which Islamists defend through the use of legitimizing terminology of “martyrdom operations,” only emboldens such terrorist entities and expands their recruitment/support base.

Jihad Al Saghir: The Islamists' Mission

Jihad, when leveraged in the Muslim world as a military concept, is known as *jihad al saghir* or *jihad bin saif* (*jihad* of the sword). The fact that this is the universal concept in Islam for any armed struggle in the name of the *din* is revelatory: Of the two components of "jihad," this definitional terminology, which depicts warfare as the *lesser struggle or effort*, in stark contrast to the larger, inner, struggle (*jihad al kabir*),³¹ is noteworthy precisely because warfare in the name of the *din* is conceptually defined as being a *secondary effort* (i.e., *jihad*). Yet, notwithstanding this lexicon, *jihad al saghir* has come to dominate the Muslim imagination, as the historical record shows, as Islam sought conquest and conversions through *harb* (warfare)³² and *da'wa*.³³

Jihad al saghir as warfare has two variants: the *defensive* and the *offensive jihad al saghir*.³⁴ *Defensive jihad* refers to war against infidels/nonbelievers that *have entered or conquered a portion of Dar al Islam*. Which begs the question: What constitutes "Dar al Islam"? Generally speaking, *Dar al Islam* refers to the regions where Muslims are in the majority. Conceptually, it is widely understood in the Muslim world, as part of religious teachings, that when the infidel/nonbelievers enter the abode of *Dar al Islam* through military means, this is not to be interpreted as an invasion/occupation of a specific Muslim majority state; rather, this must be seen as an invasion of *Dar al Islam*. According to Islamic precepts, it then becomes incumbent upon *all* Muslims (regardless of their locale) to wage a defensive *jihad* to force the non-Muslims out of this Muslim majority area/region. The Quranic *sura* (chapter) frequently cited to justify such a resistance is as follows:

To those against whom war is made, permission is given [to defend themselves], because they are wronged—and verily, Allah is Most Powerful to give them victory.³⁵

It is also inculcated that those Muslims—such as the aged, young, etc.—who cannot physically wage war are not mandated to fight. They, however, can assist in other ways (monetary, propaganda, shelter, etc.). But it is considered a *fard ayn* (mandatory duty) to engage in this struggle/war for able bodied Muslim men when attacked/invaded by the non-believer. For example, the U.S.-led invasions of Iraq and Afghanistan have been depicted by Al Qaeda's media arm—As Sahab—as military occupations by *kuffar* armies. Furthermore, this "narrative" resonates in the Muslim world and is propagated by various Muslim groups, especially the radical elements, who claim that it is *fard ayn* for all Muslims to fight a defensive *jihad* against these forces until this portion of *Dar al Islam* is liberated from both the far enemy (the occupying infidels) and the near enemy within (*murtadd*)³⁶ regimes of Muslim majority regions).

Offensive Jihad involves taking *jihad* to the *Dar al Harb* (abode of war), i.e., non-Muslim majority regions like Europe and North America. As widely understood in the Muslim world, this type of *jihad* is a *voluntary* one. Attacking *Dar al Harb*, as in an offensive (lesser) *jihad*, for purposes of conquest and conversion, however, requires a *fatwa*³⁷ from a legitimate Muslim scholar/ruler for a specific purpose/act. Historically, conducting *razzia* (raids) has not required a *fatwa*.

Given the overwhelming military might of the *Dar al Harb*, *Islamiyyun*³⁸ seek to wage their struggle using whatever means necessary. This includes tactics that violate the limits imposed upon waging such a *jihad* as reflected in certain Quranic *suras* and



hadiths which discuss rules of warfare. Given the inherent difficulties of mobilizing the Muslim populace in waging an offensive *jihad al saghir* using questionable tactics such as suicide attacks, killing of women, children, and other non-combatants, terrorist entities like Al Qaeda have relied on two mechanisms to legitimize/bolster their mission: first, justifying traditionally prohibited tactics through dissemination of propaganda that promotes the use of such tactics to both assuage and recruit from the “*umma*”; second, redefining/altering the boundaries of *Dar al Islam* in propaganda efforts also aimed at the “*umma*,” in order to depict their *jihad* as being a “defensive” one; and thus making it incumbent upon all able bodied Muslims to participate even if it involves questionable, violent means against fellow Muslims and against unarmed civilians.

In order to pre-empt the inherent limitations of waging offensive *jihad al saghir* and, more importantly, to expand their vital recruitment base, some terrorist groups like Al Qaeda appear to have rewritten some of Islam’s theological script in an ongoing propaganda campaign. Al Qaeda leaders like Ayman Zawahiri like to stress that *Dar al Harb* might demographically be the land of the infidels and non-believers (*kuffar*) but, ultimately, the entire world is *Dar al Islam* according to *Allah*. This strategy of broadly defining *Dar al Islam* in order to thereby characterize their “war” as being a *defensive jihad* is based on a historical reality: the boundaries of *Dar al Islam* remain unclear. Many Muslims believe that the legitimate boundaries of *Dar al Islam* include all territory that has been reclaimed by the “Crusaders” and others such as Spain, much of Eastern Europe, the Caucasus, the Indian sub-continent, etc.

This broad definitional view perpetuated by certain Islamist groups serves an important recruiting and funding purpose: by generously redefining the boundaries of the abode of Islam to encompass the entire planet, inevitably changes the discourse on what *form* of *jihad al saghir* is being waged and who is obligated to participate. If the entire planet is the abode of Islam, then engaging in the struggle (*jihad*) against those who illegally reign over it becomes mandatory for *all* Muslims. Furthermore, *how* this struggle for conquest by Islam plays out is determined by the strength of the enemy and reliance on methods and tools that encompass more than the military realm in non-Muslim majority areas like Europe and the United States.

Use of Martyrdom Operations as “Jihad”

Given the increasing reliance on suicide attacks—called “martyrdom operations”—as an important tactical tool in the Muslims terrorists’ *jihad* tool kit justified in the name of the *din*,³⁹ it is only logical that these series of events (both successful and unsuccessful terrorist attacks) lead us to ask the question: Does this trend suggest a favorable perception in the Muslim world on suicide as an act of *istishhad* (martyrdom) in general? More pertinently, is the use of *intihar* (suicide) as a military tactic in war against the *kuffar* sanctioned both scripturally and by the interpretations/opinions of learned Muslim scholars and religious figures, as well as by the Muslim public? Finally, when did this trend of condoning “suicide attacks” as justifiable (and noble) “martyrdom operations” begin and why?

Muslims traditionally have been taught (whether at home, at school, or at the Mosque) that according to Islamic doctrine, life is precious and one’s time on earth is determined by Allah alone, and not by man.⁴⁰ Furthermore, it was/is stressed that *intihar/khud kushee* (Arabic/Farsi: suicide) can never be justified under *any*

circumstances.⁴¹ To commit suicide is to guarantee oneself a place in an eternal, burning, hell according to Islamic scripture. Two Quranic *ayats* (verses) often cited that forbid suicide:

O ye who believe! . . . [do not] kill yourselves, for truly Allah has been to you Most Merciful. If any do that in rancour and injustice, soon shall We cast him into the Fire . . . (Quran Sura An-Nisa-4:29–30)

You shall spend in the cause of GOD; do not throw yourselves with your own hands into destruction . . . (Quran Sura Al-Baqara-2:195)

There are hadith that address the subject of suicide:

And whoever commits suicide with piece of iron will be punished with the same piece of iron in the Hell Fire.⁴²

A man was inflicted with wounds and he committed suicide, and so Allah said: My slave has caused death on himself hurriedly, so I forbid Paradise for him.⁴³

