



“Moderating Jihadi Activities in Egypt and the World” (4-6)

By: *Sayyid Imam Abdel-Aziz al-Sharif*, known as Dr. Fadl



Dr. Hani Al-Siba'i

EARLY RESPONSES (1): While only 50% of Dr. Fadl's manuscript has been released, responses and commentaries have started to appear throughout the Islamic/Arab press. Many Islamists are suspicious, as illustrated by Dr. *Hani Al-Siba'i* from *Al-Maqrizi* Center in London who describes the document as having little lasting effect primarily because it was “born behind



Osama Ayyub

bars.”¹ On the opposite side, Islamist *Osama Ayyub*² who heads the Islamic Center in Munster, Germany considers

it the first serious attempt in a long time to address the subject of Jihad.³

He also emphasizes the support that the writer has been receiving by Islamists from inside and outside the jails as proof that this is a serious piece of writing.⁴ **PI Online** believes that Dr. Fadl's attempt to re-interpret the Jihadi view of the role of violence through selected elements of Islamic Jurisprudence cannot be ignored. His views will undoubtedly be discussed and dissected, and ultimately accepted by some and rejected by others. Even though the manuscript was written by a man who is most intimately associated with, if not the creator of, the doctrine of violence in modern Islamic Jihad⁵ it may still not change the minds of the “True Believers.” Nevertheless, that cannot detract from the strength and value of Dr. Fadl's arguments, which are supported by verses from the *Quran* and historical examples from the *Hadith* and the life of the prophet Muhammad.

THE PRINCIPLE AND THE MEANS: Dr. Fadl devotes these sections entirely to arguments centered upon the circumstances under which Muslims are granted dispensation from participating in violent Jihadi actions, and offering other non-violent alternatives as allowed by the *Shari'a*, including some even deceptive ones, available to pursue that goal. Dr. Fadl does not, however, totally reject the principle or legitimacy of violent actions in battling the unbelievers and the apostates. Rather, he uses different arguments for different situations. In some instances, he merely dismisses violent action temporarily as harmful to Muslim interests because of what he describes as the weak state of the Muslim nation, or restricts the use of violence to defensive situations like an invasion of Muslim land. Dr. Fadl also describes specific situations in which violence is forbidden and explains the various religious interpretations applying to each of those situations.

“In His Own Words”

¹ Source of comments by Al-Siba'i: <http://www.aljazeeraatalk.net/forum/showthread.php?t=85540>

² Source of Interview with Ayyub:

<http://www.asharqalawsat.com/details.asp?section=4&article=446239&issue=10583>

³ The only other attempt referenced was *Sheikh Muhammad Abd-al-Salam Faraj's* booklet “The Absent Duty” which includes some commentary on Jihad.

⁴ Ayyub mentions *Nabil Na'im*, *Abu-Khalid al-Dabit* and *Abdulaziz al-Jamal*

⁵ Dr. Fadl is known to have written: *Al-'Umdah fi l'dad al-'Idda'* [Principles of Jihad Preparation] also translated as [The Mainstay of Preparation for Action], considered the main manual for Jihadi Operations.

Fourth: To participate in Jihad, permission of the parents must be granted:

No Muslim shall participate in Jihad without his parents' permission or without having fulfilled all his financial obligations. Protection of the family from harm also takes precedent over leaving the house to participate in Jihad. Do not allow those ignorant and slogan addicts to incite you, in the name of Jihad, into a collision course you are unprepared to engage in. Even the Prophet and his companions did not commit such acts when they did not have the necessary strength.

