Islamic Authority and the Articulation of Jihad: Approaching Jihadist Authority through the Islamist Magazine *Inspire*

Aleisha LaChette

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Bettina Koch, Chair
Rachel Scott
Luke Plotica

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**ABSTRACT**

This thesis examines the impact of changing views of legitimate Islamic authority on conceptions of jihad. Spearheaded by militant Sunni movements, jihad in the modern era has taken on new purposes and practices that more closely resemble general understandings of terrorism than the regulated forms of warfare cemented during the classical period of Islam. Contrasting the historical authority of the caliph or political leader and the ‘ulama over the concept of jihad with the modern state and ‘ulama’s lack of control over the concept offers a partial explanation of the divergence of contemporary jihad from the classical or traditional views. This thesis uses the concept of individual jihad as communicated through the jihadist magazine *Inspire*, to counter the dismissal of radical articulations of jihad as un-Islamic and therefore illegitimate, and to demonstrate how such forms instead reflect the opportunistic replacement of traditional political and religious authority by the jihadist as the true defender of Islam and consequently the rightful interpreter of Islamic law.
To Oren
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Introduction

On April 15, 2013 Tamerlan and Dzhokhar Tsarnaev allegedly detonated two homemade explosive devices near the finish line of the Boston Marathon, killing three people, two women – one of them a Chinese national – and a young boy, and injuring over two hundred and sixty others. Tamerlan and Dzhokhar were young Muslims who immigrated from Kyrgyzstan to the United States in 2003 and 2002, respectively. The FBI investigation into the brothers revealed that the elder brother, Tamerlan (d. 2013), was ideologically aligned with a radical, anti-American brand of Islam, although no formal link between him and a radical Islamist or jihadist organization could be found. Tamerlan has been cited as the orchestrator of the attack, having selected the method and occasion. Authorities discovered he possessed at least seven issues of *Inspire* magazine, including the first issue containing the Open Source Jihad (OSJ) article “Make a Bomb in the Kitchen of Your Mom,” which gave detailed instructions for building a pressure cooker bomb like those used by the Tsarnaevs ((OIG) 2014; Sheridan, Struck, and Fisher 2013; Allen 2013). That the Boston Bombings were carried out by “homegrown terrorists” executing self-designed plans with homemade weapons suggests the Tsarnaevs took more from *Inspire* magazine than instructions on how to build pressure cooker bombs, but that they also took to heart the magazine’s central message to Western Muslims—it is your duty to carry out attacks against the enemies of Islam, and your right to do so without anyone’s permission and according to your own design. This message, however, conflicts with the traditional theories of jihad, which consistently attribute full responsibility for jihad to the head of state, and binds the legitimate practice of jihad to Islamic humanitarian rules of war as dictated by religious experts.
The discovery that the brothers accessed jihadi propaganda through the Internet likely came as no surprise since security analysts and academics have long recognized the Internet as a primary recruiting forum for new jihadists (O'Rourke 2012; Sivek 2013; Torok 2015).¹ As a digital magazine produced in English by the global jihadi organization, al-Qaeda in the Arabian Peninsula (AQAP), *Inspire* is able to reach an international audience and disseminate its message beyond the Arabic speaking world, a necessity for recruiting and maintaining personnel committed to global jihad. Susan Sivek (2013) recognizes that *Inspire’s* base medium is especially suited for recruitment because magazines in general are already recognizable as mechanisms for spurring lifestyle changes. They attract readers with a pre-existing interest in their content or who have already considered making the transitions encouraged by the publication, but who many need encouragement or guidance to facilitate this change. While all forms of digital media have become tools for jihadists to recruit new members, including social media sites and blogs (Torok 2015), magazines offer a contained space wherein a coherent set of ideas can be communicated (Sivek 2013), and where any challenges to the content are rarely accessible to the magazine’s audience. This characteristic allows *Inspire* to communicate the extreme religious views of AQAP as authentically Islamic.

As an affiliate of al-Qaeda, AQAP largely espouses the ideology of its parent organization, which John Turner (2010) outlines using four key concepts—*jahiliya*, Salafism, *Hijra*, and *jihad*. All of these concepts are rooted in or reference early Islamic history so they immediately resonate with Muslims. Their use by al-Qaeda helps to legitimize the beliefs and objectives of the organization. Turner aligns *jahiliya* to the problem envisioned by al-Qaeda.

“*Jahiliya*” or “ignorance” was used by the Prophet Muhammad to describe pre-Islamic Arabia or

¹ Militant Islamists often refer to themselves as the historical Arabic term for one who fights jihad or “mudjahedin.” I have chosen, however, to refer to modern fighters of jihad as “jihadists” to reiterate the doctrinal and practical distance between historical and modern practices of jihad.
the state in which the Arab world lived prior to its receipt of God’s revelations. However, al-Qaeda following Sayyid Qutb (d. 1966), an intellectual father of Islamism,\(^2\) applies the concept of *jahiliya* to the current state of the world as corrupted by modernity and its derivatives, especially secularism and capitalism (Qutb n.d.). The political activist, Jamal al din Afghani (d.1897) cited the Muslim world’s rejection of Islam in favor of modernity as the reason for its loss in status as a world power and its inability to prevent colonization by the West. He saw the only remedy to the Muslim world’s decline as a return to the values and systems of “righteous predecessors” or the early Muslim community. Al-Qaeda embraces Salafism’s requirement that Muslims look to the past in order to understand how Islam should be practiced and contemporary life structured as the method by which Muslim society can be repaired (Turner 2010; Moussalli 2009). For al-Qaeda, recreating the past mandates establishing a caliphate governed only by *Shari‘a*.

Before the Muslim community can once again be purified by the true Islamic message and practice, the vanguard or the most pious and dedicated Muslims must separate themselves from the corrupt world in order. This separation period is termed *Hijra* or migration and parallels the *Hijra* from Mecca to Yahtrib (Medina) in 622 CE led by the Prophet Muhammad that established the followers of Islam as a distinct body politic. To al-Qaeda this separation offers a time during which Muslims can prepare themselves spiritually and militarily for jihad against state powers and western culture. The word jihad predates the birth of Islam and can be

\(^2\) An Islamist is “someone who places her or his Muslim identity at the centre of her or his political practice”, and “use[s] the language of Islamic metaphors to think through [her or his] political destin[y]” (Sayyid 1997: 17). Bobby Sayyid stresses that Islamism is a political discourse that should be approached as a spectrum containing numerous strategies for instating an Islamic political order and many interpretations of what such a political order would look like (Sayyid 1997: 17-18; Moussalli 2009: 27). At the far right are radical Islamists that refuse any association between Islam and Western political, economic, and social structures (although, concepts associated with modernity are often embedded in their beliefs and plans). Yet another subset at this end of the spectrum is the jihadists, or militant Islamists who prioritize the application of jihad to bringing about an Islamic political order. Both Al-Qaeda and AQAP are more often than not, referred to as jihadi organizations because they put their promotion and practice of jihad at the forefront of their Islamist identity.
translated into English as “striving.” However, the term is often used, as it will be throughout this thesis, as shorthand for *jihad fi sabil Allah* or “striving in the way of God”, denoting physical fighting or war on behalf of Islam or the Muslim community (Bonner 2006: 2). Since current Muslim governments and the Western powers that support them are viewed as oppressors of Islamic belief and practice, they present a greater security risk to Islam and the *umma* than would an armed invasion by foreign powers. As an armed invasion can only be repelled by a military response characterizable as a defensive jihad, the injection of Western political, economic and cultural structures into Islamic society by Muslim and Western states can only be reversed by physical force.

These core views are not unique to the ideology behind al-Qaeda; they are pulled from the works of several Muslim thinkers that have influenced most Islamist groups. What al-Qaeda’s leaders, Osama bin Laden and Ayman al-Zawahiri, added to the Islamist ideology was the necessity of globalizing the jihad (Turner 2010; O’Rourke 2012). Frédéric Volpi defines global jihadism as “a form of violence directed against a state, its citizens and its assets, perpetrated by citizens of the same or another state on behalf of Muslim communities from any state in the world and which are directly or indirectly oppressed by the state targeted by this violence” (Volpi and Turner 2007: 17). Ann-Sophie Hemmingsen (2010) points out that global jihadism differs from classical theories of jihad and classical jihadism in two important ways: 3 global jihadism encourages attacks in non-conflict areas, particularly outside of predominantly Muslim countries, and eliminates the necessity for orchestrators of attacks to distinguish between military or government targets and civilian targets. Although global jihadism is a profound alteration to traditional jihad, it still treats jihad as a centrally-directed activity, albeit by the

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3 Following Thomas Hegghammer, Hemmingsen classifies “Classical Jihadism” as “semi-conventional warfare in confined theaters of war”(Hemmingsen 2010: 25-26). Using this definition, all modern jihad movements prior to the beginning of global jihadism fall under the category of “Classical Jihadism.”
upper echelon of jihadist organizations rather than a head of state. In spite of this divergence from the traditional practice of jihad, global jihadism allows for some measure of control over the operations or activities conducted in the name of Islam. Al-Qaeda’s development of global jihadism can be read as a response to the failed attempts of earlier Islamist movements to topple Muslim governments through direct attacks (Roy 2004; Mozaffari 2007). As such, it prioritizes the destabilization of the “far enemy” or Western nations, starting with the United States and Britain, as a necessary precursor to overthrowing the “near enemy” or governments of predominantly Muslim states and reestablishing a caliphate (Turner 2010; O'Rourke 2012: 33).

Just as al-Qaeda saw the need to adapt the practice of jihad in the face of the failures of classical jihadism, AQAP chose to adopt al-Qaeda strategist Abu-Mus‘ab al-Suri’s idea of individual jihad as a way of sustaining the fight against the West in the post-9/11 security environment.4 Al-Sur’s formula for jihad alters al-Qaeda’s general plan of action by eliminating the need for Muslims to remove themselves from society, and instead relies on jihadists remaining inconspicuous members of society. It tailors the idea of global jihad by shifting operational control from hierarchical jihadist organizations to autonomous actors, thereby investing the authority to act on behalf of the Muslims community in isolated individuals assuming the role of “defender of Islam.” It presumes every jihadist is entitled to define what constitutes true Islamic practice, specifically as it applies to permissible uses and forms of violence (Wagemakers 2011; Cook 2009). *Inspire* advertises individual jihad as simply another religiously valid method of defending Islam, one that is more authentically Islamic than classical

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4 Senior al-Qaeda leadership does not fully endorse al-Sur’s individual jihad program (Springer, Regens, and Edger 2009: 96-127), and Sivek regards AQAP’s deviation from its parent organization’s general plan as sign of the organization’s loss of control over it affiliates (Sivek 2013: 2).
theories and practices of jihad because it imitates actions taken by members of the first Muslim community.

Challenges to the religious validity of radical interpretations of jihad are often based on the rules of war detailed in or extrapolated from classical jihad theories, which have dictated orthodox or mainstream conceptions of jihad for over a millennium. The crystallization of the legal treatises on jihad into jihad doctrines overlapped with “the closing of the gate of *ijtihad*” and the formation of the rule of *taqlid* (Cook 2005: 57-68; Ayubi 1991: 11-12) within Sunni Islam. The practice of *ijtihad* entailed jurists using systematic, independent reasoning to render religious and legal judgments on issues not directly addressed within the Qur’an and *hadith* or on which religious experts had not already reached a consensus (Bakircioglu 2010: 415; Hallaq 2009: 51). At the beginning of the tenth century, however, jurists sought to narrow the scope of legal interpretation by curtailing the practice of *ijtihad*, presumably out of concern over the legitimacy of new interpretations and their ability to contradict the founders of the Islamic schools of law, and replacing it with *qiyyas* or analogical reasoning (Ayubi 1991: 11). With the closure of independent legal judgment jurists instituted “the rule of *taqlid* (emulation; imitation; tradition)” (Ayubi 1991: 12), which required “unquestioning acceptance of the doctrines of established schools and authorities” (Ali-Karamali and Dunne 1994: 243) effectively establishing the works of early scholars as the gold standard on which all future legal or religious judgments were to be based (Ayubi 1991: 12). One consequence of *taqlid* has been a great continuity over the centuries in the conception and application in jihad. But as Wael Hallaq recognizes, the conceptions and applications of jihad in the twentieth and twenty-first century are “qualitatively

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different” from those premodern theories and practices cemented into mainstream Islam by *taqlid* (Hallaq 2009: 340).

Not only are contemporary interpretations of jihad fundamentally different from classical interpretations, there is also significant variation amongst these contemporary interpretations (Wagemakers 2011). David Cook (2009) attributes most of these variants to radical and militant Sunni movements which have driven the evolution of jihad over the past four decades. Each new iteration of jihad seems to redefine the concept and practice in the interest of utility rather than stricter compliance with Islamic custom or law (Cook 2009: 186), and this is especially true for the concept of global jihad and its variant, individual jihad. In contrast to traditional theories of jihad, these modern interpretations (1) rely on the separation of the concept of jihad from the state; (2) broaden the conditions for initiating or classifying violence as jihad; (3) progressively erase the humanitarian limits placed on violence committed in the name of Islam; and in the case of individual jihad (4) leaves the orchestration of attacks up to isolated, independent individuals.

Although al-Qaeda and AQAP insist their versions of jihad are supported by Islamic law and custom, moderate Muslim authorities, Western governments and academics have repeated denounce the Islamicity of their ideas and actions. Their extremely liberal uses of “jihad” have been relabeled as terrorism, defined by the goal of instilling fear in the general population (Shultz 1978; Gibbs 1989); the use of violence to meet a political, ideological or religious goal (Shultz 1978; Gibbs 1989); and committing violence outside the parameters of conventional warfare according to international or Islamic law (Shultz 1978; Gibbs 1989; Venkatraman 2007).

One goal of this thesis is to highlight the disconnect between the use of “jihad” to describe the form of violence advocated by AQAP and its characterization as terrorism by most outside of militant Islam.
While the use of “jihad” and “terrorism” to describe the same strategic plan of violence is an issue, I am more concerned with the dynamics within Islam that enable radical reinterpretations of the concept of jihad, which, until the modern era, has remained largely consistent. Several Islamic scholars have purposed the existence of an authority crisis within Sunni Islam characterized by the absence of a clear authoritative voice to define the meaning and practice of Islam for and on behalf of the Muslim community (Hallaq 2003-2004; Robinson 2009; Ivanyi 2007; Grewal 2014) as well as the decline of the social coercive power of Islam as a religion, way of life and political and legal system that leaves compliance with Islamic authority up to individual choice (Roy 2004; Zemni 2006; Asad 2003). The “authority void” is much more pronounced within Sunni Islam than Shia Islam because Shia Islam has maintained a more rigid authority structure (Grewal 2014: 41; March 2013: 304), reinforced by the founding of the Islamic Republic of Iran. Oliver Roy (2004) and Jacqueline O’Rourke (2012) have both discussed the proliferation of lay Muslims offering their own interpretations of Islam and Islamic law over the Internet or through other forms of media, a development Roy associates with the separation of religious knowledge from institutions. Most of these voices are not associated with militant Islamist movements but they still presume the right to formulate their own ideas about Islam. Militant groups assume this right as well as the right and duty to act upon their extreme ideas, especially as they pertain to jihad. Amongst Sunni Muslims in particular, “jihad” according to political or religious authorities must compete against “jihad” according to jihadis and other Muslims who choose to interject their opinions into the public sphere. The multitude of voices offering their understandings and opinions of jihad, but from different perspectives, experiences and educational backgrounds contributes to what Zareena Grewel (2014) refers to as a “loss of a common vocabulary” within Islamic discourse. To Grewel, it is the incoherency of
current public debates within Islam rather that debate itself that has produced an authority crisis because these current debates ignore or dismiss the epistemic authority of those trained in managing understandings of Islam.

Although the loss of authority has been thoroughly discussed, what has been less explored is the investment of that authority in the individual Muslim and how that process translates into new variants of jihad. This thesis uses individual jihad, particularly as it is presented in *Inspire* magazine, as a lens through which to ask the question: How has the changing nature of authority within Sunni Islam been reflected in modern articulations and enactments of jihad? The focus on *Inspire* in particular is a result of its exclusive promotion of al-Suri’s formulation of individual jihad, making the magazine an important representative of the trend within al-Qaeda propaganda to incite individuals to violence and cultivate homegrown terrorism within Western countries under the guise of a defensive jihad for Islam and the global *umma* (Hemmingsen 2010; Pantucci 2011). It has already been mentioned above that the formulation of individual jihad was driven in part by changes in the security environments in which jihadists groups have to operate, but the presumption of this thesis is that the evolution of jihad practices are also fueled by the inadvertent transfer of institutional authority to the individual Muslim, which has resulted in contemporary jihad bearing closer resemblance to terrorism than religious warfare.