The unanimous views on discrediting the use of suicide in any form in the Muslim world, however, underwent a gradual re-examination with the advent of unprecedented suicide attacks in the 1980s⁴⁴ in Lebanon, Israel, Britain, and the United States and elsewhere conducted under the banner of Islam by Hizballah, Hamas, Al Aqsa Martyrs Brigade, Al Qaeda, et al.⁴⁵ These terrorist acts—which relied on blowing oneself up—came to be called acts of *istishhad* (martyrdom) in certain circles within the Muslim world and by some Muslim “scholars”⁴⁶ and *ulema*. In his book, *The Islamic Ruling on the Permissibility of Self-Sacrificial Operation: Suicide or Martyrdom?*, the Saudi born Al-Qaeda operative, Sheikh Yusuf ibn Salih Al-Uyayri (d: 2003) defined “martyrdom or self sacrifice operations” as those performed by one or more (Muslim) people, against enemies far exceeding them in numbers and equipment, with prior knowledge that the operations will almost inevitably lead to death. He argues that the use of the term “suicide bombings” is both wrong and inaccurate and a construct of the Jews “to discourage our brothers from such activities.”⁴⁷ Nowhere in his “treatise” does al-Uyayri provide historical examples of actual self immolation/destruction in the name of *jihad*. His closest examples (Al Qurtubi and Ibn Qudamah plunging into the enemy)⁴⁸ are reminiscent of the tactics of the *Nizari* Ismaili (known as the *Assassins* in the West), who would undertake assassination missions that primarily involved close and personal contact with the target with a dagger, knowing that they would, in all likelihood, be struck down in their act of “martyrdom.” The key difference—a critical one—is that the assassin placed himself in such a situation that guaranteed immediate reprisal in the form of death/execution given his high value target/prey. But he never killed himself (which would be *haram* and cause for being sent to endure eternal hell fire in Muslim minds), nor did he cause the deaths of others (collateral damage to Al Qaeda), which would bring dishonor upon the *Nizari* and their mission against the tyranny of specific rulers.⁴⁹

A possible explanation for the emergence of a “scholarly” trend within the Muslim clerical establishment towards reinventing the religious rules of “engagement” vis-à-vis the *kuffar* and perceived *murtadds* (apostates) was a pragmatic

one:⁵⁰ By leveraging *intihar* (suicide) bombings against the *kuffar* forces in Beirut, Hizballah appeared to have been able to force what was perceived in the Muslim world to be a hasty withdrawal of the foreign (read: infidel) troops from Lebanon's shores. This interpretation of actual events became widespread both within and without the Arab world. It also seems to have opened up a Pandora's Box vis-à-vis *jihad al saghir's* rules of engagement, specifically the use of suicide as a *halal* act of martyrdom. Acosta has labeled this trend in the Muslim world as the "Evolving Islamic Martyrdom."⁵¹

Following the multiple suicide attacks on U.S. soil on September 11, 2001, there was public rejoicing in the Muslim—especially the Arab—world over suicidal attacks by 19 Arab Muslims against non-combatants across the Atlantic. This behavior in light of Islamic precepts and historical tradition is cause for concern.⁵² A plausible explanation may lie in the fact that Arab/Muslim media outlets had for years been depicting suicide attacks by Palestinians against Israeli targets as "martyrdom operations" that were "heroic" (i.e., *halal*) acts. The constant bombardment by the Arab/Muslim media and by local *mullahs* (Muslim preachers) and *imams* that the injustice of the "Israeli occupation" and America's continued support for Israel legitimized the use of "martyrdom operations" via suicide, certainly must have influenced the perceptions and views of their target audiences.⁵³

Since the early 1980s, there has been much discussion amongst Muslim (Sunni and Shia) *ulema* and *imams* on whether certain types of suicide attacks constitute "acts of martyrdom" that ensure a quick entry into paradise. As a result, there seems to have emerged a diversity of opinions on the topic of "suicide" as a military tactic. Writings on the topic of "suicide as martyrdom" have painstakingly sought Quranic *suras*, hadiths, and the views of respected Muslim *imams* to substantiate their thesis that, in certain circumstances, such behavior is both legitimate and worthy of reward in the afterlife.

Sheikh Yusuf ibn Salih Al-Uyayri, in his book on the subject (*The Islamic Ruling on the Permissibility of Self Sacrificial Operations: Suicide or Martyrdom?*), acknowledges that a person committing suicide due to personal reasons is bound for hell-fire. He, however, goes to great lengths to argue that suicide as "self sacrifice" due to *iman* (faith), and sincerity in the cause of Allah, are *not haram* and, thus must be encouraged.⁵⁴ In his work, Uyayri makes the "ends justify the means" case, arguing that the "majority" of scholars⁵⁵ permit such "self sacrifice" if these missions attain the following: a) intention (pure); b) inflicts losses on enemy; c) successfully terrorizes them and d) raises Muslim morale. To bolster his weak case—in that he apparently could not find/cite historical examples of "self sacrifice," i.e., suicide attacks against the *kuffar*, Uyayri appears to confuse acts of suicidal *bravery* (that did not involve self-inflicted death) as somehow being congruent with contemporary Al Qaeda suicide tactics (that often involve large scale casualties of mostly civilians). Furthermore, Uyayri, grasping at straws, cites from the *Quran's Sura Tawbah* (repentance) as proof that Allah has extolled those who sacrifice themselves:

Verily, Allah has purchased from the believers, their lives and their wealth in return for Paradise being theirs. (Sura Tawbah: 9:111)⁵⁶

The Grand Mufti of Saudi Arabia, Sheikh Abdul Aziz al-Sheikh, sharply disagreed with advocates of suicide attacks to include Uyayri's thesis. He declared it is "strictly forbidden in Islam" and that "the one who blows himself up in the

midst of the enemies is also performing an act contrary to Islamic teachings." According to him, "suicide bombers should be buried without Islamic ritual, and away from other Muslims."⁵⁷

The views of Sheikh Muhammad ibn Saalih ibn al-Uthaymeen (1925–2001), a highly respected Saudi Arabian *alim*, on the conduct of *jihad* via suicide bombings were posted on the website "Fatwa online":

Question: What is the ruling regarding acts of *jihad* by means of suicide, such as attaching explosives to a car and storming the enemy, whereby he knows without a doubt that he shall die as a result of this action?

Response (Ibn Uthaymeen): Indeed, my opinion is that he is regarded as one who has killed himself (committed suicide), and as a result he shall be punished in Hell, for that which is authenticated on the authority of the Prophet (PBUH): "Indeed, whoever (intentionally) kills himself, then certainly he will be punished in the Fire of Hell, wherein he shall dwell forever." (Bukhari # 5778 and Muslim #109 and 110)⁵⁸

Sheikh Muhammad Sayyed Tantawi (1928–2010), the former Grand Mufti of Egypt (1986–1996) and the Grand Imam of Al Azhar Mosque and the Grand Sheikh of Al Azhar University until his death in 2010, condemned the 9/11 suicide attacks:

It's not courage in any way to kill an innocent person, or to kill thousands of people, including men and women and children. Killing innocent civilians is a horrific, hideous act that no religion can approve. Osama bin Laden's call for a *jihad* against the West is invalid and non binding on Muslims.⁵⁹

In April 2002, however, Tantawi reversed his opinion when he not only declared that martyrdom operations are permitted in the Quran (yet failed to cite specific *ayat*, i.e., verses), but that these should be intensified against the Zionist enemy, describing suicide bombings in Israel as the highest form of *jihad* operations. In April 2003, at a press conference in Cairo, on the subject of Iraq, Tantawi urged Iraqis to carry out "martyrdom operations" against the invading forces as *jihad* as these are permitted by Islamic (*Shariah*) law.⁶⁰ Later, he reversed himself once again and opined that such attacks were *haram*.