Fifth: The Preservation of Muslim lives and Muslim force:

The reason for Jihad is the protection and empowerment of Islam. [*"And fight them on until there is no more strife or distress and only faith in Allah prevails everywhere"... Al-Anfal-39*]. If however, the wasting of human lives does not advance the spreading of Islam but rather brings about harm to Muslims, the *Shari'a* then dictates that Muslim lives must be protected, rather than exposing them to losses which can be avoided. The protection can take various forms, including hiding ones faith and isolating oneself [*"Withdraw from those who worship other but Allah and go to the cave....Al-Kahf16*] and even though they chose isolation instead of confronting those who opposed them, God considered them [*...youth who believed in their Lord and we bestowed them with our Guidance. Al-Kahf 13*]

As in the case of the time prior to the prophet's *hijra* from Mecca, and in order to preserve Muslim lives in a situation of Muslim weakness, 1) you could keep your faith hidden or seek isolation 2) you are dispensed from committing violent actions in support of Jihad, 3) you are equally dispensed of your duties if you are unable to defend yourself or are exiled into a foreign land, and 4) you should neither engage in an unequal battle with clear inferiority in numbers or preparation. In such circumstances, you should retreat as a strategy [various historical supporting situations are mentioned]. The propagation of Islam can also be accomplished through peace treaties whenever necessary, as done by the prophet even after his move from Mecca.

Sixth: It is not allowed to fight the ruler in Muslim countries.

It is not allowed to fight the ruler, unless he is declared an "unbeliever." This is supported by many of the prophet's sayings: "He who hates his ruler's actions, must be patient as those who rebel against the Sultan, shall die a pagan death." Whenever the ruler becomes an unbeliever, he should be fought only to the extent that such a power struggle results in improving the Muslim situation. As previously stated, violence is not the only option allowed under the *Shari'a*.

Jihad's Requirements

Dr. Fadl summarizes: Specific requirements and components are necessary to give rise to the duty of Jihad. Their absence dismisses such duty. The non-availability of land to take refuge in, the lack of financial resources, providing for family members left behind, adequate numbers of combatants, the proper identification of the enemy in order to avoid casualties among innocent people. If any of these components are not present Jihad will not lead to the empowerment of Islam or the ruling of the *Shari'a*. Those who have not followed these principles have committed the gravest of sins against the *Shari'a*: killing of protected people in the name of *Tatarrus*, illegal use of money to fund Jihad, betrayal and failure to honor treaties, or becoming a mercenary.

[A brief recounting of the first terrorist attacks in Egypt by the Islamic Jihad in August and September 1993, which were bundled by the perpetrators and led to the uncovering of the cells in Egypt]

Seventh: The forbiddance of attacking tourists and foreigners in Muslim Countries.

Dr. Fadl enumerates the reasons why the killing of Foreigners in Muslim countries is forbidden:

1. Muslims may be among the group, and killing them will constitute the greatest of sins. While in the past distinction was possible because of different requirements for dressing, this is no longer the case now.
2. Many foreigners come to Muslim countries by invitation or for work and therefore become protected under a term of treaty by other Muslims and killing them is equally a great sin.
3. Even though most of these foreigners are considered “unbelievers,” they include children and women and the elderly which are also protected.
4. [*“... As long as these stand true to you, stand ye true to them...” Al-Tawbah 7*] As many Muslims living in the land of the “unbelievers” are treated fairly, reciprocal treatment must then be observed.
5. If the governments of foreign countries are considered enemies of Islam, the innocent part of the population of these countries should not pay the price [*“...no bearer of burden shall bear the burden of another...” Al-An'am – 164*]
6. In general, those who come to Muslim land do not come to fight us. We should therefore treat them fairly in accordance with God's word [*“Allah does not forbid you, with regard to those who have not fought you in your faith nor driven you out of your home, from dealing kindly and justly with them: for Allah loves those who are just.” Al-Mumtahinah 8*]

Each of these reasons on its own is enough justification to forbid you from attacking foreigners and tourists.

We therefore find that no harm, killing, stealing or otherwise, shall come to foreigners and tourists and ask that all Muslims abide by this ruling under the *Shari'a*. We also believe that it is forbidden to kill a person because he is a citizen of a particular country (nationality killing) – such a heresy does not exist in Islam as nationality is just for identification, as in the word of God: [*“...and made you into nations and tribes so you may get acquainted with each other as the most honored of you in the sight of Allah is the purest...” Al-Hujurat 13*]

You cannot decide who is a Muslim or who is an unbeliever or who should be killed based on the color of his skin or hair or the language he speaks or because he wears western fashion. These are not proper indications for who is a Muslim and who is not. Not all who are unbelievers should be killed as this is left to the Day of Judgment.

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