The research question is restricted to Sunni Islam not only because of its more prominent (though perhaps only literary) crises of authority and epistemology, but also because it is the branch of Islam to which the jihadist groups currently commanding international attention claim to belong, most notably al-Qaeda and its affiliate organizations around the world, the Islamic State or ISIS in Syria, and Boko Haram in Nigeria. Consequently, answers to the question
framing this thesis can contribute to the development of countermeasures to the use of jihad by the groups mentioned above and any others that choose to use the language and practice of violent jihad to effect political change by national and international security organizations.

Using hermeneutics and discourse analysis, the following chapters examine the relationship between Islamic authority, articulations of jihad and the individual. A discussion about the relationship between the present nature of authority within Sunni Islam and current applications of jihad that assumes this relationship to violate the norms of Islam requires contextualization with respect to the presumed norms. Chapter one provides this context by reviewing the institution of the caliphate and ‘ulama as the sites of political and religious authority, respectively, and their relationship to the practice of jihad. The content centers around two key questions to the development of classical theories on jihad: who was responsible for defining and commanding jihad, and what is the nature of Muslim obligation to jihad? The answers to these questions are used to compare the narratives on obligation and authority presented in Inspire magazine’s promotion of individual jihad. Chapter two offers an explanation for the discontinuity between classical and modern theories of jihad by outlining critical steps taken by early Islamists toward divesting traditional institutions of their authority and rephrasing that authority in terms of the rights and duties of the “true” Muslim. Chapter three examines how the narratives within Inspire empower its readers to initiate, plan and carry out violent attacks in their home countries. Inspire’s responses are compared to those provided by the religious authorities across Islamic history. The conclusion emphasizes key aspects of the thesis and the difficulty in reigning in concepts and practices of jihad.
Chapter One: Contextualizing Authority and Jihad

Increasingly, the discussions concerning jihad are discussions about the nature of authority within Sunni Islam.

—David Cook, Islamism and Jihadism

The declaration by jihadists that “their position as the staunchest defenders of Islam” confers upon them the religious authority to interpret the laws of Islam on jihad and to wage jihad on behalf of the Muslim community (Cook 2009: 186; Wagemakers 2011) epitomizes the absence of clear answers within Sunni Islam to the questions of who, if anyone, is in a position to define the “right” meaning and practice of Islam and who is in a position to make political and military decisions on behalf of the umma. Increasingly, the voices of traditionally recognized authorities are either forced to compete with the growing body of Muslims asserting their right to interject their interpretations of Islam into the public domain or are disregarded as possessing any legitimate authority over the religious community. One consequence of the elimination of any clear authority seems to be the deregulation of the concept of jihad and its transition from “regulated warfare” to the increasingly free construction of violence evidenced by the jihadist magazine, Inspire. The current condition of authority within Sunni Islam can be contrasted with authority in the premodern world. For most of Islamic history, jihad was under the authority of the ruler, assisted by the legal and religious knowledge generated by jurists and scholars. Together, they constrained the articulations and practice of jihad.

This chapter discusses the caliphate specifically and political leadership more generally as the site of political authority over the umma, and members of the ‘ulama as the holders of religious authority. It then discusses the intricate role the political institution of the caliphate and the religious institution of the ‘ulama play in the practice of jihad. Finally, it discusses how
political and religious authorities mediated the role of the religious community in the practice of jihad.

**Traditional Structure of Islamic Authority**

In *A Fundamental Fear*, Bobby Sayyid (1997) discusses the consequences of Islam replacing the Prophet Muhammad as the center or unifier of the Muslim community upon his death, including the transformation of the nature of authority over the *umma*. Because Muhammad brought Islam to mankind, it is reasonable to assume that the earliest Muslims had to first trust absolutely in the prophethood of Muhammad. As the representative of God, Muhammad defined Islam’s content and practices through his ability to transmit fresh and relevant revelations, his personal behavior and lifestyle as well as his management of community affairs, establishing Islam as a religion (*din*), a way of life (*dunya*), and a state or political system (*dawla*) (Sayyid 1997: 47). As the source of Islam, Muhammad came to hold a comprehensive authority over the *umma* that ended at his death. According to Sayyid, the continued unification of the *umma* depended upon the installation of a new symbol around which Muslims could unite. In establishing Islam itself as a master signifier, the community found such a symbol and restructured authority around its preservation. Since authority could no longer coincide with prophethood, it was linked to the administration and protection of the state by caliph or successor of Muhammad (Sayyid 1997; Enayat 1982), and to the attainment and control of religious knowledge through the routinized study of Islam, that equipped senior members of the ‘*ulama* with the ability to derive Islamic law (Robinson 2009; Hallaq 2003-2004). As long as the caliphate was in existence and the legal system was largely based on the law and jurisprudence
produced by the ‘ulama, Islam and its constituent parts such as jihad, remained attached to and restrained by the state (Sayyid 1997; Hallaq 2003-2004).

Political Authority

Sunni Islamic political theory envisions the caliph as the political, military and spiritual authority over the Muslim community, and as the person to whom all Muslims owed obedience in exchange for his executive management of the state according to Shari‘a (Enayat 1982: 6). The idea of the caliph as the political, military and religious leader of the Muslim community was based on the historical examples of leadership by the Prophet Muhammad and his first four successors, referred to collectively as the Rashidun or Rightly-Guided caliphs (Enayat 1982: 66). The position of the caliph or institution of the caliphate, as it came to be, was not revealed in the Qur’an as a divine form of political-religious authority but was a historical development aimed at retaining a measure of the political and religious authority held by the Prophet Muhammad in order to ensure the “survival, social welfare, and cooperation” of the Muslim community (Yücesoy 2011: 10). As the caliphate is an intended reflection of Muhammad’s position over Muslims, it is necessary to address the institution through the lens of the early community and Muhammad’s leadership.

In Islamic Political Thought, W. Montgomery Watt controversially argues that although Muhammad was the founder of Islam, he did not initially possess a comprehensive authority over the earliest converts, rather the range of his authority expanded alongside the status of the Islamic community. At the inception of Islam, Muhammad held only religious authority stemming from his position as the Messenger of God. Yet, he soon assumed both political and military authority upon the establishment of the Muslims as distinct body politic on behalf of
which he made alliances and organize security. His leadership of the *umma* and that of his companions would be used as a template of Islamic authority and applied to jihad.

Muhammad and his first followers were inhabitants of the town of Mecca, a prosperous commercial and religious center within the Arabian Peninsula. The message Muhammad preached challenged the economic and social stability of the town, first because it demanded the acceptance of one god, Allah, to the exclusion of all others. Since much of Mecca’s prosperity was due to a culture of pilgrimage to the *Ka‘ba*, which housed approximately 360 idols representing spiritual entities recognized across the central Arabian Peninsula, the spread of monotheism could have negatively affected the economic prosperity of the city. Secondly, his message argued for governance based on divine law and the reorganization of society around faith (Yücesoy 2011: 12), echoing the essential characteristic of Islam that humans are to in all aspects of life live according to the will of Allah. Declaring the supremacy of Allah included prioritizing the will or law of Allah over all manmade laws, and reimaging a community around the prophetic and legislative authority of Muhammad as transmitter of Allah’s law, rather than traditional tribal ties and structures of authority. The threat posed by the Islamic message eventually led to the persecution of Muhammad and the first Muslims, and their eventual emigration to Yathrib, later renamed Medina. It was upon establishing themselves in Medina that Muhammad began to take on a degree of political and military authority in addition to his religious authority conferred upon him as a messenger of God.

The *Hijra* or emigration from Mecca to Medina in 622 C.E. established the community of believers, or *umma*, as a distinct body politic and was the beginning of Muhammad’s activity as a political leader. Perhaps his first act as political leader was his negotiation for the cohabitation of his followers with the existing residents of Yathrib. This important political negotiation,
which provided the first community of Muslims with a home free from persecution, did not immediately mean that Muhammad had complete political authority over his community of believers. Instead, the level of Muhammad’s political authority that came to be idealized by Muslims grew slowly and side-by-side with the expansion of the faith and community (Watt 1968: 4).

In order to sustain the Muslim community in Medina, Muhammad led raids against outside groups with whom the Muslims were not allied. The practice of raiding was a well-established means of acquiring and redistributing resources prior to the birth of Islam and its continued practice by the Muslims was necessary for their survival (Firestone 1999: 34). He also commanded battles against the Meccans who still saw Islam and the umma as threats to the region’s social and economic stability (Denny 1998: 27). By leading successful raids and battles, Muhammad increased his standing as a political and religious figure and established a reputation as a formidable military leader. He also showed the nascent Muslim community was a desirable ally. Muhammad made conversion to Islam and recognition of himself as God’s messenger conditions of allegiance for those polytheistic tribes that chose to align themselves with the Muslim community (Watt 1968: 15-16). These requirements automatically expanded the reach of Muhammad’s religious authority, but by making conversion to Islam a condition of a political agreement, Muhammad attached his preexisting religious authority to his growing political power as the leader of the umma. Eventually, he came to hold a high level of political authority as a result of strategic raids and contracts. Combined with his status as the carrier of religious and legislative authority via his position as the sole receiver of divine revelations, Muhammad conflated his religious and political authority, the combination of which became the template for authority for Muhammad’s successors and within classical Islamic political thought.
Muhammad died in 632 C.E., ten years after the *Hijra*, without naming a successor. However, members of the community quickly selected Abu Bakr, a close companion of the prophet as their new leader. Over the course of the next 29 years, four early converts to Islam who were also close companions of the prophet held the position of caliph and came to known as the *Rashidun* in reference to the continuity between Muhammad’s leadership and theirs. Although these men are considered repositories of Muhammad’s political and spiritual authority they are not thought to hold Muhammad’s complete religious authority, which was derived in large part from the belief that as the last prophet Muhammad had delivered the complete body of law through his divine revelations and actions, to be accounted for in *Shari’a*, cutting off any further legislative ability (Safran 1961: 18). As companions of Muhammad they would have had firsthand knowledge of how he lived, what he said, and how he made decisions for the community. It can be inferred from their close relationships with Muhammad that they were heavily influenced by the Prophet, and that he recognized them as pious and honorable men. However, this early conceptualization of the caliph as one who is able to make divinely guided decisions for the Islamic community in regard to political and religious matters was inextricably linked to the belief that the caliph’s decisions where guided, not only by the revealed text, but also by his intimate relationship with Muhammad and first-hand knowledge of how Muhammad governed. Consequently, the ideal post-prophetic authority the *Rashidun* came to embody was only functional or realizable as long as a companion of the prophet lived and was considered fit to rule.

In spite of the temporality of *Rashidun* rulership (Enayat 1982: 56), Islamic scholars modeled the theory of the caliphate on their leadership over a unified *umma* (Safran 1961). The problem, however, was that it was constructed during the institution’s decline, weakened by the
solidification of the ‘ulama as the primary source of religious authority, the growth of heterodox movements, including that of the Shi‘is and Kharijites, the coexistence of multiple caliphates, and the seizure of political power by regional leaders and powerful conquerors from outside the Islamic territory (Ayubi 1991: 8; Enayat 1982: 10; Kelsay 2007: 110-113).

In Hamid Enayat’s view, the changing power dynamics between the caliphate and political usurpers brought to the surface political realism within Sunni political thought and the ability of theory to be adapted to practice (Enayat 1982: 10-11) by members of the ‘ulama who were in a unique position, given their exclusive religious knowledge, to either explain or challenge the legitimacy of a government (Masoud 1999: 128-131). Enayat focuses on three theorists, Abu‘l-Hasan al-Mawardi (d. 1058), Abu Hamid Muhammad Ghazali (d.1111), and Badr ad-Din Ibn Jama‘ah (d.1332), who were instrumental in paving the way for the recognition of military power alone as sufficient to confer political authority.

Prior to Ibn Jama‘ah’s definitive acknowledgement of military might alone as a sufficient criterion for holding political authority (Enayat 1982: 11), an elected or appointed caliph had to meet several prerequisites to hold the office. Among the preconditions for holding office were the absence of any physical or mental disability; the possession of sufficient religious knowledge and morality to enforce Shari‘a; the skill to command or oversee military operations, and according to some scholars, membership in the Qureyshi tribe (Khaldun 1969). In spite of the “official” recognition of the leading military power as the legitimate head of state, caliphates were often preserved and left to function more or less symbolically under different political regimes which kept the institutions alive primarily because doing so lent religious legitimacy to their governments (Enayat 1982: 14, 52-53; Al-Rasheed, Kersten, and Shterin 2013). De facto rulers added to their legitimacy by submitting to basic principles of Islam, including the
necessity of ensuring the full practice of the faith and the maintaining the unity of the *umma*, and assuming the official duties of the caliphate. The retention of an inert caliphate and the transfer of responsibility for protecting Islam to the military power or acting head of state kept the caliphate as the center of the political structure of the Muslim community and Islam attached to the state (Sayyid 1997: 57).

Although political leadership over the *umma* was recognized as a requirement within Sunni Islam, predicated on the leadership of Muhammad and his first four successors, the nature of political authority changed throughout premodern history. Through the detachment of religious authority from the office of the caliph to the recognition of military force as initially sufficient for holding political authority over the community, what remained constant was the responsibility of the head of state in any form to manage the political, economic, social and military affairs of the state without violating the dictates of Islam as articulated by the religious experts.

*Religious Authority*

Islam is premised on submitting to the will of God; therefore, “knowing” God’s will or law is essential its practice. As the prophet of God, Muhammad functioned as the lawgiver, delivering unchallengeable statements on God’s message and law for mankind, not only through divine revelations but also through the way he lived his life. However, in Islam becoming the new center of the Muslim community after Muhammad’s death, this revelations, sayings and experiences were codified as the essential content of Islam. The textualization of the Qur’an and the *sunna* or personal conduct and sayings of Muhammad were major steps toward the birth of the law and its replacement of the prophet. The few explicit rules on how Muslims are to behave,
live or act within the Qur'an as well as those within accepted hadiths or written sunna comprise Shari‘a, or “the path” in reference to the way in which mankind should live in order to obtain happiness is this life and in the afterlife (Kelsay 2007: 44). But a more comprehensive body of law had to be distilled from the primary religious sources by members of the ‘ulama, who through extensive and structured study of the religious sciences became authorities on Islam.

Although Muhammad’s first four successors maintained the unification of political, military and religious authority, they were not considered prophets and therefore did not possess his legislative authority. It was by virtue of their personal piety and close relationship with Muhammad that permitted them to speak authoritatively on matters of right conduct or religious law. But the unification of political, military and religious authority within the caliphate ended in the second century of Islam with the successive transfer of real political and military power to conquerors of the Islamic Empire and the solidification of the ‘ulama as the guardians of right and wrong during Abbasid rule. The ‘ulama is comprised of men with extensive, formal training in the religious sciences, including law, theology, and exegesis (Saeed 2003: 14). These “men of knowledge” were often divided into the “official” ‘ulama, those politically and financially tied to the government and often committed to legitimizing it, and the “unofficial” ‘ulama, those who are self-supporting and operate apart from the state. Members of the ‘ulama functioned as clerics, scholars, jurists, judges, and administrators within the decentralized, premodern Islamic state and as a result they were the most visible authority figures for most Muslims. So, although it was the responsibility of the ruler to govern according to Shari‘a, in practice, it was the ‘ulama who governed civil society according to the law which they produced.

John Kelsay (2007) locates their beginning as religious experts to the early communities need for reciters of the Qur'an before ‘Uthman, Muhammad’s third successor, ordered the
standardization of the written text. According to Kelsay their importance increased as Islam expanded into new territory and earned new converts in need of religious instruction. As the preservers of God’s revelation, the Qur’anic reciters were in an immediate position of authority based on their exclusive knowledge of God’s word (Kelsay 2007: 45-46).

