

V. Op-Ed

Terrorism and Jihad: Differences and Similarities

by Philipp Holtmann

What many Westerners call criminal *terrorism* is, in the eyes of many Islamists, legitimate *jihad*. They say they are opposed to terrorism but by this they mean certain uses of force against one target but not again another. Are we talking about different phenomena when we talk about terrorism and jihad or are these basically the same? Jihad is sometimes translated as *holy war*, i.e. religiously sanctioned warfare. In Islam, jihad has been around for more than 1300 years. Terrorism as we know it is, as a doctrine, little more than 200 years old when we take the *Terreur* phase of the French revolution (1793-1974) as point of departure, or little more than 140 years old when we look at non-state propaganda-by-the-deed type terrorism of the anarchist sort. In the meantime, both terrorism and jihad have evolved, at least to some extent.

It is well-known that the United Nations has not managed to arrive at an internationally binding legal definition of terrorism. This has been mainly due to the ambiguity of war doctrines of Western states during the Cold War and the opposition from Islamic and Arab regimes who were eager to allow certain Islamist and leftist liberation movements to engage in dubious tactics against Israel and India – tactics they would not permit if used against their own regimes. There is a greater degree of agreement on a definition of terrorism in the academic world where a consensus definition has emerged, characterising terrorism as a “... conspiratorial practice of calculated, demonstrative, direct violent action without legal or moral restraints, targeting mainly civilians and non-combatants, performed for its propagandistic and psychological effects on various audiences and conflict parties.” [1] That is the *practice* side of terrorism. However, terrorism also refers to a doctrine of unconventional or irregular warfare and indeed, jihad can contain elements of terrorism – in terms of ideology, strategy and tactics. At the same time, it also has various different meanings in modern Muslim culture, such as an effort towards a “religiously commendable goal,” or simply a “crusade,” such as “a crusade against smoking,” which might, for example, be used as a slogan in a Muslim country to boost a public health campaign.

Some modern Muslim scholars claim that the goal of true jihad is to “establish a just social order”; others add that the way to realise this objective is through violent struggle. [2] In addition, some classical and modern Muslim thinkers divide jihad into a “struggle by the heart and soul” (fighting evil), “struggle by the tongue and pen” (spreading the word of Islam), “struggle by the hand” (political action or protest), and “struggle by the sword” (armed fighting). Yet the dominant meaning of “jihad” in Sunni Muslim culture remains “Islamic warfare,” which refers to war, more specifically to fighting with the intent to kill (*qital*). This interpretation of jihad is paramount in Islamic texts and has been addressed in Islamic juridical sources since the very beginning of the canonisation of Islamic law.

The canonised body of Islamic law texts (Quran, traditions, interpretations and legal opinions by the four main Sunni law schools) that surrounds the concept of “jihad” is much larger and more developed than similar concepts of holy war in other religions.[3] This idea materialises in thousands of stipulations and allegedly “sound” (i.e. authentic) traditions by the Prophet and his companions. It refers to conduct in war, treatment of civilians or incitement to jihad. These have been collected around two centuries after Muhammad’s death, but some are even older.

Traditional references to jihad are often confusing and contradicting each other. It must be assumed that different Muslim leaders tried to protect their own interests by forging traditions in order to improve their

standing in the intra-Muslim conflicts during the rampant factionalism in the early centuries of Islam. Between the 11th and 13th centuries, new legal works on jihad, for example by the scholar Averroes (Ibn Rushd, 1126-1198) or by the puritan renewer Ibn Taymiyya (1263-1328) emerged. Averroes explained the positions of all four major legal schools in Islam on jihad. Ibn Taymiyya expounded on the religious and moral doctrine of jihad, first and foremost as expansionist Islamic warfare, but also as defensive warfare against rulers and invaders who were only Muslims in name (like the Mongol invaders). Jihad was also used when referring to the quelling of rebellious Muslim groups. This indicates that Muslims were in need of clarification regarding the Islamic core concept of jihad. It also shows that changing circumstances led to dynamic changes in the interpretation of jihad. Modern Salafist jihadis have taken bits and pieces out of classical legal debates to justify what are essentially terrorist tactics, sometimes in the name of “defense,” at other times as an instrument of “deterrence,” but also to justify aggressive, i.e. “offensive” measures. Yet the psychological element that underlies all three of these justifications remains the same: causing fright, fear and panic that goes beyond the direct targets of violent attacks – something that terrorism tries to achieve too.

