

TOPIC: HARAM OR HALAL? THE ISLAMISTS USE OF SUICIDE AS JIHAD

Good morning. I'd first like to thank ASMEA for this enlightening forum and the opportunity to present some of my research on the increasing reliance of Islamists —also identified in my paper as Al Qaeda and Other Islamist Movements—on the use of suicide (Arabic: intihar/ Farsi: Khud Kushee) attacks as a legitimate tool of “jihad.” Secondly, thank you for attending our panel so early on a Saturday morning.

As someone who is Muslim by virtue of birth and who grew up in the Muslim world where I've lived a total of almost two decades (18 years to be precise), I was exposed to Islamic doctrine and scripture during mandatory Islamic studies from Grades one through ten (an hour a day of indoctrination) before I left school in Islamabad, Pakistan. Why do I bring up this personal information? I do so because it helps you understand that I speak from personal experience on Islamic/Muslim mores, customs and perceptions on the topic of the increasing use of suicide by Muslim terrorists that is being justified as halal (legitimate) acts of shahada (martyrdom) in the name of the din (faith).

The successful 9/11 terrorist attacks on American soil from which America has yet to fully recover as a country, would not have been possible without the willingness of 19 Arab adherents to the Wahhabist/Salafist ideology to commit suicide. They must have been led to perceive this as a legitimate (halal) act of martyrdom by leveraging commercial airliners as fuel laden missiles to maximize civilian casualties. Disturbing were the images on TV that showed public displays of joy over what came to be referred to in many parts of the Muslim world as “Martyrdom operations” thus providing a veneer of legitimacy for actions that raise serious ethical questions on what is, and is not, permissible in Islam in the ongoing jihad with the Kuffar. This, and other similarly disturbing events such as the African US Embassy and the US Marine Barracks suicide bombings in Beirut, the failed attempts of the shoe bomber (Richard Reeves) and the underwear bomber (Umar Farouk), numerous Palestinian suicide bombings in Israel, Chechen suicide bombings, all relied on the use of suicide tactics in order to gain access, maximize casualties and terrorize the populace.

Given the reliance on suicide as an important tool in the Muslim terrorists' toolkit justified in the name of the din (religion/faith), 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 martyrdom in general and, more pertinently for the purposes of our discussion today, is the use of 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?

Because if suicide (*inthehar/khud kushee*) attacks are indeed sanctioned in Islam, this has grave implications for U.S. relations with the Muslim world. If not, then the question is more nuanced: if not traditionally sanctioned, why are more and more Muslims (to include ulema) not vociferously and publicly condemning such heinous acts?; Second, why did Ayatollah Khomeini as the first prominent Shia cleric and certain Muslim Sunni ulema like the former Palestinian Grand Mufti of Jerusalem, Sheikh Ikrema Sabri and the current Grand Mufti, Sheikh Hussein, declare suicide attacks *selectively applied* to certain kuffar i.e. the Yehudi (Jews) are halal (legitimate/legal) actions of martyrs? Also, why aren't these Muslim scholars and religious figures not condemning suicide attacks on Muslim mosques and Sufi shrines which Islamists justify as "martyrdom attacks" against murtadds (apostates)?

One would suspect/postulate that such "scholars" applying selective interpretations of an act considered haram in Muslim society, are reinventing the religious rules of "engagement" vis-à-vis the Kuffar and perceived "murtadds." The term, Benjamin Acosta –a fellow ASMEA presenter-- used in his recent article in the Middle East Quarterly for this "reassessment" is the "Evolving Islamic Martyrdom" This certainly does give room for pause. If the boundaries of what is acceptable conduct vis-à-vis jihad against the Kuffar and murtadd are shifting towards acts traditionally considered reprehensible and haram, then there is ample room for concern in the non-Muslim world.

Since Islam's inception in the seventh century, *inthehar/khud kushee* (Arabic/Persian: suicide) has been strongly condemned as being the path to eternal damnation in hell and has never been recognized by either 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 that is inculcated since childhood that only Allah

has the power to determine one's time on this earth; and, only he determines when this time is up. Thus, for an individual Muslim to assert what is essentially Allah's prerogative, by taking his/her own life for whatever reason, is considered sacrilegious and can rightly be viewed as heretical behavior by someone trying to play Allah. Even the specific use of suicide as a weapon against the enemies of Islam is condemned as *haram*.

In our times, the use of suicide as a weapon of warfare by Muslims was commenced by the Syrian Muslim Brotherhood against the Asad regime. It also ended badly for them, when they were literally buried at Hama in 1982 by the Syrian regime. The use of suicide attacks against the *Kuffar* began in Beirut in 1983 at the hands of Hezbollah, a Shia Iranian funded terrorist organization that included blowing up the Marine Barracks using a suicide bomber in a truck laden with the equivalent of 12000 pounds of TNT.