In the absence of the Prophet, who offered the indisputable responses to any question of right or wrong, the ‘ulama expanded the body of Islamic law by interpreting the Qur’an and the hadith (the written prophetic sayings, actions of the Prophet) in order to provide judgments on matters not clearly accounted for in Shari’a. It is important to note here that Islamic law is neither a singular and closed body of law, nor it is divine in the same sense as the Qur’an, but is largely a product of human interpretation and reasoning. Within Sunni Islam, the four permitted sources of Shari’a are the Qur’an, the hadith, the general consensus of jurist-scholars on a point of law (ijma), and reasoning by analogy and independent reasoning (qiyas and ijtihad, respectively) (Hallaq 2009; Bakircioglu 2010: 415; Ayubi 1991: 10-11). It is from these four sources that Islamic jurists belonging primarily to one of the four Sunni schools of Islamic law, Hanafi, Maliki, Shafi’i, or Hanbali (Hallaq 2003-2004; Zacharias 2006) derive Islamic law. The schools are distinguished by the interpretative methodology its founder and subsequent members use to derive Islamic law from religious texts (Hallaq 2003-2004: 246-247). Because jurists belong to a particular school of law, the derivation, interpretation and application of law varied depending on the school of law to which jurist and subsequently the Muslims of their community belonged. Therefore, by its nature Islamic law is dynamic and to some degree relative to the immediate community for which it is written. The authority of Islamic law is backed directly by juristic authority not God’s authority, because, again God did not reveal the law to mankind, only

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6 See Hallaq (2009: 48-51) for a full discussion of the types and evolution of reasoning methods within Islamic jurisprudence.
the text from which the law is drawn. Hallaq explains why it was the epistemic and legal authority of the different schools of law that sustained Islamic law rather than God’s law.

Obedience to a law is certainly backed by God’s authority, but what is precisely that law which requires such obedience? If Islamic law stipulates provision X or a Y (the constitutive elements of the law), obedience may be ultimately to God, but the authority backing the very stipulations of X and Y are not His alone, if at all. For He never revealed these stipulations or provisions, and therefore cannot be held responsible for them. All God did was reveal the “textual signs” that form the speculative, hermeneutical basis of legal construction, and inasmuch as X and Y could be derived from these signs, so conceivably could the constructions P and Q. (Hallaq 2003-2004: 245)

Hallaq, therefore, identifies “Islamic law as jurists’ law” since it is a direct product of their interpretations, making the jurists themselves the “carriers of the authority” that sustains Shari’a (Hallaq 2003-2004: 245). The law jurists produced provided Muslims with rules or guidelines on how to conduct oneself in all facets of life in the interest of gaining religious merit and preventing punishment while living and after death. It is written to humans as “duty-bound subjects,” specifically to those who in professing to be Muslims have accepted “a series of religious principles and injunctions” on which the commands within Shari’a are based (Soroush 2000: 62-63). More specific than relying the duties of human being as subjects of God, jurists classified a wide range of human acts as either obligatory, forbidden, recommended, permissible/neutral or disapproved, which applied to the Muslim community in general as well as the ruler (Kelsay 2007: 69; Hallaq 2002: 84). The centrality of Islamic law to the function of the state and rulership as well as to the Muslim community is clearly visible in the practice of jihad. A significant portion of the law is concerned with jihad as a politico-religious concept whose practice is articulated as a duty of the political leadership and the Muslim community.

7 For Hallaq, only rulings on actions that fall into the first two categories, obligatory and forbidden, can be considered laws, as they are the only two that result in punishment.
Authority and Obligation in Classical Jihad

Islam restricts the use of large-scale violence to war between the Dar al-Islam (Abode of Peace) or the Muslim community and Dar al-Harb (Abode of War) or non-Muslim territories and peoples, either for the purpose of expanding the political domain of *Shari'a* (offensive jihad) or in response to clear aggression toward or oppression of the faith and community (defensive jihad). Although verses in the Qur’an were interpreted as establishing both forms of jihad as immutable duties of the *umma*, and introduced basic rules on how warfare should be conducted by Muslims, jurists needed to expand on the laws around war to account for issues not explicitly covered in the religious texts. All juridical treatments of jihad were ultimately concerned with defining the correct conduct of Muslims engaged in warfare on behalf of Islam through thorough discussions of all aspects of divinely-sanctioned war from the intention behind military action, calling the adversary to Islam, approved military strategies, tactics, and weapons, the treatment of combatants and non-combatants, the division of the spoils of war, and how war could be concluded (Cook 2005; Hallaq 2009: 324-341). The Islamic laws of war exist to restrain and regulate the use of force but also to legitimize it (Bakircioglu 2010).

As with all aspects of *Shari’a*, the body of jihad doctrine was derived by members of the ‘ulama trained within one of four of the major legal schools and writing at different points in history and across a vast empire. The decentralized and flexible nature of *Shari’a* often produced differing interpretations of proper conduct within jihad that reflected a legal school's methods of interpretation, whether or not a political regime had adopted an “official” interpretation, and the political needs of a realm.¹

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¹ The diverse body of legal theories on jihad were eventually organized into essentially two clear legal doctrines during the classical period of Islam (1000 – 1500CE); the first incorporated the works of Spanish and North African jurists and scholar and the second, the works of jurist and scholars under Egyptian and Syrian rule (Cook 2005: 57-58).
For example, while all jihad theories included a requirement for Muslim forces to distinguish between combatants and noncombatants, where the line was drawn could and did shift. In general jurist-scholars were agreed that women and children could not be targeted, however, there was some debate over whether or not all males could be legitimately killed. Malik Ibn Anas (d.795), the first jurist to produce a systematic treatment of jihad (Anas 1989; Hallaq 2002) and the founder of the Maliki school of law, determined that it was impermissible to kill males who were hermits, blind, insane or elderly. However, Shafi‘i, a former student of Malik and founder of the Shafi‘iya legal school, determined that it was permissible to kill all adult males without exception (Averroës and Shaltūt 1977: 15).

Although various opinions existed on several areas within jihad theory including determinations of viable targets of attack, there were two areas of jihad theory for which a consensus existed across the major schools of law, namely on the questions of authority and leadership over jihad and on the type of obligation jihad presented to the ruler and the Muslim community. Systematic treatises on jihad most often began with an elaboration of the type of obligation jihad presented by a call to jihad. Qur’anic statements on jihad irrefutably established fighting on behalf of Islam, as faith and community, as commanded by God. However, the nature of these statements within the Qur’an and the fact that classical treatments of jihad most often began with an elaboration of obligation both suggest that the topic was a reaction to a contested issue within the community. Uncontested, however, was the issue of command or authority over jihad since Islamic political theory, in taking the rulership of the Prophet Muhammad and his first four successors as exemplars, merged political and military authority. Although the importance of the question of obligation for the community is evident by its position at the beginning of works of jihad, I will begin with a review of classical understandings of the ruler’s
obligation to jihad and authority over jihad because classical discussions of the obligations of the community anticipate Muslims’ acceptance of political norms expressed in Islamic political thought.

*The Role of the Ruler*

Whether justified by interpretations of the religious texts or practical reasoning, Sunni Islamic political thought mandated the caliphate or more generally, political leadership in order to ensure that the Muslim community was governed in full accordance with *Sharī’a*, and that compliance with *Sharī’a* included the performance of jihad (Al-Mawardi 1996: 3; Khaldun 1969: 16; Enayat 1982: 14; Yücesoy 2011). The requirement for political leadership offered a structured and presumably more reliable means of ensuring the survival of the *umma* by incorporating attendance to the community’s need for resources and physical security into the political theory. The concept of jihad provided a religious framework with which political leaders were to act in the defense and proliferation of Islam as a community and religion. Broadly speaking the caliphate was intended as a replacement for “prophecy in the defense of the faith and administration of the state” (Khel 1980: 170; Al-Mawardi 1996: 3), where in the correct performance of the duties of the office, the ruler paved the way for the people’s happiness is this life and in the Hereafter (Yücesoy 2011: 10). Alongside establishing the caliphate, and more generally, political authority as a requirement, early scholars, including ‘Abd al-Jabbar (d.1024) and prominent classical jurist Ali Ibn Muhammad al-Mawardi (d. 1058) elaborated on the
specific functions of the imam. Yücesoy quotes ‘Abd al-Jabbar’s account of the role of the imam as follows:

Know that the imam is needed for implementing religious laws, such as punishments […], protecting the city, defending the frontiers, preparing the armies, [conducting] warfare, and verifying [the eligibility] of witnesses [in legal cases], etc. There is no disagreement that these matters are undertaken only by the imams. (Yücesoy 2011: 20)

In *The Ordinances of Government*, al-Mawardi also gives a detailed account of the office of the imam, which was responsible for “upholding the faith and managing the affairs of the world” (Al-Mawardi 1996: 3) and divides these two general purposes into ten compulsory duties (Al-Mawardi 1996: 16). The first six duties, which correspond to “upholding the faith”, are expressed as military and executive responsibilities that can be subdivided into “responsibilities to jihad” and “responsibilities to *Sharī‘a* and its sources.” Of particular importance here are the fifth and sixth duties of the caliphate, which illustrate a distinction between defensive and offensive jihad but confirms that attendance to both were specific responsibilities of the political leader. The fifth duty of the imam (“…he must strengthen border posts by deterrent equipment and fighting force so that the enemies may not gain the chance to violate what is sanctioned or shed a Muslim’s or protected non-Muslim’s blood”)— reflects the obligation of the imam to anticipate and prepare for defensive jihad or warfare in response to clear aggression by non-Muslims from outside Islamic territory with the objective of defending the integrity of the Islamic state and its inhabitants, Muslim and non-Muslim. The sixth duty (“…he must fight those who resist the supremacy of Islam after being invited to embrace it, until they convert or sign a

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9 Within Sunni political thought, “imam” is used primarily when referring to the ruler as a spiritual authority and “caliph” when referring to his political authority framed by religious responsibilities (Enayat 1982: 6). This distinction is not absolute and the terms can be used interchangeably.

10 Al-Mawardi’s treatment of the imamate reflects the acceptance of the institution’s loss of religious authority to the *‘ulama*, and a challenge to the institution’s loss of political power to the Seljuq Sultanate in the 11th century.

11 The last four duties of the imam, corresponding to the management of political affairs deal with public policy, political and judicial appointments, and public finances and taxes.
treaty of subjection, so that God’s claim to have the faith superior to any other is established”


corresponds to the practice of offensive jihad, which refers to warfare initiated by the Islamic state against non-Muslims with the goal of expanding the political domain of Shari‘a while securing resources for the existing Islamic state. This distinction will have an important bearing on the question of obligation to be discussed in the next section. For now, what is of note is that in addressing both types of jihad in the official duties of the imam, Al-Mawardi asserted that the imam was responsible for the protection and expansion of the Islamic state. The guidelines as to how these duties were to be fulfilled were outlined in treatments on jihad as an aspect of Shari‘a. The caliph’s duty was not only to protect and expand the state but to do so within the limits of Islamic law. Although Muslims were required to show obedience to the imam (Al-Mawardi 1996: 3), submission to the authority of the imam encountered opposition by those who prioritized their religious obligation to engage in jihad over the obligation to obey those in authority.

Both ‘Abd al-Jabbar and al-Mawardi were describing the institution of the imamate centuries after the end of the “true imamate” of the Rashidun, and both of their expositions confirm the need for political leadership and conclusively tie military operations, particularly in the defense and expansion of Islamic territory to the political leader of the community. Their writings on the responsibilities of the highest political office correspond to classical jihad doctrine, which presents the caliph as the comprehensive commander of all militant forms of jihad whether directly or though the appointment of military commanders. Explications of the duties of the political leader of the umma encompass his role as leader of jihad as a political and military exercise. However, the existence of jihad as a subject of law is also evidence of the binding regulation of jihad by Islamic law.
The classical theories of jihad, primarily developed over the first few centuries of Islamic history (Bonner 2006), and were written to elucidate how war should be conducted in order for it to retain the classification of divinely-sanctioned. With the exception of the early Umayyad caliphs who carried out offensive jihad before the codification of jihad as a legal doctrine, premodern caliphs conducted jihad “according to principles and norms established for them by the doctors of the law” (Bonner 2006: 131). Like all other aspects of Shari’a, the guidelines for legitimate warfare were the product of juridical interpretation of the Qur’an and hadiths, consensus, and reasoning.

Muslim soldiers were not responsible for knowing these “principles and norms,” rather, in imitation of Muhammad (Kelsay 2007: 100-101; Bakircioglu 2010: 420-421), the caliphs would have been responsible for instructing their troops on the proper conduct during and around military engagements. Instruction and fear of God would have accounted for the reported restraint Muslim forces showed on the battlefield (Bakircioglu 2010: 420-421). Instead, premodern Islamic scholars agreed that the responsibility for conducting jihad in accordance with legal mandates belonged exclusively to the leader of the umma, a position concisely expressed by Hallaq in his review of jihad.

In all [Sunni] juristic discussions, it is assumed that jihad is organized and conducted by the imam, who is also regarded as the chief military commander (amir, emir). The imam, or his deputy, has the exclusive powers to call for jihad, to prepare and equip the army, give orders, decide how the attack is to be carried out and how the booty is to be distributed, and whether or not a peace treaty should be struck and under what terms… Jihad is therefore conceived as taking place under the leadership of the imam, even though he may be deemed unjust or lacking in ethical or moral conduct. (Hallaq 2009: 327)

However, the legal consensus that the caliph alone had the authority to initiate jihad, decide on military strategy and tactics, sign peace treaties, etc. did not mean that these decisions were
solely up to his discretion. Rather, it can be read as an attempt to ensure war was conducted within the legal limits determined by juridical interpretations of religious sources and methods of legal reasoning.

*Mobilizing the Community*

The migration of the first followers of Islam from Mecca to Medina solidified the Muslims’ separation from the traditional Arab tribal culture and the security provided within tribes. Islam in Medina became an exercise in creating a new tribe based on new parameters, including new rules for orchestrating defense. Although, Islam brought a new social-political order, the early community still relied on traditional practices, such as raiding, to acquire necessary resources. Although raiding did not always require physical combat, it did require the participation of enough armed individuals to intimidate or to fight the group being raided if needed. A fighting force was also required for battles against groups who chose to attack the Muslim community. The problem, however, was that since Islam rejected the traditional social system based on tribal ties, there was no automatic system in place for ensuring that members of the new community, composed of people from different tribes, would raid or fight to defend those to whom they had no traditional ties. This dilemma led to an early conflict within the community over who, if anyone, was required to participate in raids or fighting or whether or not God permitted Muslims to opt out of activities that could lead to their death.

In *Jihad: The Origin of Holy War in Islam*, Reuven Firestone (1999: 77-84) provides a detailed review of several Qur’anic verses which strongly suggest the umma under the leadership of the Prophet Muhammad struggled with the issue of a Muslim’s obligation to risk his life for the community at large. Two significant verses Firestone highlights are 2:216 and 4:95:
Sura 2:216
“Fighting is commanded upon you even though it is disagreeable to you. But it is possible that you dislike something which is good for you and that you love something which is bad for you. God knows, but you know not.”

Sura 4:95
“Those believers who sit [at home], other than the disabled, are not on an equal level with those who strive in the path of God (al-mujāhidūn fi sabīl Allah) with their possessions and their lives. God prefers those who strive with their possessions and their lives to those who sit [at home]. God has promised good to each, but God distinguished those who strive above those who sit with a great reward.”

The first verse above is taken to the God’s response to opposition within the Muslim community to commands to participate in military expeditions. The appearance of 2:216 and 4:95, along with several other verses in the Qur’an that chastise, insult, and implore dissenters to accept fighting as a duty to the Muslim community suggests that the Prophet himself had a degree of difficulty in gathering a sufficient fighting force for battles against the group's enemies and raids for resources. The verses were taken to mean that every Muslim was personally obligated to support or engage in military action for the sake of the Islam and the Islamic community (Firestone 1999: 77-84). If so, the articulation of raiding and fighting on behalf of the community as the responsibility of all able-bodied, male Muslims would have served to draw out an adequate number of fighters to secure supplies and defend the community, two crucial activities for the emerging and vulnerable community.

Jurist-scholars would later deduce from the verses in the Qur’an on fighting that jihad constituted an individual duty (fard ‘ayn). However, they also clearly viewed this obligation as subordinate to other obligations, such as obedience to one’s parents and responsibility for one’s financial debts, which meant that even as an individual duty, jihad was not considered to be on par with the five pillars of Islam (Hallaq 2013: 94-95). Following Sura 4:95, this doctrine specified who was expected to engage in military expeditions. The consensus among scholars
was that all free Muslims males of sound body and mind are religiously and legally obligated to respond to a leader’s call to jihad. The principle of jihad of individual duty remained the dominant theory and method of military mobilization from the beginning of the Islamic state under the leadership of Muhammad through the start of the Abbasid dynasty.