Specific elements of endemic warfare and tribal culture have influenced the classical Islamic worldview and doctrine of war. The early Islamic *ummah* saw itself as a tribe at war with the surrounding non-Muslim rulers and empires. In such a situation, Muslims saw it as their duty to expand the Islamic territory and to bring as many new converts under its rule as possible. The classical core concept of jihad is thus one of war for the purpose of imperial conquest, embellished by a religiously beneficial ideology. Moreover, the normal state of affairs among pre-Islamic Arabic tribes was one of constant warfare, interrupted by temporary truces. Codes of chivalry of tribal fighting forbade the killing of some categories of non-combatants, especially children and women. These rules were incorporated into the Islamic legal doctrine of war, the development of which was largely completed by the end of the second (8th century CE) century after the *hijra* (emigration of Muhammad from Mekka to Medina).[4]

Yet, such chivalry had its limits. The vast corpus of Islamic traditions on war contains numerous cases in which the Prophet Muhammad or other influential opinion leaders of the original Muslim community allowed the killing of prisoners, non-combatants and civilians—either for deterrence or in the form of acceptable collateral damage; there are specific rules on both in Islamic law. There are, however, conflicting legal opinions on these issues in the different legal schools of classical Islam.

These old debates are still relevant when it comes to the question: what exactly is the role of terrorism in jihad? The suppression and consequent radicalisation of Islamist oppositional groups in the second half of the 20th century in the Middle East and North Africa ushered in a period of simplified and politicised theological interpretations as Islamic warfare doctrines were re-interpreted by young revolutionaries without a formal religious education. These Islamists were soon joined by educated clerics who had become radicalised themselves. Most of them had emerged from the Salafist fundamentalist strands of Sunni Islam. These sub-state actors adopted and adapted bits and pieces from classical jihad concepts to their needs – e.g. the justification of assassination and terrorist tactics, as was, for instance, demonstrated in the assassination of Egyptian president Anwar al-Sadat on October 6, 1981.

Their theological justification of “jihad” as “legitimate terrorism” (*irhab mashru'*) continues to this day. Since the 1990s, this has been leading to a shift away from the mere use of terrorist tactics to the formulation of genuine terrorist strategies. Doctrinaire “jihadis” regard terrorism as “legitimate,” since their goal—establishing a “just” Islamic order—allegedly justifies indiscriminate political violence. Revolutionary and militant Muslim actors like Osama Bin Laden and Abu Mus'ab al-Suri have formulated specific doctrines merging terrorism and jihad. One of these ideologues, Dr. Fadl, wrote a handbook on assassination tactics and issued the general guideline that “terrorism is part of Islam.” [5] When this Egyptian jihadist ideologue

was caught and imprisoned, he and four other historical leaders of *al-Gama'at al-Islamiyya* (IG) had second thoughts and called Al-Qaeda's jihadism an unlawful and murderous deviation from the traditional interpretation of jihad.[6]

Yet terms that are frequently translated as "terror" and "terrorising" appear also in the Quran. For example, Surat al-Anfal 8:60, commands the following: "Against them make ready your strength to the utmost of your power, including steeds of war, to strike terror into (the hearts of) the enemies, of Allah and your enemies, and others besides, whom ye may not know, but whom Allah doth know." [7] Numerous legal interpretations by classical and modern Islamic scholars have treated this injunction to justify deterrent and frightening war tactics. Modern extremists have come to the conclusion that this verse legitimises terrorism and the killing of civilians. Yet, this extremist view cannot stand up to a careful weighing of arguments, such as advocated by a reformed Islamic jurisprudence. The terrorist jihadists overlook that the classical stipulation merely commands to "prepare" terrorising, frightening tactics—as a psychological weapon to facilitate conquering the enemy or defeating him, which is a classical war tactic. This particular Sura is therefore not a blank endorsement for the indiscriminate killing of civilians.

Cherry-picking such verses from the Quran, seemingly provides salafi jihadists with a licence to kill indiscriminately. They have thrown all scrupels, all rules and any notions of mercy over board in their attempt to achieve with their atrocities all-pervasive shock and fear. Their doctrinaire jihadist terrorist strategy is based on a theologico-political justification of "legitimate terrorism" which includes "terrorist deterrence" strategies and specific terrorist tactics. The formulation of such concepts has certainly been influenced and continues to be supported by some of the extremist members of fundamentalist ideologies of Sunni Islam (Salafism and Wahhabism). However, there are salient differences between the extremist terrorist jihad concept and the broader Islamic warfare concept. In the broader concept, the question whether civilians may or may not be attacked is subject to debates and qualifications. The broader concept of Islamic warfare is not a revolutionary one but is dominated by an imperialist worldview which has as its goal the conquest of territory. In the broader concept of Islamic warfare, "terrorism" is but one element and it is mainly used for deterrence and for tactical purposes. Classical expansionist jihad is first and foremost a collective duty (*fard 'ala al-kifaya*), which is considered to be fulfilled once a certain number of warriors appointed by the ruler are sent into battle. Contemporary terrorist jihad, on the other hand, is mostly interpreted by sub-state actors as an individual religious obligation (*fard 'ala al-'ayn*) that depends on personal initiative and on "God's guidance."