The impact of Hezbollah's strategy in the early to mid 80s, which involved a heavy reliance on suicide bombers, was perceived by Muslims to have successfully led to the hasty withdrawal of US Forces from Beirut and was duly noted by other, Sunni, Islamists. Note how the Americans responded to such attacks, thus emboldening the Islamists vice how the Asad regime did and not a peep out of the Syrian Muslim Brotherhood ever since. Perhaps there are some –albeit politically incorrect—lessons to be learned here from what was/is perceived in the Sunni world as a *murtadd* (apostate) regime in Damascus. Lessons that seem unpalatable to the Western mind today.

Lessons learned from the Beirut example, first inspired the Palestinians (PLO, PFLP & Hamas) after the Oslo Accords, who resorted to the use of suicide bombings within Israel as acts of *shahada* (martyrdom). Traditionally, the well known cases of acts of "martyrdom" were those of the Assassin, an Ismaili Shia Sect that was essentially engaged in a defensive jihad against Sunni leaders who sought to oppress them. However, while the missions of individual hashashin, as they came to be called somewhat derogatorily, were *suicidal in nature* they did not involve *khud kushee* (taking one's own life). This key distinction between Assassin of old and present day suicide jihadis is a critical one for the purposes of discourse on the ethical conduct of war based on Islamic scripture.

Historically, Muslims have stressed that suicide (the act of taking one's own life) can never be justified under *any* circumstances. To commit

suicide is to guarantee oneself a place in an eternal, burning, hell according to Islamic scripture. Two Quranic suras 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)

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 suicide attacks in Lebanon, Israel, Britain, the United States and elsewhere conducted under the banner of Islam. Since the early 1980s, there has been much discussion between Muslim *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.

Shaykh 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. In his work, Uyayri makes the “ends justify the means” case, arguing that the “majority” of scholars permit such “self sacrifice” if these missions attain the following: a) intention (pure); b) inflict losses on enemy; c) successfully terrorizes them and 4) 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, Uyayri appears to confuse acts of suicidal *bravery* (that did not involve self inflicted death) as somehow being congruent with contemporary Islamist suicide tactics (that often involve large scale casualties of mostly Muslim and non-Muslim 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)

The Grand Mufti of Saudi Arabia, Sheik Abdul Aziz al-Sheikh, has 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."

Sheikh Ibn 'Uthaymeen states on the website "Fatwa online," when asked if attacking the enemy by blowing oneself up in a car was sanctioned in Islam:

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.

In December of 2009, a group of Muslim scholars in Pakistan issued a decree that declared suicide bombings and terrorist attacks as being *haram*:

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

The opposite view is taken by the now Qatar based Sheik Youssef al-Qaradawi, an Egyptian clergyman who is considered a respected figure by many Sunni Muslims as fellow ASMEA presenter, Dr Joseph Spoerl also highlighted yesterday when he informed us about the favorable perceptions of his Pakistani-American students on Qaradawi's religious views and fatwas. While condemning the attacks in the United States, he said rulings against suicide bombings were issued by "people who are alien to Shariah (Islamic laws) and religion."

Supporting Qaradawi on the use of suicide attacks, Sheikh Ikrema Sabri, Jerusalem's former top Muslim cleric and an appointee of Palestinian leader Yasser Arafat, said: "Suicide bombings in Israel yes, elsewhere no: "The issue is decided," Sabri has said in an interview. "Muslims believe in the Day of Judgment and that dying as a martyr has its reward - going to heaven - and that a martyr is alive in the eyes of God." 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*." Thus, for respected Sunni Muslim figures like Qaradawi and Sabri, suicide as a tactic of jihad is *situationally dependent* (emphasis added).

When the Grand Mufti Sabri was removed from office for constantly meddling in political affairs by Palestinian Authority 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. "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." In short, the views of Sabri on the use of suicide against Israeli targets are now shared by the current Grand Mufti of Jerusalem.

Furthermore, no prominent Sunni Muslim Ulema has publicly challenged the Mufti on his controversial position on the use of suicide as a tactic of war which has traditionally been a condemnable offense per Islamic scripture and the historical traditions on the conduct of war (*harb*) against the Kuffar. 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 the Islamiyyun and their reliance on suicide attacks as a legitimate tool in a jihad against the Kuffar. It also serves to reinvent the Islamic historical 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 (jihad) is the absence of any ethically or morally derivative constraints on the conduct of war. In short, the ends come to justify *any* means in the name of the *din* (faith).

Notwithstanding such Ulema –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 against 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 Islamists from extensively leveraging the use of suicide bombers in their ongoing global “*jihad*.” How 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 Qaradawi, Sabri and al Shuaybi among others; and by issuing “statements” of their own through their own leaders, “Sheikh” Osama bin Laden and Ayman al Zawahiri via its propaganda efforts on the permissibility of suicide attacks against the Kuffar and murtadd as legitimate jihadi military action.