By the beginning of Abbasid rule in 750 C.E., the Islamic Empire encompassed a vastly larger population than that of the early community within which the idea of jihad as an individual duty was born, yet rulers continued to be drawn heavily on of men across the empire who took participation in war to be an individual duty. These volunteers were generally seen as unreliable and unpredictable because many had little to no military training or were primarily concerned with earning religious merit attached to fighting or dying for Islam or with earning a share in the spoils of war (Bonner 2006). But as the borders between the Islamic and Byzantine Empire solidified, limiting the ability of the Muslim forces to continue its expansion, offensive jihad became less of a concern for the caliphate (Haug 2011: 634-635), ending the reign of the caliphate as a “jihad state” (Bonner 2006; Haug 2011). Without the ability to continue its expansion, the caliphate initiated a transition in the nature of the fighting force under state control that has been described as a transition from “a society which could be mobilised for war” to a state in possession of an army (Haug 2011: 635). However, the transition presented a dilemma for a community to whom religious authorities had for centuries preached on personal responsibility for the protection and expansion of Islam, a dilemma to which a prominent jurist-scholar offered a solution.

Writing during Abbasid rule, the Islamic jurist and founder of the Shafi‘i Islamic school of law, Muhammad ibn Idris al-Shafi‘i (d. 820), introduced the doctrine of jihad of collective obligation (far al-kifayah), which under certain conditions removed the responsibility of fighting
from every eligible Muslim (Bonner 2006: 107, 115; Bonney 2004: 69). The doctrine of jihad of collective obligation reinterpreted the duty of jihad placed on the Muslim community as one that could be legitimately fulfilled when a sufficient number of men had enlisted to fight (Hallaq 2009: 325; Bonner 2006: 107), effectively meaning that a call to jihad could be ended once an adequate number of troops were mobilized as to ensure victory on the battlefield or that the employment of a standing army negated the need for any Muslim to volunteer. Collective obligation gave the state greater control over the composition and command of the military by decreasing the number of unskilled and ill-equipped fighters. The concept of jihad of individual duty remained, however, but only as an exception to the rule and limited to defensive jihad.

While jihad as a collective obligation was widely, though not universally accepted as the default religious requirement, its applicability was limited to offensive jihad. Because offensive jihad was initiated by the Islamic state, Muslim leaders would have had time to mobilize an adequate fighting force. However, an attack by the enemy on Islamic territory, for example, would have presented a different military challenge to which a potentially distant army could not respond in a timely manner. Therefore, the principle of jihad of individual duty was still necessary for the protection of the Islamic community, even if no longer for expansion.

The inherent shortcomings of collective jihad resulted in scholars including two circumstances wherein jihad again became an obligation incumbent upon all eligible Muslims: (1) during an enemy’s attack where it was incumbent upon all the inhabitants of the locale to fight the aggressors until they were repelled or state forces arrived, and (2) when one was explicitly summoned to engage in jihad by the ruler or a representative (Hallaq 2009: 325). The first scenario to which jihad of individual duty applied tied the concept to the direct defense of the community on a local level. Because invasions were geographically limited, so too was the
individual obligation to fight. Therefore, all Muslim males living a substantial distance from the immediate area being invaded are not expected to travel to fight. The second scenario to which an individual obligation applied speaks to the incorporation of the general obedience Muslims owed the ruler in jihad theory.

John Kelsay (2007) offers an alternative interpretation of “jihad of individual duty.” Instead of assuming the rule applied to all Muslim males near the point of attack, Kelsay uses al-Mawardi’s discussion of authority to assert that the rule applies to regional leaders or governors (Kelsay 2007: 110-115, 151), who, parallel to the caliph, are responsible for “the formation, equipping, and morale of the fighting forces” and fore “manag[ing] fighting against ‘the idolaters in enemy territory’ as well as against apostates, rebels, and brigands within the territory of Islam” (Kelsay 2007: 113). The governors’ authority to make war comes with the duty to mobilize and lead a local fighting force on behalf of the state. This interpretation corresponds to the norm within Islamic political theory that the caliph as the chief military commander was politically and religiously obligated to defend the community, a task that included mobilizing troops. This insight is relevant to attempts to distinguish between the duties of the ruler and the duties of the umma because it offers a basis for Kelsay’s argument, with which I agree, that neither classical Islamic scholarship nor the Shari’a expected or commanded popular armed resistance in response to enemy aggression (see Kelsay 2007, Chapter 4). Instead they repeat the necessity of “right authority” over all forms of warfare, referring primary to the caliph and, following al-Mawardi inclusion, his regional governors (Kelsay 2007: 113-115), and the expectation that the duty of the general members of the umma is to respond to a call to fight by those in authority.
The Shari’a clearly makes jihad, whether offensive or defensive the responsibility of the community as a whole, but consistent reference to a recognized authority managing the fighting and the historical practice of jihad largely being a state-directed activity suggests that the political leaders of the community were responsible for ensuring that the community fulfilled the divine command to engage in jihad at the appropriate time and through appropriate conduct. The authority to make war that accompanies the position of caliph and governor was accompanied by the duty to do so for the expansion and defense of Islam according to the dictates of jurist

Conclusion
Throughout most of its existence, the Muslim community has recognized two distinct sites of authority. Political authority over the community was invested in the caliphate or other forms of rulership. Members of the ’ulama held religious authority over the community by virtue of their exclusive possession of religious knowledge. Their interpretations and explication of Islam and Islamic law were used to govern general member of society in addition to acting as a restraining influence on the ruler. In particular, juridical writings on jihad governed the manner in which the state conducted war and how Muslims responded to call to war.

The institutionalization of the position of the caliph in premodern Islam reflected the importance of the Prophet Muhammad and the leadership of the Rashidun over the Muslim community in traditional Sunni political thought. Islamic scholars enshrined the political and military authority of these early leaders in jihad doctrine by incontrovertibly making jihad the domain of the caliph as head of state and guardian of the Islam. As the leader of the Muslim community, the caliph was responsible for ensuring that jihad was practiced when necessary, as in emergency security situations, or feasible, when expansion of the political domain was possible. Among the aspects of jihad the caliph was specifically responsible for were initiating a
jihad, calling on Muslims to join the military expeditions, determining the tactics to be used in battle, and negotiating treaties to bring a jihad to a close. All of these tasks were to be fulfilled within the boundaries of legal doctrines on jihad advanced by jurist-scholars.

The doctrines of jihad also stipulated who was required to respond to the caliph’s call to jihad and under what conditions. Classical jurists overwhelmingly concluded that offensive jihad was a collective obligation while defensive jihad was initially an individual duty in the absence of a sufficient state fighting force. The conclusion of jurists writing in the second and third century of Islam clashed with the doctrine of obligation that had hitherto been the consistent view of obligation, namely that jihad was always an individual duty. The re-characterization of jihad as a collective rather than a universal duty by jurists met with some resistance from those who continued to believe that the religious commandment to participate in jihad applied universally and, therefore, rejected the idea that a select group of people could legitimately fulfill the entire community’s religious responsibility to participate in jihad.

The shift in Sunni jurisprudence away from the concept of jihad of individual obligation and toward that of collective obligation was another example of how jihad theories reflected the changing political needs of the state. The relatively small early community was under constant pressure to defend itself against the aggression of Arab tribes and to acquire basic and scarce resources. Surviving these conditions required the effort of all able-bodied members of the group, a fact that was reflected in early verses in the Qur’an that focused on defensive jihad and established jihad as an individual duty. Later verses, recorded after the community had grown in size, requiring even more resources, and strength, introduced the idea of offensive jihad. It was only well after the end of divine revelation, however, that the Islamic state assumed a more defensive position as it reached its limits of expansion and attracted the attention of conquerors.
Consequently, jurists had to find a compromise between mandates of the religious texts and the immediate needs of the empire. What the state needed was the tacit permission of the religious establishment to form a professional army focused on the defense of the existing territory as opposed to continued expansion, and it was given through juridical agreement on idea of jihad being a collective duty.

The political conditions of modern Muslims states are significantly different than the first community or for Muslims realms during the classical period, prompting new interpretations of jihad, though not solely by members of the ‘ulama. The promotion of jihad as exclusively an individual duty by jihadists reflects the very new idea that individual Muslims, not the state, are responsible for the guardianship of the faith and community through jihad. This idea presented itself in earnest in the mid-twentieth century along with the rise of political Islam. Responding to changes within colonized and Westernized Islamic societies, Muslim intellectuals shifted the securing of Islam from the state to the faithful Muslim, laying the foundation for organizations such as AQAP to craft new ways of qualifying Islamic authority and practicing jihad.
Chapter Two: From the State to the Individual

Islam today is confronted by a condition of emergency in which every faithful Muslim, as an individual duty, is obliged to fight to protect Islam and restore it where it has been damaged. This duty suspends, in principle, other obligations having to do with societal relations, including those of fealty to existing rulers and responsibilities to the members of one’s family. The duty extends to all Muslims, female as well as male. All who are guilty of harming Islam may be targeted, though some of these worse than others. Leadership in the struggle belongs to those who show that they are the strongest in their Muslim faith. The struggle itself will be of indeterminate duration, as it must last till the emergency ceases to exist.

—James Turner Johnson, *Tracing the Contours*

In premodern Islamic societies, the Muslim subject was bound by law and custom to obey the caliph or ruler, and dependent upon the religious and legal knowledge of the ‘ulama. And the nature and process of jihad developed over premodern Islamic history took into full account the reliance of Muslims on the political and religious institutions to protect and preserve Islam and the umma. But Western modernity brought new political, social and educational systems to predominantly Muslim societies that transformed the dynamic between traditional authorities and the Muslim community, especially that between modern states and their citizens, and prompted the construction of a modern Muslim subject, one that has been given a much more proactive role in the production of Islamic knowledge and defense of Islam.

For some Muslims, the new political, legal and economic changes that followed European colonization exposed an inability or the lack of commitment of the political and religious elites to ensure a comprehensive expression of Islam throughout predominantly Muslim societies. Others took these changes as an opportunity for Islamic reform. But in either case, the Muslim intellectuals and activists responding to the changes within Islamic society intentionally or unintentionally provided the ideological foundations for current jihadist movements. These
early movements and thinkers supplied current jihadists with integral arguments supporting the use of jihad by the people and against the state. These included reclassifying jihad as an individual duty and making a case for rebellion against “illegitimate” governments and political systems and “tainted” members of the ‘ulama. And directly applicable to the future development of individual jihad, the notion that the best Muslims did not need to rely on custom and the legal interpretations of the ‘ulama, but were capable of independently discerning the content and limits of divine law. The radical political activists of the mid-twentieth century were actively engaged in confronting the structure and nature of existing authority, making a case for the necessity of jihad being used against the state, but more importantly in crafting plausible new ways of viewing the role of the average Muslim in securing Islam.

The most prominent divisions and disputes within Islam, like Islamist movement, have been essentially disagreements on the nature of authority over the umma. The first schisms within the Muslim community occurred after the death of Prophet Muhammad over the necessity and selection of his successor. In his review of premodern justifications for political authority Hayrettin Yücesoy (2011) notes the majority of Muslim scholars agreed temporal authority was necessitated either by divine command or reason. Sunni scholars enshrined the caliphate as the ideal form of leadership as it mimicked that of Muhammad and the Rashidun, however, in not explicitly designating the caliphate as the only acceptable or legitimate form of government over the umma, they prioritized the unity of the community over compliance with a strict conception of legitimate authority (Yücesoy 2011: 10-11; Ayubi 1991: 14; Enayat 1982: 11).

The insistence that political leadership was a necessary stabilizing force ultimately produced a discourse of “quietism,” which prescribed obedience to any authority, just or unjust, that paid homage to Islamic law and sought to prevent civil discord (Yücesoy 2011: 12; Enayat 1982: 12;
Ayubi 1991: 14). Political leadership also offered a structured and presumably more reliable means of ensuring the survival of the umma, whether by attending to its need for resources or physical defense. The concept of jihad provided a religious and moral framework with which political leaders were to act in the defense and proliferation of Islam as a community and religion.

Juristic treatments of jihad coalesced into a body of legal doctrine that sought to govern the behavior of Muslims by delineating the circumstances under which jihad “can be initiated, conducted and brought to a conclusion” (Bonner 2006: 3; Hallaq 2009: 328, 334). In this way law—and, by virtue of its construction, the ‘ulama—restrained the use of violence by Muslims, even under the command of the imam, and provided a legal framework intended to protect the moral standing of all participants (Bakircioglu 2010: 417-418, 421).

This chapter attempts to trace, in part, the processes and ideas that have opened up Islam as a public discourse in order to better understand how new articulations of jihad such individual jihad can be read as “authentically” Islamic. It argues that the ability of militant Islamists to reconfigure jihad is a byproduct of Muslims having been released from traditional conceptions of Islamic authority. It presents the traditional practice of jihad as a political tool and responsibility of the state, defined by and practiced within parameters of Islamic jurisprudence. It expands upon how modern interpretations of legal rulings on obligation and leadership of jihad by lay Muslims have contributed to the detachment of the concept from official sites of political and religious authority by shifting responsibility onto the “true Muslim” committed to experiencing Islam beyond personal belief and private worship. Finally, it argues that these changes have ultimately freed jihad from its restraints permitting extreme and rapid reconceptualization of the term to the current extent of coming to denote individual terrorism.
Interjection of Western Modernity

Since an Islamic government, labeled imamate, caliphate or otherwise, was legitimized in large part through its compliance with the political imperative to “safeguard the ordinances of the Sharī’a and see that they are put into practice” (Enayat 1982: 14), Muslim rulers were religiously and politically obligated to use jihad doctrine to govern relations between Muslims and non-Muslims, and when necessary, to ensure the proper conduct of war in accordance with juridical prescriptions. Classical jihad doctrine, then, functioned for the better part of Islamic history official as official state military policy until Western modernity removed religion and morality as a basis the management of political and legal affairs. The transformation of political and legal order across the Muslim world is central to understanding jihad’s transition from “religiously regulated warfare” to the increasing free construction of violence seen today.

Secularism, a critical component of modernity, designates distinct spaces of action for the sacred and mundane, demanding among other things, the religious and moral neutrality of the state and its institutions (Hurd 2008: 5-44; Asad 2003: 22-45, 208; Hallaq 2013: 89-93). The outcome of its insertion into the Muslim world was the reordering of political and social practices to align with Western conceptualizations of the state, religion and the proper relationship between the two. Prior to European presence in the Ottoman Empire and other predominantly Arab countries, there existed no Arabic equivalent of secularism as defined above. This is not to say that throughout Islamic history, no forms of separation existed between Islam and politics, but that the influence and pressure of the European colonists transformed social, legal and political systems opening up social spaces where this modern and Western

12 Hallaq denies the common claim that jihad doctrine can be equated with international law on the basis that the doctrine was only concerned with the conduct of Muslims, were as international law concerns itself with the conduct of all parties in a conflict (Hallaq 2009: 334).
concept of secularism could and did proliferate (Asad 2003: 208). The most visible sign of the exclusion of Islamic principles in the political and social order was the abolition of the caliphate.

A millennium before the introduction of Western modernity into Islamic cultures by Europeans, the umma had ceased to exist as a unified Muslim polity and had instead adjusted to the political reality of multiple coexisting caliphaties or governments ruling across a vast segment of the world (Yücesoy 2011: 14; Bakircioglu 2010: 432). By the start of European colonization in the nineteenth century, only the Ottoman Caliphate remained as figurehead of the largest unified block of Muslims. Although the institution has long been divested of any real authority, it was kept alive primarily because doing so lent religious legitimacy to the government as it symbolized community cohesion and legitimate Islamic authority (Enayat 1982: 53-57). The dissolution of the Caliphate in 1924 illuminated the divide between Islamic political ideology and the political reality of the Islamic world. The increasing secularization of Turkey and the further division of the Islamic world into nation-states after the Ottoman Empire’s defeat in the First World War brought to the forefront the “conflict between a universal Islamic state and a modern national state, and the relevance of the Caliphate to the political requirements of the age” (Enayat 1982: 55, 57). With the abolition of the last caliphate, the Islamic world lost even a symbolic gesture toward the politico-religious imperative outlined in the Sunni doctrine of the caliphate. Its official dissolution removed any pretense that modern Muslims lived under a government akin to that of the early community, and made way for secular and semi-secular nation-states that did not view governance according the Shari‘a as a necessary prerequisite for the obedience of the citizenry (Enayat 1982: 6), and sought sources of legitimation outside of Islam (Masoud 1999; Al-Rasheed, Kersten, and Shterin 2013).
Secularization of Muslim countries did not begin with the elimination of the caliphate and the replacement of a moral-based system of government with a secular one. Beginning in the mid-nineteenth, legal reforms were instituted across the Ottoman Empire that led to the formation and proliferation of courts that used European law codes, attempted to codify aspects of Islamic law according to the Hanafi school of law, and ultimately relegated it to governing personal status matters and pious endowments (Asad 2003: 210-218; An-Na‘im 2008: 287). These legal “modernizations” prioritized secular and foreign law over Islamic law and were a highly visible break with the Sunni political requirement that Muslims be governed primarily, if not solely, by Shari’a. Eventually the displacement of religious law by secular law would extend beyond criminal and commercial matter and into international law.