Although Sheikh Tantawi was widely admired in Western capitals for his "moderate" views and stance on suicide attacks, he was perceived by the Muslim street as part of "the Establishment," who was eager to please Hosni Mubarak's autocratic government. Known for controversial, even careless, jurisprudence and excessive fealty to the so-called "moderates," his pro-Western and pro-authority *fatwas* did not endear him to the average Sunni Muslim who thought he was cutting corners vis-à-vis Islamic teachings. According to Ebrahim Moosa, an associate professor of Islamic studies at Duke University, "His (Tantawi) *fatwas* were not often carefully argued and scripted. [They] lacked a granular discussion of complex and controversial issues, and often he would cherry-pick from the tradition without proper justification."⁶¹

In 2007, Sheikh Ali Gomaa, the Grand Mufti of Egypt since 2003, condemned suicide bombers in an interview:

... as Islam forbids suicide, it forbids the taking of one's own life. Attacking civilians, women, children and the elderly by blowing oneself up is absolutely forbidden in Islam. No excuse can be made for crimes committed in New York, Spain and London, and anyone who tries to make excuses for these acts is ignorant of Islamic law (*Sharia*), and their excuses are a result of extremism and ignorance.⁶²

Sheikh Gomaa also came out with a statement on January 2, 2011 condemning the suicide car bombing of a Coptic Christian church in Alexandria which killed 25 people during Christmas Mass on New Year's Day.⁶³ In December of 2009, a group of Sunni Muslim *ulema* in Pakistan issued a decree that declared suicide bombings and terrorist attacks as being *haram*:

Suicide bombings and terrorist attacks in Pakistan are haram.⁶⁴ Offering namaz behind those religious leaders who support suicide bombings and terrorism in the country is also haram.⁶⁵

Prominent Shia clerics such as Grand Ayatullah Ali al-Sistani of Iraq have also condemned suicide attacks on anyone as *haram*.⁶⁶ Ayatullah Sistani continues to urge Iraq's Shia community to show restraint and not retaliate against their Sunni brothers for suicide bombings by those he identified as "Wahhabis." Maulana Syed Kalbe Jawad Naqvi, a prominent Shia cleric from India, a *Hujjat ul-Islam* and the *Imam-e-Juma* (leader of the Friday prayers) at the Shahi Asafi Mosque in Lucknow India, called suicide attacks "totally un-Islamic" and called for a *fatwa* against such attacks which are strictly prohibited in Islam and then explained such acts as being due to *kuffar* influence:

I fail to understand why institutions authorized to issue fatwas choose to sit pretty while such attacks were being carried out indiscriminately not only in India but also in Iraq, Afghanistan and Pakistan... reasons to believe that the silence of leading Islamic institutions and even prominent Maulanas on a vital issue like fidayeen attacks *was attributable to undue influence of Americans and Israelis*.⁶⁷

The opposite view on the legitimacy of leveraging suicide attacks as "*jihad*" is held by Sheikh Youssef al-Qaradawi. Qaradawi is probably the most influential Egyptian clergyman who maintained very close ties to the Egyptian *Ikhwan al Muslimin* (Muslim Brotherhood) during his exile in Qatar since 1979.⁶⁸ In February of 2011, Qaradawi returned to Egypt after a populist uprising forced President Hosni Mubarak out of office. Qaradawi, as the new charismatic leader of the Muslim Brotherhood, is considered a highly respectable religious figure by millions of Sunni Muslims around the world. He is also the most prominent advocate of suicide attacks today.⁶⁹ Kepel has written how suicide attacks have even won the support of "moderate" preachers like Qaradawi, who is the star of a popular religious program on Al Jazeera's satellite television channel watched by over 60 million people every week. Qaradawi has justified his stance on the killing of Israeli civilians

(via suicide and other attacks) by explaining that since all Israelis must perform military service, this makes them legitimate (read: combatants) targets.⁷⁰ While condemning the attacks in the United States, he said rulings against suicide bombings (in Israel) were issued by "people who are alien to Shariah (Islamic laws) and religion."⁷¹ In an interview with Al-Hayat 2 TV on December 17th of 2010, Qaradawi justified the use of martyrdom operations against Israel because of a military imbalance between the Palestinians and the Israelis. In his capacity as one of Sunni Islam's most respected *alim* (scholar), Qaradawi essentially made the "ends justify the means" case on the use of suicidal operations against Israeli civilians when he stated that such acts are permissible (in Islam) until the Palestinians have tanks and jets to fight on a level playing field. In his interview he does not make any reference to historical precedent or Quranic *ayats* as being the basis for his views.⁷²

Supporting Qaradawi on the use of suicide attacks, Sheikh Ikrema Sabri, Jerusalem's top Muslim cleric and an appointee of Palestinian leader Yasser Arafat said: "Suicide bombings in Israel yes, elsewhere no: The issue is decided . . ." Sabri skirts the ethical dimensions/questions of conducting suicide attacks *on anyone*, acts that were considered morally repugnant in both the Quran and hadith. In fact, Sabri supported Qaradawi's selective application of morality/ethics vis-à-vis the question of leveraging suicide as a weapon, which they defined as an act of "martyrdom . . . if it targeted Israelis."⁷³

When the Grand Mufti Sabri was removed from office for constantly meddling in political affairs by Palestinian Authority (PA) President Mahmoud Abbas in July of 2006, his replacement Sheikh Muhammad Ahmad Hussein, seen as a political moderate by PA, did not waste time in declaring in a media interview in October of 2006 that suicide bombings are a legitimate (*halal*) weapon.⁷⁴ Asked to express his view with regard to suicide bombing, the new Grand Mufti answered: "It is legitimate, of course, as long as it plays a role in the resistance."⁷⁵ In short, the views of Sabri on the use of suicide attacks against Israeli targets are now shared by the current Grand Mufti of Jerusalem.⁷⁶

To date, no prominent, widely respected, Sunni Muslim *ulema* have publicly challenged the Mufti on his controversial position on the use of suicide attacks as a legitimate tactic of war.⁷⁷ This status quo on the subject of suicide bombing by a prominent Sunni Muslim religious leader in Jerusalem only serves to bolster the case of those Islamists who rely on suicide attacks as a legitimate tool in a *jihad* against the *kuffar*. It also serves to reinvent the historical Sunni Islam narrative on the subject and, over time, alters the perceptions of mainstream Muslims towards the use of suicide as a legitimate tactic of war. The most damaging long-term effects of Muslim *ulema* reinventing the legitimate rules of engagement in war is what appears to be an absence of any ethically or morally derived constraints on the conduct of war. In short, the ends come to justify *any* means in the name of the *din* (faith).

Hizballah's spiritual leader, the Grand Ayatollah Mohammed Hussein Fadlallah (1935–2010), was the most prominent Shia cleric to actively encourage "martyrdom operations." Fadlallah gave his personal blessing to individual suicide bombers before they left for their deadly missions. These missions often involved suicide truck bomb attacks against American and other targets in Lebanon at the hands of Hizballah and its proxy, Islamic Jihad Organization. It has been reported that one of Fadlallah's last acts before he died was to issue a fatwa which authorized the use of suicide bomb attacks. The mystery here is why he waited so long.⁷⁸

Fadlallah's support of suicide attacks was one of the key reasons for his falling out with Grand Ayatullah Sistani who has unequivocally condemned suicide attacks as *haram*.

Notwithstanding such *ulema* and *imams*—and the absence of a strong condemnation of their interpretation on the subject of suicide attacks—the fact remains that nowhere in the Quran, hadith, or Muslim tradition, has there been any hint or suggestion of *selectively* permitting suicide attacks that involve explosive self-detonation targeting a specific people/group. Rather, the understanding has been that it is prohibited. A traditionally strong Muslim antipathy towards relying on suicide as a military tactic, however, has not appeared to have dissuaded various Islamists from extensively leveraging the use of suicide bombers in their ongoing global “*jihad*.” How did/do these Islamist terrorist groups justify reliance on such heinous, even cowardly, tactics in the eyes of “the *Umma*”? By citing contemporary Muslim clerics like Hassan Nasrallah (leader of Hizballah), Qaradawi, Fadlallah, Sabri, and al Shuaybi among others; and by issuing “statements” from their own organization's leaders like “Sheikh” Osama bin Laden, Ayman al Zawahiri, or Anwar al-Awlaki on the permissibility of suicide attacks against the *kuffar* and *mur-tadd* as legitimate *jihadi* military action. The Quranic Sura (An-Nisa 4:74) that is widely cited by Islamists as justifying “martyrdom operations” via suicide attacks:

Let those (believers) Who sell the life of this world for the hereafter fight in the cause of Allah and whoso fights in the cause of Allah—and is slain or gets victory, We shall bestow on him a great reward.