Yet, both concepts may merge if jihad becomes defensive and Muslim people are subject to attack and not capable to defend themselves: in that case, the legal schools stipulate that all Muslims who are capable to assist their brethren under attack must do so. Numerous Sunni Muslims, including state-clergy in Islamic countries, refute terrorist jihad, although they would most certainly support an official jihad-war in case their country's leader authorises it. In such a case, they might also be willing to support terrorist tactics. A good example of scholarly flexibility is the role of Egypt's official al-Azhar clergy in the 1970s. In the 1973 "Yom Kippur War" with Israel the clerics were at the forefront of declaring this conventional offensive war a "jihad," advocating the "instillation of fear and terror in the enemies hearts." Yet only a few years later, some of the very same clerics also managed to find theological justifications for the U.S.- brokered peace treaty with Israel in 1979 (*sulh, musalaha*).[8]

In conclusion, "jihad" stands for a broad culture of Islamic warfare by state and, more recently, sub-state actors. On the one hand, it includes clearly formulated concepts related to terrorism and psychological deterrence. Yet, on the other hand, it also includes clearly formulated rules regarding the safeguarding of civilians and non-combatants in times of war. In the mainstream interpretation of jihad by the four primary

Sunni schools of law, individuals and non-state actors cannot declare jihad; this is the sole prerogative of political authorities of a state. However, like other religious doctrines, the concept of jihad is malleable and prone to abuse by those religious and revolutionary entrepreneurs who manage to impose their idiosyncratic definition of power on the concept. In the hands of fanatic true believers, jihad becomes not just an instrument of warfare but a recipe and licence for terrorism and war crimes.

Let me conclude with a word of caution: we should be very careful not to regard “Islamic warfare” practices *per se* as worse, less humane and more unethical than their Western equivalent. While many Westerners regard Islam’s martial culture as inferior due to its gruesome connection to terrorism, this view does not stand the test of careful historical analysis but is based on cultural bias. War crimes, including terrorism, have been, and continue to be, frequent occurrences in Western forms of conflict-waging. Propaganda tends to blacken the historical record of an adversary’s culture and whitewash one’s own past. This tends to be true for all sides involved in armed conflict.

About the Author: Philipp Holtmann is an analyst specialising in the Middle East, where he has lived and worked in several countries. Dr. Holtmann conducts in-depth research on jihadist media as well as on Muslim conflicts and reconciliation issues. He is a Research Associate of the Terrorism Research Initiative. His publications include ‘Abu Mus’ab al-Suri’s Jihad Concept’ (2009), ‘Virtual Leadership: How Jihadis Guide Each Other in Cyberspace’ (2012), ‘The Symbols of Online Jihad’ (2013), ‘The Use and Genre of Huda’ (encouraging battle songs) versus Anashid (praiseful hymns) in Jihadi Propaganda’ (2013), and ‘Countering Al-Qaeda’s Single Narrative’ (2013).

Notes

[1] Cf. Alex P. Schmid (Ed.). The Routledge Handbook of Terrorism Research. (London & New York: Routledge, 2011 & 2013), p. 86.

[2] The above quote is from the Pakistani scholar Fazlur Rahman Malik. Another Muslim scholar, Mahmoud Ayoub, claims that the goal of true jihad is to achieve harmony between Islam faith and righteous living. But other Muslim interpreters of jihad hold that this harmony can only be achieved when all unbelievers have been defeated. – M.C. Jon. Jihad – The Four Forms and the West, accessed June 8, 2014 at <http://www.islam-watch.org/home/165-jon-mc/1447-jihad—the-four-forms-and-the-west.pdf>.

[3] There are also texts that discuss rules of engagement, looking for solutions to regulate conduct during warfare in the Old Testament or in the Indian Sanskrit text Mahabharata. Yet, these are not to the same degree developed as in Islamic texts. One of the reasons for this is that Christian culture before the 18th century enlightenment period was characterised by a stronger separation, but also competition, between political and religious spheres. As a result, the formulation of concrete warfare doctrines belonged mainly to worldly thinkers like Hugo Grotius (1583 – 1645). Such a separation of politics and religion is alien to classical Islam which postulates a seamless connection between state and religion, encompassing faith, politics, society, governance and law – all based on Islamic precepts, core sources and authoritative interpretations.

[4] For this paragraph, I am indebted to Rudolph Peters: Jihad in Classical and Modern Islam (Princeton: Markus Wiener Publ., 1996), pp. 1-3.

[5] See the 1400 pages jihad-encyclopaedia of Abu Mus’ab al-Suri, *Da’wat al-Muqawamah al-Islamiyya al-Alamiyya* (Internet: 2004), ‘Abd al-Qadir bin ‘Abd al-‘Aziz, “Al-Irhab min al-Islam wa man ankara dhalika fa-qad kafara,” <http://www.tawhed.ws/r?i=jqxigwkz>.

[6] Alex P. Schmid. Al-Qaeda’s “Single Narrative” and Attempts to Develop Counter-Narratives: the State of Knowledge. The Hague: ICCT, January 2014, p.26 (available at www.icct.nl).

[7] The Holy Qur’an. Translated by Abdullah Yusuf Ali. (Ware Hertfordshire: Wordsworth, 2000), p.141.

[8] Philipp Holtmann, The Transformation of the Jihad-Doctrine in Sadat’s Egypt (Munich: Grin, 2009).