At the end of the Second World War, secularism reached Islamic thinking on war, leading Muslim states to replace the Islamic principles and regulations according to which a legitimate war could be fought with a “modern and secular international legal framework” that governed armed conflict (Bakircioglu 2010: 418). Where premodern regimes utilized the concept and legal principles of jihad to give religious legitimacy to violence between Muslims and non-Muslims, modern Muslim states relinquished “religious or moral justness” as a grounds for war against any group (Bakircioglu 2010: 435). Jihad, therefore, lost its usefulness to modern Muslim states that had entered into international alliances in the interest of preventing war altogether (Bakircioglu 2010: 433-438), leaving them little reason to manage the concept. The elimination of Islam as the primary basis of Muslim political and legal systems ultimately released jihad from the control of the state, freeing it up for manipulation and use by those who view the modern political and social order as “un-Islamic.”
Jihad and the “True” Muslim

Responsibility for fulfilling the divine command to engage in jihad was split between the political leader and the Muslim community. To the imam as the holders of the highest political office, the ‘ulama the obligation of waging a properly conducted jihad either in defense of the community or under certain circumstances, for the expansion of the political domain of Sharī‘a (Al-Mawardi 1996; Cook 2005: 164; Bakircioglu 2010: 431). The male members of the umma were religiously obligated to respond to calls to jihad by the imam or to local attacks by non-Muslims. These assignments of responsibility were fitted for a political system that accepted compliance with Shari‘a as its basis. Therefore, the adoption of secularism by Islamic political regimes and, consequently, these new states’ entry into international alliances with a community of state absolved political authority and the people of their religious duties to participant in the defense of the Muslims community and installed in their place defense of the territorial state on the basis of nationalism (An-Na‘im 2008: 285, 288). For those who opposed secularism and the changes it had brought to Islam, the concept of jihad provided a ready-made vehicle and resonant language for reasserting the necessity of governance by Shari‘a (Bonner 2006: 127; Enayat 1982: 6, 14). However, in the absence of a political system dedicated to Shari‘a and leadership to assume responsibility for jihad, Islamists had to reinterpret the rules around obligation to and authority over jihad, a process that would move the concept further way from the state and toward the pious as the true “guardians of the faith.” This reticulation of jihad ascribed to the pious Muslim the dual obligation to wage and participate in jihad and dual authority to command and delineate the limits of violence.

In opposition to classical jihad doctrine, early Islamists began to delink jihad and traditional sites of political and religious authority in order to rewrite its content and function.
Two prominent contributors to this process were Sayyid Qutb (d. 1966) and Muhammad abd-al-Salam Faraj (d. 1982). One can see in their works the prominent placement of the individual as the entity invested with some small measure of both political and religious authority. Where Qutb transformed jihad into a revolutionary tool for use against the state (Khan 2011: 165) by prioritizing individual submission to God’s authority over obedience to temporal authority, Faraj further freed the concept of jihad from the strictures of legal doctrine by endowing the pious Muslim with military decision making abilities. The writings of both men displace the government and the ‘ulama as arbiters of jihad in favor of the pious Muslim. Their ideological positions provided modern jihadists license to initiate and conduct jihad in accordance with their own readings of religious texts and self-selection of established law on the matter.

*Questioning Political Authority*

In his final work, *Milestones*, Qutb shifts the responsibility for the implementation of and adherence to *Shari’a* from the state to the individual and harnesses the individual as an instrument of change by insisting upon an unwavering obedience to God. He begins the transition by offering a new meaning and purpose of Islam, heavily influenced by the work of Abul A‘lā Mawdudi (d.1979), who proposed Islam as a “self-contained system of life,” and used the concept of *hakimiyyah*, denoting divine authority, to expresses the belief that God alone holds the highest political and legal authority (Afsaruddin 2011; Khatab 2002; Anjum 2009; Khan 2011).

In Arabic “Islam” means “submission”, referring to submission to the will of God. Qutb built upon this basic understanding of the term to construct a more narrow conception of Islam,
which he believed reflected the original meaning and purpose of the religion. According to Qutb, the purpose and meaning of Islam is

- to bring human beings into submission to God, to free them from servitude to other human beings so that they may devote themselves to the One True God, to deliver them from the clutches of human lordship and man-made laws, value systems and traditions so that they will acknowledge the sovereignty and authority of the One True God and follow His law in all spheres of life. (Qutb n.d.: 45)

The elaboration of Islam above emphasizes the idea that God has “absolute sovereignty over the universe, over life and man” (Khatab 2002: 146). It also points toward the divine law through which God exercises this sovereignty and implies that life under any system not derived from God’s laws necessarily results in oppression.

Qutb repeatedly turns to La ilaha illa Allah (There is no deity but Allah), the beginning of the shahada or first pillar of Islam, as proof that Islam is based on the recognition of God as the only sovereign. It is this first pillar that forms the foundation of hakimiyah, and as the first message brought by Muhammad (Qutb n.d.: 24), these words also mark God’s most important message to mankind, namely that his sovereignty is paramount. Because the pronouncement of shahada is an individual and independent undertaking, it is tantamount to a contract between the speaker and God that renders the individual solely responsible for fulfilling the obligation of the simple pronouncement, which is to submit to God’s law at all times and in every aspect of one’s life regardless of the political or cultural environment in which one lives.

In Qutb’s view, no modern society or state can be said to submit to the sovereignty of God alone. Therefore, for him, any Muslim who follows Shari‘a completely and comprehensively is automatically in rebellion against human authority. In the absence of any truly Islamic society or state, it is incumbent upon “true” believers to bring about societies that are governed solely by God’s laws. It is on this premise that Qutb calls into existence the
“Islamic movement” that fulfills the divine law to practice jihad with the intent of bringing about societies, which do not ascribe sovereign power to any person or institution (Shepard 2003: 524). Qutb specifically intends for the Islamic movement to use “preaching and persuasion” against the “ideas and beliefs” that provide support for the elevation of man to a position of authority in place of God. Jihad as a physical power, however, is specifically reserved for directly attacking the “organizations and authorities” of those systems—primarily the modern state—that usurp the sovereignty or legislative power of God with the goal of seizing control of the state (Qutb n.d.: 55; Bakircioglu 2010: 429; An-Na‘im 2008: 289).

Theoretically, the caliphate or political authority in general fosters the “survival, social welfare, and cooperation” of the community by “safeguarding the ordinances of the Sharia and seeing that they are put into practice” (Yücesoy 2011: 10; Enayat 1982: 14). The conception of the political authority as the protector and implementer of Shari‘a amounts to the sanctioning of Muslims submitting to the sovereignty of God through obedience to the government (Yücesoy 2011: 17). However, Qutb’s use of hakimiyyah and the shahada to argue that every Muslim must personally demonstrate their submission to God through complete adherence to divine laws removes obedience to human authority as an excuse for noncompliance with Shari‘a, and obligates rebellion against any person or institution that usurps the sovereignty of God. Qutb abolishes the validity of the quietism discourse, which demanded obedience to any ruler that did not openly reject Islam, excluding the possibility of a “good” Muslim also being a “good” citizen of a secularized political regime.

There is nothing novel about Qutb’s assertion that the absolute sovereignty of God is foundational to Islam. However, what is identifiably new is the demand Qutb places on the individual Muslim to reject all current human authority, and the requirement of the individual to
personally “put into practice” God’s laws. In establishing a direct link between the individual and God, Qutb provides Islamism with a viable discourse of individual duty that can and has been used to instigate violence activity against the interests and objections of the modern, secular state.

Faraj’s *The Neglected Duty* reflects the evolution of Islamist thought on jihad after Qutb’s execution in connection with a plot to assassinate Egyptian president Anwar Sadat. Qutb’s focus was on the exclusive establishment of *Shari’a* as a means of liberating mankind from the oppressiveness of man-made law he recognized jihad as one necessary tool for bringing about this change. Faraj was far more extreme in his deployment of jihad than Qutb or at least, more explicit in his objectives and suggested course of action. For him the use of violence was an essential practice of true Islam that have been abandoned by Muslims (Jansen 1985: 6). His pamphlet was in large measure a reproach of those Muslims, especially members of the ‘*ulama*, who ignore the religious requirement to engage in jihad, and an attempt to dispute common excuses for not fulfilling the duty of jihad, including the idea that jihad is a collective obligation and that it can only be conducted under the command of an authoritative leader (Jansen 1985: 9; Scott 2003: 49).

To support his extreme views on jihad, Faraj, like numerous modern Islamic thinkers including Qutb, was forced to reach back in time to the works of medieval Syrian jurist of the Hanbali school, Ibn Taymiyya (d. 1328), which presented a crucial challenge to the scholarly consensus that jihad was a collective activity and always the prerogative of the state or head of state (Michot 2006; Scott 2003: 48-49). Going against the interpretive agreement that had already been reached amongst members of the ‘*ulama* by his time, Ibn Taymiyya proclaimed that engagement in armed jihad has always been a preeminent universal duty above the recognized
five pillars of Islam. Each pillar of Islam—*shahada* (statement of belief), *salat* (prayer), *zakat* (almstgiving), *sawm* (fasting), *hajj* (pilgrimage to Mecca)—is a duty every Muslim is required to fulfill whether once in a lifetime, such as the *hajj*, or multiple times a day, as in the case of *salat*. Aside from fulfilling a religious obligation to God, these pillars of Islam function as identifiers of followers of Islam. In declaring that *every* Muslim is religiously obligated to participate in armed jihad, Ibn Taymiyya elevated jihad to a pillar of Islam and marker of true Islamic belief and in so doing detached the practice from the state.

In his *fatwa* that questioned the legitimacy of Mongol rule, Ibn Taymiyya established fighting for Islam or jihad as a pillar of the faith, and therefore a distinguishing characteristic between Muslims and non-Muslims. He developed his opinion that non-participation in jihad can strip a person of their status as a Muslim alongside his opinions on the illegitimacy of Mongol rule, even those who had converted to Islam, over Muslims. He based his distinction between true and false Muslims on whether or not individuals, including rulers, fought to uphold Islamic law and for the protection and expansion of Islam in general. Because he concluded that the wars waged by the Mongol rulers against regions of the Islamic world were not for the furtherance of Islam, but rather in the interest of expanding the Mongol state, the Mongols could not be considered true Muslims nor could the wars they fought be labeled jihads and recognized as legitimate uses of violence within Islam. Subsequently, their rulership over Muslims could and should be opposed by the Muslim community (Cook 2009: 63-66; Bonner 2006: 143-144). Ibn Taymiyya’s disqualification of Mongol rulers did not eliminate the obligation of Muslims to wage jihad. Rather, it divorced the exercise of jihad and the individual from the state (Cook 2009: 65), making individual Muslims responsible for continuing the religiously mandated practice, a move that has had an significant impact on contemporary interpretations of jihad.
The Neglected Duty’s treatment of jihad is directed toward the use of the concept against an illegitimate government. Therefore, Faraj had to deal with the unviability of attributing command over jihad to the head of state or an official military commander. In his dispute of the need for permission and command by the caliph or another official commander, Faraj first acknowledges “There are some who excuse themselves (from participating in *jihād*) because of the lack of a commander who will lead the course of *jihād*. There are also people who make (the execution of) the divine command to *jihād* dependent upon the presence of a commander or a Caliph” (Jansen and Faraj 1986: 202). Here, Faraj invokes a *hadith* to respond to the misconception that a recognized political or military authority is required to oversee military operations. His mentions of a commander refer to the caliph, whom he specifically references, but also to other official persons who occupy established and recognized position (appointees) under whom jihadist could legitimately fight. Faraj, however, disputes the necessity of either permission from the leaders of the community or a designated representative of the government by recounting instructions of the Prophet Muhammad to a group preparing for a raid to appoint as commander the best Muslim amongst them. Faraj intends for the reader to takeaway two important lessons from this story. The first is that command is not reserved for the leader of the community or an appointee. The second is that piety alone determines ones fitness for command. Faraj retelling is intended to eliminate as an excuse for not fighting the requirement that a recognized political authority must declare and lead a jihad. In appealing to *hadith*, a recognized source of Islamic law, Faraj makes a plausible case, although a superficial one, for the “good” Muslim assuming the role of the caliph or military leader. The *hadith* indicates the type of person best suited to lead an operation, but fails to acknowledge the military acumen held by the leader of the community or military commanders that would have increased the chance of success for
military action. He is, in essence, assuming piety not only confers leadership ability but also military and tactical skills upon the believer.

Granting Interpretive License

Faraj’s assertion that individual Muslims have the right to decide for themselves through self-study and reason the methods by which jihad should be fought has its roots in the works of the Islamic jurist and scholar Muhammad ‘Abduh (d. 1905) who engaged in his own project of reform to cultivate a modern, moral Muslim subject compatible with Western modernizations, although not secularism. As Samira Haj explains, ‘Abduh’s new Muslim subject had not only the right, but the duty to interpret and apply their own reasoning skills to religious sources and knowledge.

[I]t was the duty of every able Muslim subject to take the initiative to be informed and to seek directly the authoritative sources to make judgments about what would promote the good and prevent harm. Muslims, including commoners, according to ‘Abduh, are responsible not just for their own actions but also for decision over the “goods” of the community. The one condition was that they be educated. (Haj 2009: 123-124) Qutb and Faraj’s ability to argue for the detachment of jihad from established authorities was a consequence of the expansion of individual interpretative and reasoning rights championed by ‘Abduh. These rights, and more generally, the recognition of individual rights outside of those granted within Islam (Ayubi 1991: 15), were a derivative of modern reforms (Soroush 2000). More directly, “[w]ithout public education, Muslim thinkers and even most “liberals” would not have thought it acceptable or feasible to extend the right to interpret Islamic knowledge beyond the small clique of learned ‘ulama” (Haj 2009: 124), but the introduction of modernity into Islamic societies significantly the relationship between Muslims and religious experts. Several academics have addressed how modernity set off a religious authority crisis within Islam (Robinson 2009; Zaman 2002; Hallaq 2003-2004). A predicament that can only be understood in
relation to how religious authority functioned before its marginalization. Robinson succinctly sums up the role of the ‘ulama.

It was the task of the ‘ulama to transmit the essence of knowledge, the Quran, God’s revelation to humankind, and the Hadith, the reported sayings and doings of his Messenger, from generation to generation. Alongside this they had to transmit the skills which would enable future ‘ulama to understand this essence of knowledge, such as Arabic grammar and syntax, and the skills, such as jurisprudence and rhetoric, to make this knowledge socially useful in the form of law. (Robinson 2009: 341)

As experts on religious texts and in jurisprudence, the ‘ulama acted as mediators between Islam and the people, communicating to them Islam’s meaning, proper practice and laws. In addition, they were responsible for training the next generation of scholars, a task accomplished through the study of written texts as well as through the oral transmission of knowledge. The latter was essential because it allowed teachers to convey to their students authors’ meanings and intentions not captured in the text alone (Robinson 2009: 343). It was through years of guided study that students acquired the knowledge necessary to be deemed religious experts. However, entrenchment of media, especially print, and mass education in the Muslim world greatly expanded the pool of individuals who could assert themselves as religious experts and contributed to the marginalization of the ‘ulama as epistemic authorities.