A careful reading of this *ayat* (verse), however, challenges the Islamists' “interpretation” since nowhere in this verse does it suggest or imply a violent self-sacrifice by one's own hand. Rather, this verse praises *being slain* or being victorious in battle for the cause of Allah, for which Allah would bestow a reward in *jannah/jannat* (heaven). In the same Sura (An Nisa 4:29), an *ayat* warns:

...And do not kill yourselves (nor kill one another). Surely, Allah is Most Merciful to you.

The agenda of these Islamists requires cherry picking *ayats* to justify their actions. Thus *ayats* such as 4:29 are ignored, even dismissed (which in and of itself is *haram* in Islam). Reference to An-Nisa 4:74 by such Islamists reflects attempts to legitimize (*halal*) their actions by engaging in a rather liberal interpretation of the Quran notwithstanding their literalist tendencies as adherents to the Ash'arite traditionalism, which places emphasis on a strict literal interpretation of the Quran and Sunnah. Abu Hamid al-Ghazali (d.1111) was instrumental in leading the successful efforts of the literalists during the Abbasid Caliphate (750-1258CE) to discredit, even destroy, the Mu'tazilites.⁷⁹ It was Al-Ghazali's writings which provided the groundwork to “shut the door of *ijtihad* (independent reasoning).” Al-Ghazali's *The Revival of the Religious Sciences in Islam* was the cornerstone of the school's thinking. Over time, the Ash'arites managed to discredit as heretical the Mu'tazilite school's emphasis that knowledge of Allah can be acquired through the application of human reason as well as through his revelations.⁸⁰

Certain Islamist groups, as part of their *modus operandi*, adopted rules of engagement in their ongoing “*jihad*” that bear no resemblance to the Geneva, or

any other, Conventions.⁸¹ In fact, as time progresses since the 9/11 attacks on American soil, their primary targets have come to comprise predominantly fellow Muslims (Sunni and Shia) in *Dar al Islam*. Predictably there has been a backlash against these violent groups to include a—albeit somewhat muted—discussion in the Muslim world on the nature of these attacks: attacks that primarily target civilian sites, to include sacred Muslim sites like mosques, even in the holy month of Ramadan. Given both the nature and the frequency of these terrorist attacks, that heavily depend on suicide bombings which primarily target civilian sites, it is noteworthy that the vocal condemnation has not been louder in the Muslim world; worse, as mentioned earlier, there are Muslim religious scholars who have even justified, through the process of *ijtihad*,⁸² that such terrorist acts against civilian are not prohibited in *jihad*.

Saudi Sheikh Hamud ibn Abdullah al-Shuaybi (1925–2002),⁸³ a prominent *alim*, actually condoned the suicide September 11 attacks in a *fatwa* he issued on September 17, 2001. Although in the minority, in terms of views publicly expressed by Muslim *ulema*, al Shuaybi justified his stance on the killing of innocents on two grounds: that under certain conditions the *Shariah* allows the killing of innocents in warfare and that it was legal to “respond in kind” since, according to him, it was the same method of warfare used against Muslims by Americans.⁸⁴

These Islamists, who target mostly civilians using *intihar* (*haram*) disguised as *istishhad* (*halal*), seems to be a modern day precedent that neither Qutb nor Ibn Taymiyyah advocated notwithstanding their uncompromising worldviews. Furthermore, such Islamists' justification—proportional response, martyrdom acts, collateral damage, inevitable human shields—are all without precedent in Islamic law.

According to a recent Pew Research Center poll on the legitimacy of suicide bombings conducted in Lebanon, Nigeria, Egypt, Jordan, Indonesia, Pakistan, and Turkey, the Muslim participants generally expressed the opinion that suicide bombing against civilians cannot be justified in order to defend Islam from its enemies.⁸⁵ Noteworthy, however, are the relatively high numbers in Lebanon (39%) and Nigeria (34%) who publicly expressed support for the notion that suicide attacks can often, or sometimes, be justified.⁸⁶ In Jordan and Egypt, one-in-five Muslims publicly expressed support for suicide bombings in defense of Islam. While in Pakistan and Turkey, 80% and 77% respectively, expressed the view that such types of attacks against civilians can never be justified. Although this particular poll suggests limited support for the use of suicide attacks in *jihad* against the *kuffar*, the mere fact that there are such (growing) percentages of Muslims who now equate suicide attacks with “acts of martyrdom” suggests a disturbing evolution in thought on behavior traditionally considered *haram*.

Conclusion: Islamists' Suicide Attacks: *Haram* or *Halal*?

While the concept of *jihad* in the minds of most Muslims generally involves a “holy struggle” which leverages the tools of warfare, the specific use of suicide attacks (defined as “martyrdom operations”) as a legitimate mechanism to wage *jihad* has not elicited the kind of carte blanche support the Islamists had hoped for notwithstanding their various attempts to justify, in the eyes of fellow Muslims, the legality of such attacks. Furthermore, what has hurt, and continues to hurt, the case of such Islamists vis-à-vis the so-called “*umma*,” is the fact that casualties from such attacks predominantly involve non-combatants and, more egregiously, fellow Muslims.

It is, however, noteworthy that due to an aggressive and continued propaganda campaign by various Islamist groups and certain *ulema*, mainstream Muslim *perceptions* on the subject of what constitutes *halal* “martyrdom operations” in war seem to have gained wider latitude: in recent times, militant actions that encompass committing suicide (for example, blowing oneself up using a suicide vest on a crowded Jerusalem bus or during Christmas Mass in an Alexandrian Coptic church) are increasingly condoned, even celebrated, in the Muslim world/communities *if such missions target Israelis, Jews, Americans, British, Indians, Russians, Hindus, Chaldeans, or Coptic Christians*.⁸⁷ In short, revisionist history, coupled with a “re-interpretation” of the Quran, hadith, and sunnah, and an absence of robust public criticism by respected Muslim leaders and clerics of such suicide terrorist attacks, has enabled this evolution (of thought) on the subject of what constitutes moral and ethical constraints in *jihad*. Increasingly, in the Muslim world, the *ulema* (who constitute a relatively amorphous clerical establishment) have only sporadically condemned actions that involve *haram* tactics like suicide vests, targeting civilians in Houses of Worship, schools, markets, etc. Furthermore, the contradictory opinions of respected *ulema* (Qaradawi, Gomaa, and Tantawi) only serves the mission of Islamists and opens up a *jihadi* Pandora’s Box vis-à-vis rules of engagement which can be called “anarchical *jihad*.”⁸⁸

A layperson’s brief examination here of Islamist groups who leverage suicide attacks upon unarmed civilians, within the context of Islamic scripture and traditions, challenges current efforts both within and without the Muslim clerical establishment of trying to justify such tactics as being both necessary and sanctioned. It is indeed ironic to read the justifications of certain Muslim scholars and leaders as to why, within the current context, suicide and other such attacks using IEDs and EFPs in non-military settings are *halal* (legitimate) and thus to be supported. Ironic because most Muslim *ulema* (excluding the Shia) who have been vociferous about declaring that the Gates of *Ijtihad* (independent reasoning) are closed, are indeed de facto implementing this concept in their current justifications/interpretations. While the Wahhabists/Salafists, who have sought the reopening of these so-called “Gates” through reinterpretation of the Quran and Sunnah, are not encumbered by such self-imposed restrictions as they seek to practice *ijtihad* and argue that this process is “open” *in order to bring the umma back to the sahih (correct/authentic) path of the Salaf-e-Saliheen of the early period*. Thus for them such hand wringing is unnecessary: the ends justify the means and suicide attacks are, therefore, a *halal* tool of warfare.