Given both the nature and the frequency of these terrorist attacks, that heavily depend on suicide bombings and primarily target civilian sites, it is noteworthy that the vocal condemnation has not been louder in the Muslim world; worse, there are Muslim religious scholars who have even justified, through the process of *ijtihad* (independent reasoning), that such terrorist acts against civilians (Muslim and non-Muslim alike) are not prohibited in “*jihad*.”

For example, in April 2002, Sheikh Hamed al-Ali, a Salafist lecturer on Islamic culture in Kuwait, clarified in a religious ruling the conditions that make it permissible to kill civilians in the cause of *jihad* without violating the Prophet Muhammad's command prohibiting the murder of women and children. Al-Ali on the “Participation in War” stated:

Civilians who knowingly take part in combat or advise and encourage others to do so, etc., the prohibition against killing them does not apply and it is permitted to kill them in war....It should be noted that an army involved in modern warfare also includes soldiers who are non-combatants, some of whom serve in combat support roles and without whom conducting a war would not be possible.

Al Ali on “Collateral damage to civilians during attacks on military targets”:

When Muslims are forced to launch an all-out attack on enemies or bomb them from a distance and this may cause the death of women, children, and other civilians, it is imperative to ensure that they are not killed intentionally. However, if they are killed during such attacks, killing them does not constitute a sin.

Saudi Sheikh Hamud ibn Abdullah al-Shuaybi, was another prominent ulema who actually condoned the suicide September 11th attacks in a *fatwa* he issued on September 17th, 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. Al Shuaybi, however, fails to provide concrete examples of similar American atrocities on civilian targets in Muslim dominated regions and ends his *fatwa* by calling on all Muslims to support the Taliban regime in Afghanistan.

It is noteworthy that even Ibn Taymiyyah, the ideological Godfather of the Islamiyyun, in his writings cautioned against violence towards non-combatants with caveats:

As for those who cannot offer resistance or cannot fight, such as women, children, monks, old people, the blind, handicapped and the like, they shall not be killed unless they actually fight with words (eg., propaganda), and acts (e.g., by spying or otherwise assisting in the warfare). Some (jurists) are of the opinion that all of them may be killed, on the mere grounds that they are unbelievers, but they make an exception for women and children since they constitute property for Muslims.

Furthermore, there are *hadith* with strong *isnad* chains that discuss treatment of women and children in war:

It is narrated on the authority of Abdullah that a woman found killed in one of the battles fought by the Messenger of Allah (may peace be upon him). He disapproved of the killing of women and children. (Sahih Muslim # 4319).

It is narrated by Ibn Umar that a woman was found killed in one of these battles; so the Messenger of Allah (may peace be upon him) forbade the killing of women and children. (Sahih Muslim #4320).

Dr. Fadl, in his book, *A Document for Rationalization of Jihad in Egypt and the World*, explains that the motivation behind writing his book had to do with how "*jihad* ... was blemished with grave *Shariah* violations during recent years. ... [N]ow there are those who kill hundreds, including women and children, Muslims and non Muslims in the name of *jihad*!" Dr. Fadl's harsh words directed at Al Qaeda specifically attracted considerable attention throughout the Arabic-speaking world; even members of Zawahiri's Egyptian Islamic Jihad group jailed in Egyptian prisons signed on and promised to end their armed struggle after Dr. Fadl published his work.

TO CONCLUDE: Islamists's Use of Suicide Attacks as "*Jihad*": *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 as a legitimate mechanism to wage jihad has not elicited the kind of carte blanche support the Islamists 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 Islamists case vis-à-vis the so-called "*umma*," is the fact that casualties from such attacks predominantly involve non-combatants and, more egregiously, fellow Muslims.

A layperson's brief examination here of Islamist's use of suicide attacks upon unarmed civilians, within the context of Islamic scripture and traditions, challenges current efforts both within, and without, the Sunni clerical establishment of trying to justify such tactics as being both necessary and sanctioned. It is indeed ironic to read the justifications of certain Sunni 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 those within Sunni Islam most vociferous about declaring that the Gates of *Ijtehad* (independent reasoning) are closed, are indeed, de facto, implementing this concept in their current justifications/interpretations. While, the Wahhabists who have sought the reopening of these so-called "Gates," are not encumbered by such self imposed restrictions as they seek to practice *ijtehad* and argue that this

process is reopened *in order to bring the umma back to the sahih (correct/proper) path of the Salaf-e-Saliheen of the early period*. Thus, for them such hand wringing is irrelevant: the ends justify the means and suicide attacks are, therefore, a *halal* tool of warfare.

Thank you.