Although printing was already known in the Muslim world before European presence, printed materials were not widely available. The growth of the medium made religious texts and scholarship accessible outside religious schools to a larger body of interested readers. The greater Muslim population would not have been able to take advantage of mass printing without an expansion of the education system that greatly increased the literacy rates across Muslim countries. Access to a formal education had before colonization been largely reserved for the elite and students of the religious sciences, but modernization efforts included the establishment of secular schools, initially for the training of civil servants. The combination of a
significantly higher literacy rate and the wider availability of printed religious materials facilitated backed some Muslims’ assertion of a right to individually and independently interpret the meaning behind the texts and subsequently the law (Robinson 2009: 352). Without instruction on how “to read the white lines on the page…as well as the black lines” that was product of orally transmitted knowledge or even an appreciation for the relevance of such knowledge (Robinson 2009: 343), some Muslims equalized secular education and religious education on the assumption that religious expertise could be acquired by applying one’s own intellect to religious and legal material.

Qutb, who possessed a degree in education and Faraj, an engineer, were products of a new education system in Egypt that opened the door for the new professional class to equate their secular educations with a religious education. Both men wrote authoritatively on religious topics, and many took their work as seriously as if it had been written by the ‘ulama. In spite of their openness to secularly educated Muslims being able to personally discern the true meanings within the Qur’an, neither writer opens interpretive ability or religious knowledge to all readers of the texts, but reserve it for the “true” believers or the most pious who demonstrate their piety through a strict adherence to religious law, particularly jihad. Although their position restricted epistemic authority to the “true Muslims,” it nevertheless presented a challenge to the authority of the ‘ulama because it refused the ‘ulama the exclusive right to qualify the law to which Muslims are to follow, and because it relied upon a subjective concept of “true belief” privately measured and applied outside the oversight of the professional clerics, jurists or theologians.

According to Qutb, in pronouncing the shahada, the speaker promises to accept only God as sovereign and to demonstrate this acceptance through strict adherence to Shari‘a, the sole source of which is the Qur’an (Qutb n.d.: 16-22). Qutb defines true belief as acting in all
manners according to the Qur’an, which provides a “fixed criteria” by which mankind is to function with no room for “progressive” values or life systems (Qutb n.d.:96-97). Even as God’s instruction manual for all of mankind, the “Quran does not open its treasures except to him who accepts it with this spirit: the spirit of knowing with the intention of acting upon it” (Qutb n.d.: 18). Qutb claim is that God’s law can be completely derived and understood by individuals who look directly to the Qur’an for instruction on how to live (Qutb n.d.: 16, 20-21), and not just or at all by religious scholars who only approach the text for “discussion, learning and information” with no intention to act out the contained prescriptive (Qutb n.d.: 18).

Although, Qutb argues for the imperative of Shari’a being applied by the state, seeing Shari’a as readily available to anyone with access to the Qur’an and right intent, strengthens his argument that individual and personal adherence to Sharia is required whether or not the society one lives in applies Shari’a in part or not at all.

The ramifications of independent interpretation on knowledge of God’s law or jihad are made apparent in The Neglected Duty. The structure of the pamphlet, its division into refutations of juridical interpretations of jihad doctrine (Jansen 1985: 9), reflects Faraj’s agreement with Qutb, that Islamic thought has been corrupted (Qutb n.d.: 20-21). Faraj focuses on misrepresentations or misinterpretations of jihad by the ‘ulama, challenging many of the regulations they constructed around the practice. Just as most scholars had failed to apply the hadith relaying the Prophet’s instructions to appoint the best Muslim within a group as the group’s commander to their discussion of who was rightfully in charge of jihad operations, they had also failed to properly respond to the question of the nature of legitimate military operations.

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13 Qutb’s assumption that Shari’a is a static body of law ignores or dismisses the existence of “Shari’as” throughout Islamic history, which have always reflected the contemporary environments in which it was used and the interpretive methodologies of the school of law within which they were derived (Asad 2003; Hallaq 2009).
The classical concept and juristic theory of jihad legitimize violence by positioning it as a religious requirement and establishing ethical parameters to mediate the conduct of Muslim forces. Jurists continually revised the limits of force to reply to specific political and military concerns, such as the defeat of Muslim forces and new forms of military technology or tactics, and their rulings had the power to restrain the actions of political leadership as well as individual soldiers. Faraj, however, challenges the need for jurists to pass judgment on new methods of fighting on the premise that those who earnestly fight for God can quickly learn for themselves what is lawful during war.

Whoever frankly admits that he has no knowledge of the way in which Islam regulates *jihād* must know that the regulations of Islam are simple and easy for someone who sincerely dedicates his intentions to God. Such a person must consciously formulate the inner intention of fighting for God’s cause, and from that moment on the regulations of *jihād* can easily and simply be studied, and in a very, very, short time. The matter then has no need for much study. (Jansen and Faraj 1986: 189)

Faraj’s echoes Qutb’s belief that the “true Muslim” does not require instruction for scholars or an extensive education in theology or jurisprudence to know God’s law, especially as it pertains to jihad. But Faraj goes a step further and stresses the right of fighters to establish for themselves the limits to which they can go in defense of Islam by asking, “What is the Muslim’s method of fighting in this day and age? Can he use his own intellect and his own individual judgment?,” and concluding that “the method of fighting is not a revelation nor (is it) an established custom (*sunnah*) but the Muslim has the right to use his own intellect, to organize and to deliberate” (Jansen and Faraj 1986: 210-211). Faraj’s question and conclusion suggests he believes the rules of jihad are products of human reasoning that are not necessarily supported by the Qur’an or hadiths. Faraj questions the practice of accepting juridical rules for jihad as sacrosanct, implying the accepted restrictions on fighting are only products of human reason and
as such lack the protective authority of textual revelations. If, then, jurists have derived the rules of war by applying their own intellect and judgment, what precludes lay Muslims from implementing jihad according to their own precepts? Faraj’s reply and own background implies that he, like ‘Abduh, considers advanced education as a criterion for participation in Islamic public discourse. But Faraj also presents uncompromising piety and right intention as two additional criteria for receipt of the privilege to exert one’s own mental faculties to arrive at an opinion or strategy relating to jihad. Notably absent criteria are an extensive routinized religious study and professional status with the ‘ulama as religious jurisprudence experts. Equalizing the reasoning ability of religious experts and lay Muslims from religious authority, releases the practice of jihad from the restraining influence of juridical theory and individuals from religious authority. By establishing independent reasoning by lay Muslims as a sufficient means of regulating violence, in spite of the practice of independent reasoning (ijtihad) having been severely curtained even amongst the ‘ulama in the ninth century, Faraj further frees the individual for religious authority.

In the version of Islam envisioned by Qutb and Faraj, “true Muslims” are those who extend Islam beyond a mere belief system acted out through prayer and ritual worship by demanding its diffusion throughout all of life systems, particularly into the political sphere (Mozaffari 2007: 20). Both of these thinkers reconfigured jihad into a revolutionary tool to be used in the installation of their versions of an authentic and comprehensive expression of Islam. They had to address many of the same questions as the contributors to classical jihad doctrine, such as: Who can decide when jihad is necessary? Who is required to fight against the enemies of Islam? Who can be in a position of leadership over jihad? “Who decides what forms of violence are permissible? The repeated answer to these questions was the “true” or pious
Muslim. In taking the initiative to provide their own answers to questions around jihad, they harnessed the individual as an agent of change by granting her or him the ability to function as the political ruler and religious expert, and subsequently undermining the modern state’s monopoly on the use of force as well as the ‘ulama monopoly of religious knowledge (An-Na‘im 2008: 285; Jansen and Faraj 1986: 189). Their views are still cited in arguments on the use of jihad by current jihadists. However, Qutb and Faraj did more than provide jihadist with new rules for waging jihad; they provided examples of how Muslims outside of Islamic authority could construct seemingly sound religious arguments to oppose traditional practice, opening up spaces for the continued invalidation of classical jihad doctrine and the rearticulation of religiously sanctioned violence.

**Conclusion**

The concept of jihad provided a necessary framework for Muslims to legitimately engage in violence, an actively prohibited outside of being for the defense of the umma, the right to freely practice Islam or as it was later understood for the expansion of Shari‘a rule. The premodern Islamic state made use of the concept as military policy for dealing with non-Muslim communities. Although classical doctrine treats jihad as an organized activity directed by the head of state, the adoption of a European state model by Muslim territories and the inclusion of Muslim states into the international order eliminated the need to sustain an active jihad policy, rendering jihad “an obsolete idea, lacking juridical and jurisprudential relevance” (Hallaq 2009: 335). However, the ability of the concept to legitimize violence and the practitioners of violence was not lost on those who wished to replace the modern political order with their conception of and Islamic state. We have focused on only Qutb and Faraj as Muslim thinkers we made use of
jihad in new ways. Both of their works are the result of the radicalization of ‘Abduh’s contention that the common Muslim has the right and responsibility to exert her or his own reason toward determining the correct way in which to live and the direction was of the Muslim community (Haj 2009). Qutb and Faraj were among the first to exploit the extension of interpretive and reasoning rights beyond the ‘ulama to divest the ‘ulama and political leadership of their authority over Muslims. In the process they redefined and reconfigured jihad into a revolutionary tool for use by the pious for the establishment of an Islamic State. More importantly, they opened the door for jihadists to enact their own processes of jurisprudential selectivity to rearticulate jihad in the service of new political objectives.

While Qutb and Faraj recognized piety rather than education alone as a sufficient criterion for being able to discern the meaning and course of jihad (Haj 2009: 124), their use of ‘Abduh’s general extension of ‘ulama right to the educated has permitted modern jihadist to argue that their right to determine the proper application and conduct of jihad stems from their willingness to defend Islam to the death (Wagemakers 2011; Cook 2009). The source of their right to individual interpretation is different but both approach jihad as an ethical practice where in choices on how to engage in violence are made in the absences of authority or by ignoring external law. It is the view that jihad is an ethical practice and, therefore, subject to and internally regulated system of right and wrong that has allowed numerous articulations of jihad that are discontinuous with the way jihad had been practiced for over a millennium.

As will be explored in the next chapter, Inspire magazine amplifies the historic conflict between obligation and authority. In its commitment to the fostering individual jihad, Inspire continues to place the responsibility for jihad the individual rather than the state, making the latter superfluous, and calls into question the ability of the ‘ulama to derive God’s law from
religious sources. Individual jihad is specially formulated for jihad of individual duty. As a form of jihad to be practiced independently and secretly, it is only possible when individual Muslims act upon a personal sense of obligation to fight against those they perceive to be enemies of Islam. Because individual jihad relies on Muslims secretly and privately acting on a concept of jihad as an individual duty it must also build in permission for these actors to devise and carry out operations without oversight. Therefore, this form of jihad automatically abandons classical agreements on authority and obligation and elevates the agency of the jihadist.
Chapter Three: *Inspire* and Individual Jihad

It would seem that the modernist camp tamed the classical theory beyond recognition, while the Islamist side radically altered both its form and content. In either case, therefore, jihad as Muslims conceived it in theory and practice over a millennium no longer exists.

—Wael Hallaq, *Sharī‘a*

The doors of jihad are many and one of them is the individual jihad.

—*Inspire*, Issue 2, p.16

*Inspire* is an English-language, Web-based magazine reportedly produced by Al-Qaeda in the Arabian Peninsula (AQAP). Taking its title from 8:65 of the Qur’an: (O Prophet, inspire the believers to fight…), it adds to a growing body of al-Qaeda propaganda designed to attract the attention of young Muslim citizens and residents of Western nations susceptible to radicalization and to prepare them for full participation in the global jihad movement (Sivek 2013). Although not the first jihadist propaganda publication in English, *Inspire*’s connection to influential al-Qaeda members, including the Muslim American cleric Anwar al-Awlaki and al-Qaeda strategist Abu-Mus’ab al-Suri as well as to the Boston Bombings have earned it a higher profile status than previous al-Qaeda English-language publications including *Jihad Recollections*. The focus in this thesis on *Inspire* in particular is a result of its exclusive promotion of al-Suri’s formulation of individual jihad, making the magazine an important representative of the trend within al-Qaeda propaganda to incite individuals to violence and cultivate homegrown terrorism within Western countries under the guise of a defensive jihad for Islam and the global *umma* (Hemmingsen 2010; Pantucci 2011).

As propaganda of an al-Qaeda affiliate, *Inspire*’s content reflects global jihadism’s disregard for classical Islamic rules that qualify and regulate the use of violence.
Specifically, it de-territorializes defensive jihad as classically understood by claiming that the fight to protect or cleanse Muslim territory of non-Muslim influence or presence need not only occur on Muslim soil, but can and should be carried out within the borders of non-Muslim countries taken as oppressors of Islam and Muslims. It also ignores many of the parameters for warfare as represented within classical jihad doctrine, in particular the imperative to distinguish between combatants and non-combatants, and to recognize some means or tactics of warfare as religiously prohibited.

Beyond incorporating these two defining characteristics of global jihadism, *Inspire* also attributes an unprecedented level of authority and autonomy to jihadists that is intimately connected to its promotion of jihad as an individual religious obligation with a direct bearing on personal salvation through its popularization a specific mode of jihad—individual jihad—developed by chief al-Qaeda strategist Abu-Mus’ab al-Suri and detailed in his 2005 internet publication of *The Global Islamic Resistance Call* (Lia 2008). While al-Suri and *Inspire* are inconsistent in their labeling of this mode of jihad, referring to it as “individual jihad”, “lone jihad”, and “individual terrorism jihad”, the term “individual jihad” is used throughout this thesis to refer to the commission of terrorist acts by a single Muslim or a small clique with no official or significant affiliation with or training by an established Islamist organization. One point this thesis attempts to highlight is the disconnect between the use of “jihad” to describe this particular form of violence and its characterization, primarily by western governments and academics, as terrorism.

The chapter accepts the present impossibility of definitively defining terrorism (Amble 2012; Beck and Miner 2013; Gibbs 1989; Spaaij 2012), primarily on the grounds that terrorism

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14 *The Global Islamic Resistance Call* is composed of two parts: *Part I: The Roots, History, and Experiences* (in Arabic) and *Part II: The Call, Program, and Method* (in Arabic). The references within this thesis to *The Global Islamic Resistance Call* refer to part two.
only comes into existence through a biased ‘interpretation of events and their presumed causes’ and goals (Spaaij 2012: 15; Zulaika and Douglass 2008: 29). In spite of the social constructedness of terrorism and its subsequent ambiguity, a working definition or framework of the concept is necessary for labeling actions as terrorism, and more importantly individuals as terrorists (Gibbs 1989). Drawing on various academic and governmental definitions of terrorism this thesis considers an act of violence or threat of violence against humans and non-human objects to be terrorism if: (1) the immediate goal is to instill fear within a group or population beyond the immediate victims of violence or threatened violence (Shultz 1978; Gibbs 1989); (2) it is committed toward the realization of political, ideological, religious, economic or social goals (START 2013; Gibbs 1989) that are not self-serving or necessarily personal, but are thought by the perpetrator(s) to serve the greater good (Soherwordi, Ashraf, and Khattak 2012; Gibbs 1989; Spaaij 2012); and (3) it does not comply with established and recognized parameters or objectives of conventional military operations, such as those recognized in international law (START 2013; Gibbs 1989) or, more salient to the present discussion, Islamic law (Venkatraman 2007), particularly the widely accepted prohibition against deliberately targeting civilians as well as the common use of violence to permanently defend an area (Bakircioglu 2010; START 2013; Gibbs 1989).  

Under these three criteria, global jihadism and individual jihad can be considered terrorism. Interestingly, the classification of jihadist acts as terrorism and the jihadist as a terrorist is not completely rebuffed by al-Suri, although he does insist on qualifying “terrorism”

15 The corresponding criterion in the Global Terrorism Database only references international humanitarian law, but limiting legitimate warfare to Western conceptions reinforces the often repeated belief that definitions or criteria for terrorism are Western and state-centric. The inclusion of Islamic law not only lends support to the position of this thesis that individual jihad is terrorism, but is also an attempt at providing a more inclusive definition by recognizing that Islamic law is equally capable of measuring the legitimacy of violence.
and redefining terrorism/terrorist against Western uses of the terms to ‘to express the ugliest of activities, manners and practices’ (Lia 2008: 382). In his elaboration on individual jihad he acknowledges two types of terrorism and two types of terrorist: blameworthy terrorism (*irhab madhmum*) and praiseworthy terrorism (*irhab mahmud*). Blameworthy terrorism is ‘defined as every action, speech, or behavior which inflicts harm and fear among the innocent without true cause’, and is perpetrated by the ‘criminal’ or ‘evil assailant terrorist’…‘who deserves to be punished.’ In contrast, praiseworthy terrorism ‘is terrorism by the righteous that have been unjustly treated. It removes injustice from the oppressed…and is undertaken through terrorizing and repelling the oppressor’ by the ‘righteous terrorist defending himself or other oppressed people’ (Lia 2008: 383, 386). The definitions of both types of terrorism incorporate elements of the key markers of terrorism given above. Notably, al-Suri’s characterization of blameworthy terrorism as that which ‘inflicts harm and fear among the innocent without a true cause’ touches on all three criteria, in that as with all definitions of terrorism it necessarily gives a place to fear and its infliction upon an ethically protected group. It also interestingly recognizes the centrality of a selfless goal or cause while distinguishing between valid causes and invalid ones. But ultimately his definitions reiterate the notion that terrorism or the legitimacy of terrorism is essentially a matter of perspective.