Notes

1. In addition to Al Qaeda, the various Islamist groups and movements who have leveraged suicide attacks as a vital tool in their operational toolkit have included Hizballah, Al Dawa, Hamas, Palestinian Islamic Jihad, Al Aqsa Martyrs Brigade, Egyptian Al Jihad, Syrian Muslim Brotherhood, Al Qaeda in Iraq (now called the Islamist State of Iraq), Al Qaida in the Islamic Maghreb, Al Qaida in the Arabian Peninsula, Lashkar-e-Tayyaba, Jaish-e-Muhammad, Lashkar-e-Jhangvi, Tehrik-e-Taliban Pakistan, Taliban, Hizb-i-Islami, Islamic Movement of Uzbekistan, Al Ansar Mujahedin of Chechnya, etc. It must be emphasized that these groups are not monolithic, nor are they necessarily affiliates or even share identical goals. Rather, the common thread is their operational reliance on “suicide” as a key weapon or instrument of “jihad.” It serves to highlight the fact that, to date, “suicide as a tactic of *jihad*” has been leveraged by a variety of Muslim terrorist organizations belonging to *both* the Shia and Sunni sects.

2. David Cook and Olivia Allison, *Understanding and Addressing Suicide Attacks: The Faith and Politics of Martyrdom Operations* (Westport, CT: Praeger, 2007); Musa Khan Jalalzai, *Dying to Kill Us: Suicide Bombers, Terrorism and Violence in Pakistan* (Lahore: Al Abbas International, 2005); Robert A. Pape, "The Strategic Logic of Suicide Terrorism," *The American Political Science Review* 97, no. 3 (August 2003): 343–361; Asaf Moghadam, "Motives for Martyrdom: Al-Qaida, Salafi Jihad, and the Spread of Suicide Attacks," *International Security* 33, no. 3 (Winter 2009/2009): 46–78; Ami and Arie Pedahzur, "The Changing Nature of Suicide Attacks: A Social Network Perspective," *Social Forces* 84, no. 4 (June 2006): 1987–2008.

3. For an excellent account of events leading up to the 9/11 terrorist attacks on U.S. soil see Lawrence Wright, *The Looming Tower: Al Qaeda and the Road to 9/11* (Vintage Books, 2007); *The 9/11 Commission Report* (New York: W.W. Norton, 2004).

4. On April 18, 1983, the U.S. Embassy in Beirut, Lebanon was struck by an explosives-laden truck in a suicide bombing that killed over 60 people. A shadowy Iranian-financed (Shia) group that was loosely affiliated with Hizballah led by a former Fatah member, Imad Mughniyah, called the Islamic Jihad Organization, took responsibility. On December 12, 1983, the Iranian-financed (Shia) Islamic Dawa Party's 90-minute coordinated attacks on six foreign and Kuwaiti targets included a suicide truck bomb attack on the U.S. Embassy in Kuwait.

5. On October 23, 1983, suicide bombers attacked the Beirut barracks of U.S. and French military forces, which were part of the Multinational Force in Lebanon, killing 299 American and French servicemen. The Iranian-financed Islamic Jihad Organization, an affiliate—or perhaps by then the military arm—of Hizballah, claimed responsibility.

6. On September 20, 1984, a suicide truck bomb attack by Hizballah detonated outside the U.S. Embassy Annex in Beirut, Lebanon, killing 24 people.

7. On March 17, 1992, in an uncharacteristic move, and far afield from its home base, Hizballah's affiliate/proxy, the Islamic Jihad Organization, conducted a suicide attack in Argentina with a pickup truck laden with explosives against the Israeli Embassy in Buenos Aires. It claimed responsibility for this attack that killed 29 and wounded 242. Most of the victims were Argentineans, and many were children. Their stated motive for the attack was Israel's assassination of Hizballah's Secretary General Sayed Abbas al-Musawi in February, which in turn was in retaliation for the kidnapping and death of missing Israeli servicemen in 1986, and for the abduction of U.S. Marine and UN Peace Keeping officer, William R. Higgins in 1988.

8. Technically, the Khobar Tower (Saudi Arabia) truck bombing by Hizballah al Hijaz (Party of God in the Hijaz) was not a suicide attack because the driver of the truck was denied access to the military compound by U.S. military guards. Unable to get onto the base, the assailants improvised and parked their explosives-laden truck up against a chain link fence close to the Khobar Tower and made their escape minutes before the bomb exploded.

9. On August 7, 1998, Al Qaeda along with Egyptian Islamic Jihad members carried out simultaneous suicide truck bomb explosions at the U.S. Kenyan Embassy in Nairobi and the U.S. Tanzanian Embassy in Dar es Salaam.

10. On October 12, 2000, the United States Navy destroyer USS Cole, while it was harbored and refueling in the Yemeni port of Aden, was struck by an explosives-laden speedboat maneuvered by two al Qaeda operatives in a suicide attack that killed 17 American sailors and injured 39. Al Qaeda claimed responsibility for this suicide attack which was the deadliest attack against a United States Naval vessel since an Iraqi Mirage F-1 fighter fired two Exocet missiles at the USS Stark, which killed 37 American sailors and injured 21 on May 17, 1987 in the Persian Gulf.

11. The July 7, 2005 London bombings (often referred to as 7/7) were a series of coordinated suicide attacks upon London's public transport system during the morning rush hour by 4 Britons loosely affiliated with al-Qaeda of Pakistani origin.

12. Between October 2000 and October 2006 there were 167 clearly identified suicide bomber attacks, with 51 other types of suicide attacks in Israel as quoted in Y. Schweitzer, "Palestinian Istishhadia: A Developing Instrument," *Studies in Conflict & Terrorism* 30, no. 8 (2007): 699. For more details on suicide attacks in Israel since they began in 1994 to early 2006, see Cook and Allison (see note 2 above), 34–36; Mia Bloom, *Dying to Kill: The Allure of Suicide Terror* (New York: Columbia University Press, 2005), 19–44.



13. Chechen suicide attacks began on June 9, 2000 when a Chechen woman, Hawa Barayev, drove a truck filled with explosives into a building occupied by Russian Special Forces, killing 27. It was this suicide attack conducted by a woman which led al Qaeda operative Shaykh Yusuf ibn Salih Al-Uyayri to pen *The Islamic Ruling on the Permissibility of Self Sacrificial Operations: Suicide or Martyrdom?* (2003) as a legal opinion on whether her actions were *halal*. Although the Chechen suicide attacks were mostly carried out by locals, the tactics employed mirrored those leveraged by Hamas and Palestinian Islamic *jihād* in Israel. There are however some key distinctions between the two: most Palestinian suicide bombers' families received large financial "rewards" for such acts of "martyrdom" from Saddam Hussein's regime until his overthrow and from Hamas; compensation has not been the motivational factor for the Chechens. Second, unlike the Palestinians, a majority of the Chechen bombers have been female, called *shahidka* by Chechens or "Black Widows" by Russians (as they have often lost their husbands in the war or been victims of rape by Russian soldiers). Third, while the Chechens are also Sunni Muslims like the Palestinians, they have emphasized their strikes as being motivated primarily by "nationalistic" aspirations; the Palestinian groups like Hamas have emphasized a religious component as in *jihād*, leading one scholar, Meir Litvak, to identify Hamas as a "religious-nationalist movement." In the Chechen case, there seems to be a correlation between the influx of Wahhabi elements in the 1990s in an area that was traditionally a stronghold of Sufism, as well as the use of suicide attacks as *jihād*.

14. In Arabic "*halal*" means "lawful or legally permitted." It is a term used to designate any object or action which is permissible according to Islamic scripture and traditions. The opposite of *halal* is that which is "*haram*."

15. As Litvak explains in his seminal work (Meir Litvak, "'Martyrdom is Life': Jihad and Martyrdom in the Ideology of Hamas," *Studies in Conflict and Terrorism* 33, no. 8 (2010): 716–734) on p. 725: Hamas goes to great pains to emphasize the distinction between martyrdom (*istishhad*) for the sake of Islam and ordinary suicide (*intihar*), which is prohibited in Islamic warfare.