Without disputing the characteristics of terrorism in general, al-Suri equates his martial strategies for establishing an Islamic state to his definition of praiseworthy terrorism. Not only does he associate his strategies and tactics to a "positive" form of terrorism, but he intentionally labels his approaches "jihad," rather than “*qital*” (fighting or killing), or “*harb*” (war or fighting) (Bonner 2006: 2), presumably because "jihad", more than the other terms, immediately invokes or connects them to Islam as “Goodness incarnate” (Sayyid 1997: 48). Jihad’s strong association
with Islam as the very opposite of evil means al-Suri's use of the term eliminates the possibility of jihad, as any form of violence against tyranny, ever being negative or blameworthy.

Therefore, the labeling of individual jihad as terrorism is not a problem, especially by the targets of the violence, as long as the supreme goodness of this form of fighting is recognizable to the "true" Muslims tasked with undertaking it.

As a “new template for the jihadists to survive and operate in the much less permissive security environment of the post-September 2001 era” (Acharya and Marwah 2011: 2), individual jihad does not require Muslims to join an established jihadist organization or to travel abroad for military training. Instead, it calls for Muslims living in Western countries to secretly and independently conduct violent attacks on local targets. Orchestrating large-scale attacks, which are the hallmark of global jihad, require large group-decision making or a mass conspiracy effort, requiring either all the conspirators to be in close proximity to each other or for them to communicate via phone, internet or mail, all of which security agencies are equipped to monitor.

Individual jihad provides an advantage over large-scale attacks because isolated jihadist do not risk detection in group planning, and meetings or communications between a small group of "friends" will not necessarily raise any red flags. Described as such, this form of jihad bares a close resemblance to lone-wolf terrorism which Ramon Spaaij defines as “terrorist attacks carried out by persons who (a) operate individually, (b) do not belong to an organized terrorist group or network, (c) whose modi operandi are conceived and directed by the individual without any direct outside command or hierarchy,” and (d) are naturally “embedded in the targeted society and…capable of self-activation at any time” (Spaaij 2012: 16, 17; Weimann 2012: 75, 77). Although Spaaij restricts the application of “lone wolf” to one individual acting alone, the use of “individual jihad” within this thesis can refer to actions by a single individual as well as a
small independent clique, merging Raffaello Pantucci’s use of “lone wolf” and “lone wolf pack” (Spaaïj 2012: 17; Pantucci 2011). “Lone wolf” or “lone wolf pack terrorism” is less likely to be detected by national security agencies because

Al-Suri’s full vision of individual jihad necessitates the transformation of individual and independent terrorism from random, emotional reactions to perceived assaults on Muslims or Islam into “an organized strategic phenomenon” through the mass participation of Muslims worldwide, where autonomous attacks by disconnected individuals are understood to be a part of a global system of unconventional warfare (Lia 2008: 390-392). The importance al-Suri’s places on ensuring this transformation occurs suggests that he does not believe that isolated acts of terrorism alone are capable of achieving the political and religious goals desired by the movement, and that only a systematic assault on the West can trigger a retreat of Western institutions and interests from Muslim lands. *Inspire* magazine attempts to facilitate this transformation by convincing Muslims residing in geopolitically dominant Western countries of their religious obligation to fight the “enemies of Islam,” and by equipping them with some of the basic military skills and knowledge need to mount a local assault.

*Inspire* continues al-Suri’s framing of individual jihad as an essential strategy for weakening Western influence over Arab and Islamic countries, a necessary precursor to the establishment of an Islamic State. While individual jihad is framed as an “authentic” method of fighting within Islam, it conflicts with the historical notions of the Islamic state as well as the state’s relationship to jihad. Islamic custom and scholarship tied religiously sanctioned warfare to the state as the protector and instrument of Islam by defining it in relation to the political territory, the political and religious community population and the head of state. The two forms of classical jihad were constructed around the understanding that the Islamic state was the
Defensive jihad was for the explicit purpose of protecting Muslims as well as Islamic governance from the threats posed by non-Muslims and un-Islamic rule. Officially, offensive jihad was a tool for expanding God's rule on Earth by extending the borders of the Islamic state and subsequently the political domain of Islamic law. Jihad as classically understood, therefore, restricted war to existing Islamic territory or to territory adjacent to existing Islamic territory.

The way in which jihad was defined and practiced, meant that it was completely dependent upon religious and political authorities. Its meanings, processes, and rules were defined by senior members of the 'ulama, and occasionally redefined by them in response to the political and military needs of the state. In constructing the parameters for jihad, jurists and scholars carried through the authority over jihad exercised by the Prophet Muhammad and the Rashidun's by intertwining the practice of jihad with the authority of the caliph or head of state, directly or through the extension of his authority to local leadership. The decision to initiate offensive jihad rested with the political ruler who held discretionary control over whether or not Muslims forces waged war beyond the existing borders of the Islamic state. On occasions in which non-Muslim forces invaded Islamic territory, the threat of imminent harm allowed for an immediate attack by the local authorities in lieu of direct leadership by the head of state because local officials represented an extension of the authority of the political ruler.

Because jihad in the classical traditional sense was tied to the territory, political leadership and the official legal system of the state, it could only be articulated through the

16 This was particularly evident during the Spanish Reconquista during which time the Umayyad Caliphate faced unprecedented conditions due to Christian forces intent on driving the Muslims out of Iberia. This period shows how the official 'ulama sometimes modified jihad to, for example, expand the scope of permissible military tactics such as sanctioning the killing of all males, whether clear combatants or not, while retaining restrictions on intentionally killing women and children, but did so by retaining or rearguing the humanitarian principles of Islam in order keep jihad up-to-date (Cook 2005; Averroës and Shaltüt 1977).
language of the state (Devji 2005). The state regulated jihad, not only by managing the theory of jihad but also because it was responsible for translating theory into practice. However, individual jihad denies the restriction of jihad to political borders or to the authority of official political and religious authorities by (1) relying entirely upon the conception of jihad as exclusively an individual duty (fard 'ayn), and (2) in so doing, lending a level of executive and religious authority historically reserved for the head of state and the 'ulama to a multiplicity of individuals based on their participation in fighting. The concepts emphasis on jihad being a superseding personal obligation and an autonomous activity stem from new opinions on who is in a position to speak and act on behalf of Islam and the Muslim community.

This chapter approaches *Inspire* as a representative of recent militant Islamist discourse and propaganda and individual jihad as a new, modern articulation of jihad that significantly alters classical conceptions of jihad and authority over jihad. It analyzes content from the first twelve issues of *Inspire* to determine how it reinterprets classical Islamic thought around jihad as a religious obligation and political authority to legitimate the concept of individual jihad. The chapter concludes with a reflection on the view of obligation and political authority within *Inspire* and freedom from religious authority.

**Promoting Jihad as a Universal Duty**

*Inspire* sends a consistent and strong message that “the fulcrum of the modern [global] jihad” is the principle that “jihad is individually obligatory (fard ‘ayn) on all Muslims” (Khan 2010: 12). At first glance, *Inspire*’s uncompromising position that jihad is necessarily a universal obligation for the entire community of believers seems to stand in stark contrast to traditional or
mainstream thought and scholarship on what type of responsibility jihad presents to Muslims.\(^\text{17}\)

Throughout most of Islamic history, scholars have associated the type of obligation jihad presented with the form of jihad being fought, wherein offensive jihad invoked a collective obligation (\textit{fard kifaya}) across the entire \textit{umma} and defensive jihad rendered fighting \textit{fard 'ayn}, at least initially and locally. The ideology behind \textit{Inspire} does not completely ignore these classical designations regarding jihad and obligation. Instead, it bases its claim that global jihad is \textit{fard 'ayn} on the premise that the current subordination of Islamic values and institutions to their Western parallels constitutes an emergency situation and demands a universal response by the global \textit{umma}.

In “The Central Issue,” an article written by Samir Khan for the fourth issue of \textit{Inspire}, Khan discusses the centrality of jihad being an individual duty to the global jihad movement, and why participation in global jihad is obligatory for all Muslims. Khan argues “The central issue is that jihad will remain \textit{fard 'ayn} until America and her apostate allies are removed from the Muslim lands” (Khan 2010: 16), as exemplified by the presence of U.S. military bases in Saudi Arabia. Khan’s statement reaffirms individual responsibility for fighting as a central tenet of jihadist doctrine, and suggests how jihadists provide religious support for their movement being an individual obligation. The reference to the removal of “America and her apostate allies” points to the belief that Muslim countries are currently occupied and led by un-Islamic forces, and reflects the internalization of the general distress within Islamism over the condition of the Islamic world where the authentic and comprehensive expression of Islam in society has been diminished by Western hegemony.

For \textit{Inspire}, and Islamism in general, the initial and predominant markers of the removal

\(^{17}\) Emmanuel Sivan (1989) discusses the parallel development of radical views within Sunni and Shi’a revolutionary movements, including views on the application and practice of jihad in the modern era.
of Islam as the political, economic and cultural core of Muslim societies were the abolition of the last caliphate in 1924 and the widespread replacement of *Shari‘a* by European law codes. For this reason, adherents to the ideology behind the global jihad movement seek to establish a modern caliphate where “Muslims live under God’s authority [*Shari‘a*] without interference by corrupt elements” (Springer, Regens, and Edger 2009: 2-3). *Inspire* clearly marks Western nations, led by the United States, Israel, Britain and France, as the greatest obstacles to Muslims instituting a caliphate and Islam as a comprehensive system of life across all Islamicate cultures. More specifically, *Inspire* presents the existence of the state of Israel, the presence of Western military and government facilities on Islamic soil, and the maintenance of secular or semi-secular political regimes through Western support as evidence that the Islam and the Islamic world are subject to Western oppression (Al-Awlaki 2011). Viewed as foreign invaders and illegitimate political regimes, Western powers and modern Muslim governments respectively, are regarded as “enemies of Islam.” Jihadists offer no exemption to the United States and its alliance because their current geopolitical dominance over Muslim countries is not the direct result of military conquests, which would be more easily recognizable as constituting an emergency security situation for the *ummma*. The fact that the West has pulled off an “occupation of disbelief” that is corrosive to Islamist concepts of Islam, and are aided by political leaders that self-identify as Muslims requires no less of a violent response by the community than an armed invasion, but it does necessitate a different type of response that does not need to be managed by classical jihad doctrine (Bhatt 2013).

Treating the political, military and economic relationship between Islamic and Western governments as a hostile invasion and attack on Muslims, and the influence of Western ideas, including secularization, as a threat to Islam, Khan goes on to explain why as defensive jihad, the
global jihad presents a universal obligation to Muslims around the world as opposed to only those living in “occupied” countries. Drawing on the fatwa written by Abdullah Azzam, an intellectual father of the global jihad movement, to explain why the jihad in Afghanistan was an individual duty (Hegghammer 2010a: 59-69; 2010b; Springer, Regens, and Edger 2009: 13, 28), Khan acknowledges the classical position that defensive jihad “first becomes individually obligatory on the people of that locale,” but goes on to state that “if they [local Muslims] are unable to push back the enemy, then the obligation spreads in a radius, to the neighboring Muslims. If they too are unable, this radius continues to grow until it becomes individual obligatory from East to West” (Khan 2010: 13). Following this argument, because Muslims living in Islamic countries have been unable to rid their homelands of Western influences and “un-Islamic” governments, all Muslims are duty-bound to assist in the restoration of Muslim societies, even if that means attempting to affect change by terrorizing the populations of any country implicated in the oppression or occupation of Muslims and Islamic territories.

By casting Western countries and modern Muslim governments as direct threats to Islam and Muslim, Inspire can “legitimately” claim global jihad is fard ‘ayn without completely dismissing classical doctrine. However, while Inspire utilizes the longstanding scholarly consensus that an invasion or attack on Muslim territory by non-Muslims renders fighting an individual obligation, it does so by reconfiguring the relationship between the Muslim community and the heads of state.

Painting global jihad as fard ‘ayn is insufficient means of convincing more people to take up individual jihad and transform it into a system of warfare. In order to persuade more people to practice individual jihad, Inspire must transmit two messages concerning obligation to potential recruits. The first, that participation in jihad is a religious duty incumbent upon all Muslims. This
principle is in keeping with the general ideology behind global jihad, and reflects the need of the movement to appeal directly to individuals in the absence of a unifying politico-religious authority capable or willing to declare a national security emergency outside international standards, and who can also command a response from all or most Muslims. The second idea *Inspire* must send to promote individual jihad is that jihad is a personal religious practice. The distinction to highlight between the two is that the first retains the traditional formulation of jihad as a collective activity of the Muslim community headed by a central authority while the second treats jihad as an act of worship to be performed independent of the greater community. This latter point is critical to the concept of individual jihad because it supports the belief that a single person can carry out a jihad alone or in the words of a former American military slogan, it opens the possibility of jihad being conducted by “an army of one.” But, perhaps more importantly, it has implications for the greater body of Muslims who do not participate in or support global jihad because it can and has been used to divest these individuals of their status as Muslims, opening them up to being legitimate targets of attacks. The next chapter further discusses the introduction of jihad as an individual and independent activity, but the focus for now is on how *Inspire* communicates these two ideas to its readers.

Every issue of *Inspire* is replete with reminders to the reader that “like prayer and fasting” participation in jihad is required of Muslims throughout their life, whether they live in Islamic countries or not (Gadahn 2010: 17; Al-Suri 2011: 19). Although *Inspire* declares in no uncertain terms that global jihad is an individual duty, it can be assumed that most of its discussions of the topic are directed toward people who already believe to some degree that they have a responsibility to join the jihad which prompted their reading of the magazine. As a result, these discussions use the belief that jihad is *fard ‘ayn* to try to convince readers to take the next
step and become active participants rather than trying to convince the uninitiated of the validity of this belief.

Two content examples that take for granted the reader’s acceptance of jihad as fard ‘ayn are the article “O Hesitant One: It’s an Obligation” (Al-Khurasani 2010) and “Imbeciles Who Justify Sitting” (Sideeq 2012). “O Hesitant One” is composed of excerpts from a speech given by a jihadist, Abu Dujanah al-Khurasani, and styled by the editors of Inspire as a motivational letter to Muslims at the “stage of indecision,” torn between fulfilling their religious obligation to fight and remaining passive, yet guilty observers of injustices to Islam and Muslims. It asserts responding to the call to jihad as the only way a Muslim can find “enjoyment” in this life or in the Hereafter, even a Muslim who adheres to all other central practices of the faith. These sentiments are reiterated in “Imbeciles Who Justify Sitting” which declares, “the brothers who grasp the Qur’an with one hand and the Kalashnikov with the other have a greater guarantee of Allah’s pleasure than these imbeciles who justify sitting on their hands.” The author also uses the belief within jihadism that jihad acts as an identifier of “true” Muslims to induce readers to join the movement. “For I swear by Allah, jihad fe [sic] sabilillah is the path that exposes the munafiqeen [hypocrites] from the mu’mineen [devout believers]; so stick your head out of the crowd of hypocrites to show Allah whose side you’re really on.” Both articles warn readers against listening to family, friends, and anyone else who attempts to deter them from joining the global jihad. Neither “O Hesitant One” nor “Imbeciles” construct an argument for why jihad is an individual obligation. Instead, both play on the reader’s preexisting sense that he or she has a responsibility to Allah to fight those deemed “enemies of the Islam,” and that delaying this obligation affects ones’ standing a Muslim and existence in the Hereafter.
Praise and shaming are also used within *Inspire* to stress the importance of jihad and to push them toward acting on the belief that jihad is *fard 'ayn*. In “Roshonara & Taimour: Followers of the borderless loyalty” (Al-Sana'i 2010), which appears to have been written specifically for *Inspire*, praises two lone jihadists—Roshonara Choudhry and Taimour Abdulwahab al-Abdaly, a British and Swedish citizen, respectfully—for fulfilling their obligation to jihad.