16. In the Quran, Sura Al-Ahzab (*ayat* 57) it warns of the consequences of offending Allah through evil acts, etc.: "*Verily, those who offend Allah and his messenger are cursed by Allah in this world and the next, and He has prepared for them a humiliating torment.*"

17. The *Qur'an* (literally "the recitation") is the main religious text of Islam, also sometimes transliterated as Quran, Kuran, or Koran.

18. Some Quranic *ayats* (verses) on Allah's will and one's "destiny": *No self can die except with Allah's permission, at a predetermined time. If anyone desires the reward of the dunya, We will give him some of it. If anyone desires the reward of the akhira, We will give him some of it. We will recompense the thankful. Sura Al-Imran (ayat 145) It is He who created you from clay and then decreed a fixed term, and another fixed term is specified with Him. Yet you still have doubts! Sura Al-An'am (ayat 2) Every nation has an appointed time. When their time comes, they cannot delay it a single hour or bring it forward. Sura Al-A'raf (ayat 34) Your Lord creates and chooses whatever He wills. The choice is not theirs. Glory be to Allah! He is exalted above anything they associate with Him. Sura Al-Qasas (ayat 68).*

19. Although certain Muslim Imams and Ulema have sporadically expressed dismay and even condemned suicide attacks as constituting a *haram* act, there have been no references by these same figures to the well established belief amongst Muslims (irrespective of sect) that "life is pre-determined by Allah" (as often enunciated in the concept of *inshallah*, or Allah willing) when addressing the question of whether self inflicted death in *jihād* is a justifiable tactic of war. It is particularly noteworthy that the act of suicide through self immolation by Tariq (a.k.a. Muhammad) Bouazizi on December 17, 2010 in Sidi Bouzid, Tunisia—which literally was the spark that lit the Jasmine Revolution followed by turmoil which quickly enveloped the entire Middle East—has been depicted as an act of "martyrdom"—notwithstanding the historical realities and Islamic doctrine and traditions that prohibit suicide as *haram*. The fact that nowhere in the Muslim world has anyone publicly expressed repugnance nor condemned the desperate acts of this poor man as *haram* might suggest that pragmatic considerations take precedence over religious ones when it comes to "interests."

20. Currently, the primary targets for "martyrdom operations" are fellow Muslims in Pakistan, Afghanistan, and Iraq. These are being justified as *halal* acts against the *mushriqun* (polytheists) such as the Sufi and Shia (according to the Islamiyun) and the *munafiqun* (hypocrites) like the secular or non-practicing Muslims.

21. Abdel Bari Atwan, *The Secret History of al Qaeda* (Berkeley, CA: University of California Press, 2006), 69–70. For more on *Jihad* through history see Michael Bonner, *Jihad in Islamic History: Doctrines and Practice* (Princeton: Princeton University Press, 2006); Reuven Firestone, *The Origins of Holy War in Islam* (Oxford: Oxford University Press, 1999); Gilles Kepel, *The Trail of Political Islam* (Cambridge, MA: Harvard University Press, 2002).

22. Bonner (see note 21 above), 2.

23. "Jihad" as a rallying cry has been invoked in call to battle by Muslim rulers since the inception of Islam.

24. The Arabic word *jihad* means to strive, to exert oneself, to struggle. Throughout history, there has been much disagreement amongst Muslims over the meaning/intent of the term "jihad." See Rudolph Peters, *Jihad in Classical and Modern Islam* (Princeton: Markus Weiner Publishers, 2005), 1; Bonner (see note 21 above), 13; John Kelsay, *Islam and War: A Study in Comparative Ethics* (Louisville, KY, 1993), 34; Richard L. Rubenstein, *Jihad and Genocide* (Lanham, MD: Rowman and Littlefield, 2010), 11–16.

25. "War and Peace in Islamic Law," in Harfiyah Abdel Haleem, Oliver Ramsbotham, Saba Risaluddin, and Brian Wicker, (eds.), *The Crescent and the Cross: Muslim and Christian Approaches to War and Peace* (New York: Palgrave, 1998), 67.

26. 25:52 (*Furqan*), Arberry translation as quoted in Bonner (see note 21 above), 22.

27. Ibid.

28. Paul Heck, "Jihad Revisited," *Journal of Religious Ethics* 32, no. 1 (2004): 96–98.

29. Paul Fregosi, *Jihad in the West* (New York: Prometheus Books, 1998), 20–21; Andrew Bostom, *The Legacy of Jihad: Islamic Holy War and the Fate of Non-Muslims* (New York: Prometheus Books, 2005), 307–308.

30. In Arabic, "Muhharibun" is "terrorists."

31. *Jihad al kabir* (the greater jihad)—also called *jihad bil nafs* (the struggle of the conscience/ego)—has been a focal point of the widespread, mystical realm of Islam known as *Sufism*. Such an inner, mystical examination is anathema to the Muwahhidun/Wahhabi/Salafi, who interpret many of the ascetic mores/customs of the Sufi as being *bida* (innovations) and thus *haram* (forbidden).

32. For more on the "jihad" of Arab conquest and conversion during the early days of Islam see Hugh Kennedy, *The Great Arab Conquest: How the Spread of Islam Changed the World We Live In* (Philadelphia: Da Capo Press, 2007).

33. In Islam, *da'wa* means a "call" or "invitation." The term has been used to refer to a person being "called" to follow Islam. However, over time its meaning has evolved to mean a "mission" or "propaganda" in either a political or religious sense.

34. Quintan Wiktorowicz, "A Genealogy of Radical Islam," *Studies in Conflict and Terrorism* 28 (2005): 215.

35. Quranic Sura Al-Hajj (the pilgrimage), *ayat* 39.

36. "Murtadd" in Arabic is "apostate." There are two types of apostates in Islam: *Murtadd fitri* and *Murtadd milli*. The first is one who is born into Islam but abandons his/her faith; the second is one who converts to Islam and then leaves the faith.

37. A *fatwa* is a legal pronouncement in Islam that can only be issued by a religious law scholar on a specific issue. In Sunni Islam, fatwas are non-binding. However, those issued by the *Khalifa* (Caliph) and/or a widely respected Sunni *alim* (scholar) carried/carry greater weight. According to Shia doctrine, a fatwa could be binding, depending on the status of the *alim* or *imam* who issues it. Thus, when Grand Ayatollah Sayyid Ali al-Husayni al-Sistani issues a fatwa, it is generally considered "binding" in the eyes of most Shia.

38. For the purposes of this article, "Islamiyyun" are those Muslims who actively seek to conduct *jihad al saghir* in the non-Muslim regions (Europe/North America) and currently involve those Muslim "activists" who subscribe to the same specific ideology as Qaeda and Affiliate Movements (AQAM).

39. David Bukay, "The Religious Foundations of Suicide Bombings: Islamist Ideology," *Middle East Quarterly* (February 2006): 27–36; Scott Atran, "Genesis of Suicide Terrorism," *Science* 299, no. 5612 (March 7, 2003): 1534–1539.

40. The AQOIM narrative is a latest propaganda/recruitment/intimidation tactic that ridicules the *kuffar's* desire/love of life as being cowardly and that their "jihadis" are to be admired/glorified for desiring/preferring death.

41. Amelie Bloom, Laetitia Bucaille, and Luis Martinez (eds.), *The Enigma of Islamist Violence* (New York: Columbia University Press, 2007), 5–6. For more on suicide in Islam written prior to the current trend in the Muslim world of revising *jihad's* rules of engagement, see Franz Rosenthal, "On Suicide in Islam," *Journal of the American Oriental Society* 66, no. 3 (July–Sep. 1946): 239–259.

42. Hadith - Bukhari 2:445, Narrated by Thabit bin Ad-Dahhak. Accessed at <http://muttaqun.com/suicide.html>

43. Hadith - Bukhari 7:670, Narrated by Abu Huraira. Accessed at <http://muttaqun.com/suicide.html>

44. While some have argued that "suicide attacks" by Muslims began in the 11th century at the hands of the Nizari Ismailis, this would be an inaccurate reading of historical events. The Ismailis did not rely on gunpowder or self immolation to terrorize a target audience. Thus, their suicidal acts cannot be classified as *haram* because they were killed at the hands of their enemies. The first use of suicide as "jihad" against the infidel was the U.S. Embassy bombing in Beirut, Lebanon in April of 1983 at the hands of the Iranian funded (Shia) Hizballah's military arm or affiliate: the Islamic Jihad Organization.

45. Al Qaeda's leading theorist (in U.S. captivity since 2005), Mustafa Setmariam Nasar (aka Abu Musab al-Suri, a former Syrian Muslim Brotherhood member who fled Syria in 1982 after Hafiz Assad's regime confronted the Syrian Muslim Brotherhood in Hama, and settled in Peshawar, Pakistan) wrote a 1600-page tract titled *The Call to Global Islamic Resistance*. Al Suri briefly discusses suicide in a section titled "The Ruling on Martyrdom (Suicide) Operations," in which he distinguishes "suicide" (*haram*) from "self sacrifice" (*halal*). For al Suri, blowing oneself up in attack against infidels (even unarmed non-combatants) is permitted because *it is protecting Allah's religion*. For al Suri's translated work see Jim Lacey (ed.), *A Terrorist Call to Global Jihad: Deciphering Abu Musab Al-Suri's Islamic Jihad Manifesto* (Annapolis, MD: Naval Institute Press, 2008), 179; see also Haim Malka, "Must Innocents Die? The Islamic Debate over Suicide Attacks," *Middle East Quarterly* 10, no. 2, (2003): 19–28.

46. Sheikh Yusuf al-Uyayri (alternatively known as Yusuf al-Ayyiri) was a Saudi-born senior al-Qaeda strategist who was killed by Saudi security forces in 2003. He is best known in *jihadi* circles for his penned work on "martyrdom operations" which was released the year of his death (2003): Shaykh Yusuf ibn Salih Al-Uyayri, *The Islamic Ruling on the Permissibility of Self Sacrificial Operations: Suicide or Martyrdom?* (Translated into English by At-Tibyan, 2003); For Uyayri's role in fund raising, etc., see Thomas Hegghammer, *Jihad in Saudi Arabia: Violence and Pan-Islamism Since 1979* (Cambridge: Cambridge University Press, 2010), 125–126.

47. Uyayri (see note 46 above), 8.

48. *Ibid.*, 39.

49. For more on the Assassin see Bernard Lewis, *The Assassins: A Radical Sect in Islam* (London: Weidenfeld & Nicholson, 1967); Jefferson Gray, "Holy Terror: The Rise of the Order of the Assassins," *The Quarterly Journal of Military History* (February 2010): 16–25. Accessed at: <http://www.historynet.com/holy-terror-the-rise-of-the-order-of-assassins.htm/1>

50. Although today the majority of global terrorist attacks are conducted by Sunni Muslims in the name of Islam and are legitimized by being called acts of *istishhad* (martyrdom), the first use of suicide bombings in contemporary times was at the hands of the Iranian funded Lebanese Shia terrorist organization, *Hizballah* (party of God) in the early 1980s in Beirut. Hizballah's suicide attacks against foreign forces were widely perceived in the Muslim world to have been the catalyst event that forced the "crusaders" from the shores of Lebanon. Thus, the "lesson learned" by Islamists of all stripes was not only did "terrorism pay," but specifically, "suicide operations" were especially cost effective as a key tool in their asymmetric warfare against a stronger foe.

51. Benjamin Acosta, "The Suicide Bomber as Sunni-Shi'i Hybrid," *Middle Eastern Quarterly* 17, no. 3 (Summer 2010): 13.

52. The contemporary arguments, in certain Muslim circles, that defend/justify acts of self immolation/detonation to be a result of innovations in the tools of warfare (bombs, grenades, etc.) ring hollow. Gunpowder, a Chinese invention, has been around since the 800s. The Ottoman Turks embraced gunpowder with enthusiasm, using it with spectacular effect during their assault on Constantinople in 1453. During the Soviet occupation of Afghanistan (1979–1989), the Afghan *mujahidin* forces not once authorized, or resorted to, the use of

suicide attacks against the Soviet troops on their soil in their *jihad*, despite being cognizant of the suicide bombings in Lebanon that lead to the hasty withdrawal of U.S. forces in 1984. In fact, suicide as a tactic against "foreign" forces was introduced in Afghanistan by Arabs affiliated with Al Qaeda with the assassination of Ahmed Shah Massoud on September 9, 2001.

53. This reality has led some observers, to include respected scholars like Kepel (Gilles Kepel, *The War for Muslim Minds and the West* (Cambridge, MA: Harvard University Press, 2004), 22) to opine that if the Palestinian-Israeli conflict is resolved the genie (terrorist/suicide attacks) will be put back in the bottle. In light of history and the current climate in the Muslim world, not to mention the fact that in the minds of most Muslims, Israel lies within the boundaries of *Dar al Islam*, such an optimistic assessment appears to overlook the historical record.

54. Uyayri (see note 46 above), 39.

55. *Ibid.*, 32. Uyayri fails to mention a single Muslim scholar by name.

56. In citing this *ayat* (verse) from Sura Tawbah, Uyayri is literally grasping at straws. His "interpretation" is rather flimsy in that this *ayat* does not specify *committing suicide* as a *halal* (legitimate) act. It merely states that Allah "owns" his creations' lives and wealth, thus making Uyayri's "interpretation" a far cry from the actual intent of this verse.

57. Cited in article no longer accessible at original source (*Las Vegas Sun*) titled: "Muslim Scholars Debate Suicide Tact," *Las Vegas Sun* (September 16, 2001). Accessed at: <http://www.apologeticsindex.org/news1/an010918-10.html>. More recently the same Grand Mufti al Sheikh was quoted in "Grand Mufti of Saudi Arabia: No to Suicide Bombings," *Al Hayat* (November 27, 2009), condemning such attacks as *haram*. He has also done so in the past (2003) and has made no distinctions as to who may be the target stating that all such attacks go against Islam.

58. Accessed at FatwaOnline.com website on February 10, 2010 at http://www.fatwa-online.com/fataawa/worship/jihaad/jih004/0001027_2.htm

59. For more on Tantawi's views on terrorism and the use of suicide tactics see *Egypt Today*, accessed at: <http://www.egypttoday.com/article.aspx?ArticleID=1727>. What is noteworthy is Sheikh Tantawi's contradictory statements on the subject of suicide in "martyrdom operations." See also Zvi Bar'el and Yair Sheleg, "Tantawi Validates Suicide Attacks," *Haaretz* (March 22, 2003). Accessed at: <http://www.haaretz.com/print-edition/news/tantawi-validates-suicide-attacks-1.49758>

60. Hadia Mostafa, "Anatomy of a Flip Flop: Sheikh Tantawi's conflicting statements on suicide bombing since 9/11," *Egypt Today* (June 2004). Accessed at: <http://www.egypttoday.com/article.aspx?ArticleID=1727>. See also "Jihad Against the U.S.: Al Azhar's Conflicting Fatwas," *MEMRI, Special Dispatch Series*, No. 480 (March 16, 2003).

61. David A. Graham, "No Great Sheiks," *Newsweek* (March 12, 2010). Accessed at: <http://www.newsweek.com/2010/03/11/no-great-sheiks.html>

62. "Jihad is Not Just Armed Struggle," *The Washington Post* (July 28, 2007). Accessed at: <http://www.washingtonpost.com/wp-dyn/content/article/2007/07/27/AR2007072701863.html>

63. "Egypt's top Muslim leader responds to suicide bombing," *Washington Post* (January 2, 2011). Accessed at: http://onfaith.washingtonpost.com/onfaith/guestvoices/2011/01/egypts_top_muslim_leader_responds_to_suicide_bombing.html

64. What is striking about this caveated public statement from *ulema* in Pakistan after continued suicide bombings within their country, is that they do not carte blanche condemn suicide bombings as "*haram*" in Islam.

65. "Praying behind imams who endorse terror declared haram," *Daily Times* (December 15, 2009). Accessed at: http://www.dailytimes.com.pk/default.asp?page=2009\12\16\story_16-12-2009_pg7_2

66. "Ayatollah Sistani condemns attack on church in Baghdad," *ShiiteNews* (November 2, 2010). Accessed at: http://www.shiite news.com/index.php?option=com_content&view=article&id=1927:ayatollah-sistani-condemns-attack-on-church-in-baghdad-&catid=59:iraq&Itemid=2

67. "Shia cleric for 'fatwa' against suicide attacks," *Thaindian News* (March 24, 2008). Accessed at: http://www.thaindian.com/newsportal/world-news/shia-cleric-for-fatwa-against-suicide-attacks_10030746.html

68. The Islamist movement, *Ikhwan al Muslimin* (Muslim Brotherhood), based out of Cairo, Egypt, which was founded in 1928 by Hasan al Banna, has worked hard to present itself

as a peaceful *political* movement in its public relations campaign. However, one of its most prominent leaders is the recently repatriated (from exile) Sheikh Yousef Qaradawi who, as one of Sunni Islam's most influential *alim*, has advocated violence against the *kuffar*, and justified the use of suicide attacks as *halal* in "jihad." Furthermore, some of the Muslim Brotherhood offshoots (such as the Syrian Muslim Brotherhood, Egyptian Islamic Jihad, Takfir wal Hijra (TWH), Al Qaeda, and Hamas) have all relied on violence, and especially, in more recent times, on suicide attacks as an important tactical tool in their terror toolbox.

69. Sheikh Qaradawi's popularity is due to the widely held perception in the Muslim world that he is "independent" of the present rulers in the Middle East unlike Sheikhs Gomaa or Al Sheikh or the deceased Tantawi who are viewed by many to be toadies of corrupt rulers. Thus, many of their "opinions" on controversial topics are ignored by some of the populace who now have easy access on the internet to the "opinions" of *ulema* who are not affiliated with any state institutions. For more on the uneasy relationship between the *ulema* of Al-Azhar and the Egyptian state and on the relationship between the Saudi *ulema* and the ruling Saud regime see Muhammad Qasim Zaman, *The Ulama in Contemporary Islam: Custodians of Change* (Princeton: Princeton University Press, 2002), 144–151 (Egypt); 152–160 (Saudi Arabia).

70. Kepel (see note 53 above), 19.

71. For more insight on Qaradawi's views on subjects such as "female martyrdom," see "The Qaradawi Fatwas," *Middle East Quarterly* 11, no. 3 (Summer 2004): 78–80. Accessed at: <http://www.meforum.org/646/the-qaradawi-fatwas>

72. Accessed at: <http://m.memri.org/14499/show/bae13fb07b62fffbaa0d290804f4ff6d&t=0e3daa2990ed9c241a738ba33d0e1a4c>

73. Quotations of Qaradawi, Sabri, and Mufti Abdul Aziz, accessed at: <http://www.apologeticsindex.org/news1/an010918-10.html>

74. Yaniv Berman, "Top Palestinian Muslim Cleric Okays Suicide Bombings," *The Media Line* (October 17, 2006). Accessed at: <http://www.spme.net/cgi-bin/articles.cgi?ID=1280>

75. *Ibid.*

76. For more on the "jihad against Israel" led by Hamas, see Litvak (see note 15 above): 721–723; Anat Berko, *The Path to Paradise: The Inner World of Suicide Bombers and their Dispatchers* (London: Praeger Security International, 2007).

77. For more on the use of suicide in the Second Intifada see Robert J. Brym and Bader Araj, "Suicide Bombing as Strategy and Interaction: The Case of the Second Intifada," *Social Forces* 84, no. 4 (June 2006): 1969–1986.

78. Con Coughlin, "Sheikh Fadlallah was the terrorist mastermind behind the Lebanon hostage crisis," *The Telegraph* (July 5, 2010). Accessed at: <http://blogs.telegraph.co.uk/news/concoughlin/100046096/sheikh-falallah-was-the-terrorist-mastermind-behind-the-lebanon-hostage-crisis/>

79. For more on the Ash'arites whose literalist approach informs Sunni schools of jurisprudence (*fiqh*) today, see Abu Hamid Muhammad al-Ghazali (d.1111), *The Incoherence of the Philosophers*. Translated by Michael Marmara (Provo: Brigham Young University, 1998). Ibn Rushd, a Mu'tazilite, famously responded that "to say that philosophers are incoherent is itself to make an incoherent statement." But his response could not refute Al Ghazali's view, which was very broadly based and eventually came to dominate Sunni theology.

80. For more on the Mu'tazilite philosophy (which flourished in Baghdad and Basra during the 8th to 10th CE) see Richard C. Martin and Mark R. Woodward, with S. Atmaja, *Defenders of Reason in Islam* (Oxford: One World Publications, 1997); Sophia Vasalou, *Moral Agents and Their Deserts: The Character of Mu'tazilite Ethics* (Princeton, NJ: Princeton University Press, 2008). Muslim scholars, like Wael Hallaq, who argue that in Sunni Islam the gates of *ijtihad* were never really closed, could be labeled "neo-Mu'tazilites."

81. For Islamiyyun militants, such "Western Conventions" are both "man, not Allah, made"; and second, reflect the *kuffar's* ideology and thus are *haram* (forbidden) and illegal for Muslims to adhere to.

82. Three of the four Sunni schools of jurisprudence (*fiqh*), the Hanafi, Maliki, and Shafi argue that the gates of *ijtihad* were closed by the 10th century. The fourth, Hanbali, madhab (the most austere school) has stressed that *ijtihad* is necessary to re-examine/re-assess Islamic precepts in order to better replicate the time of the *Salaf-i-Saliheen* (pious predecessors) of

the 7th and 8th centuries. The Shia also believe in *ijtihad* since they never recognized any closing of the so-called "gates" of independent reasoning. While prominent scholars of Islamic jurisprudence such as Joseph Schacht (1902–1969) recognized that the "gates of *ijtihad*" were "closed" within Sunni schools of jurisprudence (*fiqh*) around the 10th century which signified that all necessary examination, and interpretation, of the Quran and Hadith had been accomplished by Muslim (Sunni) scholars, thus further inquiry was unnecessary; more recent scholars of Islamic law (see Wael Hallaq, "Was the Gate of Ijtihad Closed?" *International Journal of Middle East Studies* 16, no. 1 (1984): 3–41) have challenged this assessment, arguing that *ijtihad* remains an essential component (*farz*) of the Sunni Muslim tradition, despite the emphasis on blind obedience (*taqlid*). Although it can be argued that due to a breakdown of consensus (*ijma*) amongst Sunni clerics and scholars on the subject of *ijtihad*, it appears that the Hanbali school (*madhab*), and the literalists of the other three schools of jurisprudence, have won out. The reality, however, is not so clear cut. Unlike the Salafists, Sunni scholars like Hallaq and others seek to practice *ijtihad* in order to interpret Islamic works and teachings in order to make them applicable to issues unique to contemporary times. See also Wael Be Hallaq, *Islamic Legal Theories: An Introduction to Sunni Usul al-Fiqh* (Cambridge: Cambridge University Press, 1997).

83. Kepel (see note 21 above), 190–191.

84. Peters (see note 24 above), 178–179.

85. "Support for Suicide Bombing: Is Suicide Bombings Justifiable?" *Pew Global Attitudes Project*. Pew Research Center, 2010. Accessed at: <http://pewglobal.org/database/?indicator=19>

86. The Pew poll in Lebanon found that suicide attacks on civilians were primarily favored by the Shia, with 46% of Shia polled expressing their support of varied degrees; while 33% of the Sunnis polled expressed complete or partial support.

87. The list of *kuffar* targets continues to grow in the eyes of the *jihadis*.

88. The term "anarchical *jihad*" was coined by this writer to describe the current state of affairs in the Sunni Muslim world that no longer has a spiritual or temporal Caliph (*Khalifa*). Thus, every Tom, Dick or Abdullah can now issue his/her own fatwa and declare *jihad al saghir* and determine how to proceed irrespective of any moral or ethical constraints.