Roshonara Choudhry, may Allah free her, rushed to her obligation of jihad and answered the call of Allah: (March forth whether you are light or heavy…) [9: 41]…She had [sic] not done merely a good deed; rather, she has fulfilled a deed that is *fard ‘ayn* (individually obligatory) on the Muslims from East to West ever since the fall of Andalus.

In Sweden, the hero Taimour Abdulwahab al-Abdaly, may Allah accept him as a *shahīd*, has fulfilled his individual duty towards Allah…(Al-Sana'i 2010: 24).

The author inserts a not-so-subtle reminder within the exhortations of these jihadist that jihad is an individual obligation and goes on to reiterate this point by highlighting Choudhry’s assassination attempt on British MP Stephen Timms on May 14, 2010 (Dodd 2010).

A woman has shown to the ummah’s men the path of jihad! A woman my brothers! Shame on all the men for sitting on their hands while one of our women has taken up the individual jihad! […]To the men of the ummah: Take the example of this woman and you will find success in the afterlife. (Al-Sana'i 2010: 24)

The statements above remind readers that all Muslims, even women, are responsible for defending Islam and the *umma*. They are also directed at men who may be shamed or guilted into action as not to be seen as less faithful to Allah than a woman, let alone less courageous. The reminders sent through both articles mentioned above illustrate how *Inspire* plays upon the guilt and duty to act as well as the desire to be a “good” Muslim that would be felt by a Muslim who seeks out a jihadist publication.

In order to convince a person to take up individual jihad, *Inspire* must persuade him or
her that fighting is a personal and independent religious duty. While this position is conveyed within commentaries and transcriptions, and especially translations of al-Suri’s *The Global Islamic Resistance Call*, perhaps the most compelling attempts at communicating the ability of a single person to wage jihad can be seen in the magazine’s “advertisements.”

The tenth issue of *Inspire* includes two ads designed to convince readers that jihad is an independent religious practice. The first (see Figure I.) depicts a nightscape of a city in the background and hoody-wearing figure in the foreground. The hoody appears to have the words *man, Jihad, alone* written on it, and beneath these words an image of an AK-47. The text above the image reads: “So fight in the cause of Allah, you are not held responsible except for yourself. And inspire the believers. Suratun Nisá: 84.” The bottom left corner reads: “This is a LONE-MUJAHID ad” (Inspire 2013c).
The ad accompanies a selection entitled “To the Knights of Lone Jihad,” which begins with the following words of encouragement to lone jihadists:

You are Lethal! You are Devastating! You are the knight who strikes the enemy’s heart, penetrating his armor, exposing his vulnerabilities. You are the David who cuts down the Goliath. This unique heroic act can only be performed by you, with steadfast determination, unflailing courage and rock-solid resolution. (An-Nadhary 2013)

The image of an isolated person and the affirmations of the jihadist as a triumphant lone warrior portray jihad as an operation to be won by a single actor. Moreover, readers can deduce from the hoody ad’s reference to a person only being responsible for his or her own actions, that one must meet the requirement to fight the enemies of Islam even when Muslims as a polity have not declared war against any foe or one does not have the backing of a central authority or substantial military force.

The second ad (see Figure II.), “The Battalion of Terror,” relies more on words than images to communicate the importance of individual action (Inspire 2013a: 31).
The text within the ad reads:

It is you, yes it’s you and you alone - the terrorist next door. So be true to Allah, and being true to Allah is taking your weapon, praying your two rakaat, asking Allah to help you - get out to your enemy, he is just next door.

It’s either victory or martyrdom!
Did you know that we lack nothing but truth?
Did you know that M-16 which is abundant in enemies’ land or any other weapon could stop the enemy from insulting Allah’s book and the sunnah of the Prophet?
Did you know that you can use the same weapon to stop the killing and beating of our brothers in Palestine?
Did you know that the same weapon could stop the US unmanned drones killing Muslims in different countries?
Did you know that you can use the same weapon to change American and European foreign policies?
Did you know that the oppressed Muslims all over the world are waiting for you to act? (Inspire 2013a: 31)

The admonishment above to “be true to Allah” by attacking those living nearby reaffirms jihad as an individual obligation to be fulfilled through lone acts of violence. Additionally, the series of rhetorical questions relaying the positive consequences of lone jihad informs the reader of the power held by the Muslim who fulfills his or her obligation to jihad to reverse the oppression of Muslims around the world.

The ads introduced above, along with those in other issues of Inspire are designed to spur dormant jihadists into action by presenting jihad as an activity to be engaged in by a single individual. In each example the reader is addressed in the second-person singular with the intent of spurring a personal identification with the images and messages in the ads (Sivek 2013: 6). By doing so the reader becomes an isolated, latent warrior who only needs to be reminded of his responsibility to Islam and singular ability to restore Islam and Muslims to their past prestige. Associating the practice of jihad with a single individual, sends the message that jihad should be approached as an obligatory religious practice performed irrespective of the actions or interest of the Muslim community. This notion modifies the classical conception of jihad of individual duty
from one intended to spur individuals to fight alongside their neighbors to defend against a direct attack on the community by adding the additional connotation that individual violent action is required of every “true” Muslim even in the absence of an official call to jihad by an official authority.

**Establishing Jihad as a Self-Directed Activity**

*Inspire*’s reconfiguration of obligation to further the advancement of individual jihad accompanies new conceptions of the role of politico-religious authority in jihad. Because individual jihad describes a form of violence in which “one individual only carries out the entire jihadi operation” (Anonymous 2012: 28), it requires the relocation of political authority from the caliph or head of state, as the customary leader of jihad, to the lone jihadist as the new fulfiller of the religious obligation to defend Islam. This transformation makes possible a new form of jihad in which the average person is allowed to act in an authoritative capacity from declaring jihad to deciding upon targets and tactics of martial operations.

Classical Sunni jurists were in agreement that along with the obligation to engage in defensive and offensive jihad, the caliph also had comprehensive leadership over both of these military operations, which began with his exclusive ability to declare jihad and extended to its conclusion through conversion of the conquered population or the signing of a peace treaty. His authority over jihad was only subordinate to *Shari’a*; therefore, he was required to conduct military operations within the parameters set by Islamic law as interpreted by jurists. These parameters included restrictions on military strategies and tactics and categories of people who could be legitimately killed as well as guidelines for the treatment of prisoners.
Several statements throughout the issues of *Inspire* assert that the leaders of Muslim countries have failed to fulfill their duty to defend the *umma* through jihad and as a result are no longer considered to have authority over the Muslim community. One of the most direct discussions is included in *Inspire*’s response in its second issue to *The New Mardin Declaration* drafted at a conference of Muslim scholars on March 28, 2010. The purpose of the conference was reassert the authority of the ‘*ulama* by producing a definitive interpretation of a *fatwa*, written by the medieval scholar al-Islam Ibn Taymiyya (d.1328), addressing Muslims living under non-Muslim rule in the city of Mardin, in present day Turkey. Militant Islamists have continuously referred to Ibn Taymiyya’s *fatwa* on Mardin to support their bifurcation of the world into the *Dar al-Islam* (Abode of Peace) and *Dar al-Harb* (Abode of War) and their attacks on peoples and territories not considered Muslim or under Muslim rule (Michot 2006, 2011). *The New Mardin Declaration* refutes the use of the *fatwa* by militant Islamists “to justify indiscriminate violence, insurrection and the excommunication of Muslims” (Michot 2011: 139), and reestablishes the waging of jihad as the domain of the state. Echoing classical jihad doctrines, *The New Mardin Declaration* confirms that the validation, authorization, and execution of this particular type of jihad [fighting in the Path of God] is granted by the Shari‘ah to only those who lead the community (actual heads of states). This is because such a decision of war is a political decision with major repercussions and consequences. Hence, it is not for a Muslim individual or Muslim group to announce and declare war, or engage in combative jihad, whimsically an on their own.

However, in *Inspire*’s response, “The New Mardin Declaration: An Attempt at Justifying the New World Order” by Anwar al-Awlaki, then chief editor of *Inspire*, al-Awlaki denies that the head of state holds complete authority over jihad and, therefore, must give his permission for and be in command over jihad (Al-Awlaki 2010). He cites two exceptions to the permission rule: when there is no imam and when “the Imam does not promote jihad” (2010: 37). Al-Awlaki’s
use of the first exception seems to place him among scholars who consider the caliphate to be a legal obligation rather than just a “social utility” conceivable through reason alone (Yücesoy 2011). For such adherents, the absence of a caliph equaled the absence of legitimate authority, whether or not an alternative political order was in place.

The second exception al-Awlaki provides recognizes that Islamic jurisprudence conferred upon the political authority an overarching duty to protect the integrity of Islam as faith and community through the application of Shari‘a, of which the exercise of jihad is a part. Therefore, political authorities that do not actively defend Islam from all forms of threat, including an invasion of disbelief, forfeit the legitimacy derived from ruling according to Islamic law. Because Muslims cannot rely on political regimes determined to be illegitimate or un-Islamic, they must self-select to adhere fully to Shari‘a, including or especially to the religious imperative to engage in jihad in order to secure a legitimate regime. These criteria for legitimate authority run counter to the opinions of most classical jurists who did not view the caliphate as a Shari‘a mandated institution or accept that political authority only derives its legitimacy by exclusive governance by Shari‘a, as evidenced by the coexistence of multiple forms of law administration within Muslim societies (Asad 2003: 210). For them the first practical source of legitimacy for a political regime is the preservation of social order and of the umma as a unified politico-religious community (Ayubi 1991; Yücesoy 2011). Nonetheless, Al-Awlaki connects these exceptions to modern Muslim governments to support the transfer of authority over jihad to the “true” Muslim, not the modern state.

For radical Islamists the refusal of modern Muslim governments to accept the practice of jihad as a state obligation contributes to the delegitimation of their political regimes and the disavowal of the Muslim-ness of government officials. In lieu of a government that fulfills its
religious obligations, Islamists argue that the authority over jihad has shifted to the jihadist who will act to meet those duties. In order for individual jihad to become a “strategic phenomenon” and an effective political tool, potential individual jihadist must be prepared to step into the role of the caliph as the military leader of the umma. Since individual jihad requires autonomous actors “take[ing] sole responsibility for their tactical training, selection of targets, and command and execution of attacks independent of any organized jihadist group (Acharya and Marwah 2011: 2-3), Inspire as a facilitator of this mode of jihad must provide guidance on how to successfully go about fulfilling the duties of a lone jihadists.

In addition to convincing Muslims of their religious obligation to rid the Islamic world of corrupting influences, Inspire is designed to facilitate the transformation of spontaneous, independent acts of terrorism into a systematic assault of the West by providing it readers with the skills needed to “employ explosives, poisons, firearms and all other methods that lead to inflicting the greatest harm” on the populations considered to be the occupies and oppressors of Muslims countries (Al-Awlaki 2011: 47). The primary vehicle though which Inspire attempts to achieve this goal is the Open Source Jihad (OSJ) segment found in each of the regular issues of the magazine.\footnote{The OSJ project is included in almost every issue of the magazine, with the exception being issues three, seven and eleven, which are special editions released in response to a high-profile recent event relevant to the global jihad.} Open Source Jihad is defined at the beginning of each segment as

A resource manual for those who loathe the tyrants; includes bomb making techniques, security measures, guerrilla tactics, weapons training and all other jihād related activities.
• informal A disaster for the repressive imperialistic nations: The open source jihād is American’s worst nightmare.
• It allows Muslims to train at home instead of risking dangerous travel abroad: Look no further, the open source jihād is now at hands reach.

The definition notifies the reader that each segment of the project contains directions for making weapons, such as “Make a Bomb in the Kitchen of Your Mom” in the first issue of Inspire, which provided step-by-step instructions on how to build pressure cooker bombs like those used...
in the Boston Bombings as well as detailed training guides on how to use prefabricated weapons (OSJ Gun School – Training with the Handgun” (Issue 8) and “Training with the AK” (Issue 4 and 5). Open Source Jihad projects also include descriptions of innovative methods of killings the maximum number of people like “The Ultimate Mowing Machine” described in Issue 2, which involves the attachment of the motorized blade system of a lawnmower to the front of a pickup truck and the suggestion to drive to “pedestrian only” areas. The project functions like a “distance-learning course” providing trainees with numerous tactics “to inflict as many human and material losses as possible on the interest of America and her allies” (Bhatt 2013: 30; Al-Suri 2012: 23). Each of these areas within OSJ is designed to provide potential jihadists with basic military skills and tactical suggestions to draw upon when planning their own jihadi operations. The skills and tactical suggestions included in this section are typically simple and specially selected for the relative ease with which they can be independently learned or followed.

Each section of OSJ presents potential jihadists with methods for killing the “kuffar” or unbelievers. The message AQAP sends through the OSJ project to would-be jihadists is “you don’t have to travel to us for training, we will bring the training to you; you can make everything yourselves using commonly found materials; you do not need anyone’s permission to undertake operations, you just need to take the first step” (Bhatt 2013: 30). The suggested tactics in OSJ are almost exclusively geared toward the killing of civilians. One notable exception to this is the suggestion of starting wildfires found in issues nine and twelve. The immediate goal of starting a fire is the destruction of property, but loss of human life remains a possibility. The overall message that individuals can (and should) embark on their own personal violent jihad without complying with well-established customs and rules around the practice, such as responding only to a declaration of jihad by an established authority (Cook 2005; Kelsay 2007), seeking parental
permission (Cook 2005), or conducting military operations according to the ethical guidelines constructed by religious experts, which fundamentally requires a recognition of non-combatants as illegitimate targets, illustrates individual jihad’s closer proximity to terrorism than to jihad as traditionally understood.

Although *Inspire* presents suggestions for how one might go about attacking people, government and economic centers, OSJ is just that, a collection of suggestions meant to spur immediate action, increasing the chance of turning individual jihad into a phenomenon. It presents accessible military tactics and skills to expeditiously capitalize on the fervor of a potential jihadist. The information presented in this section is not delivered as commands from an authoritative group to be explicitly followed by its readers as evident by the closing to the second edition of OSJ: “The best operation however is the one where you come up with an innovative idea that the authorities have not yet turned their attention to, and that leads to maximum casualties or – equally important – maximum economic losses” (Ibrahim 2010: 57). The inclusion of this statement is evidence that practitioners of individual jihad are not restricted to the operational suggestions in OSJ, but are encouraged to employ their own creativity toward mounting a successful attack.

In addition to being able to decide how to kill and how to destroy Western targets, individual jihad allows potential jihadists to decide for themselves whom to kill and what to destroy. The ninth issue of *Inspire* includes a selection from *The Global Call to Islamic Resistance* entitled “The Most Important Enemy Targets Aimed at by the Individual Jihad.” In it, nine priority targets of the U.S. and its allies considered to be hostile to Islam and Muslims are listed: (1) leading political figures of Western and secular Muslim governments, (2) large economic and transportation centers, (3) military bases, (4) media personalities and centers, (5)
data centers, (6) Jewish gathering places, (7) government offices, (8) central security buildings, and (9) general gatherings of civilians. The only explicit exemptions are to “avoid targeting places of worship of any religion or faith”, “citizens of countries that have no relation with the conflict, even if they are non-Muslim”, and “women and children when separated from men” (Al-Suri 2012). This list does not leave many sites or groups off-limits, but more importantly, there is nothing binding practitioners to the suggestions listed above. Absent any requirement to follow al-Suri’s guidelines, even regarding those who should not be explicitly targeted, *Inspire* emphasizes al-Suri’s ninth suggested target—civilian gatherings — and the maximization of human losses at the expense of diverting fighters toward military or economic targets (Bhatt 2013: 30; Al-Suri 2012: 24). The magazine does not recognize any real distinction between combatants and noncombatants (Bakircioglu 2010), nor does it attempt to impose any real restraint on the level of violence used or the amount of destructed caused by attacks (Bhatt 2013) because doing so would undermine the primary objective of instilling fear in the general population. Eliminating two key guiding principles of most jihad theories pushes the form of jihad *Inspire* advocates away from jihad as traditionally conceived and toward modern conceptions of terrorism.

The acceptance of individual jihad as an expression of “pure” Islam requires practitioners to act in opposition to rulings upheld throughout much of Islamic history calling for obedience to the caliph or head of state and to the doctrines developed by classical jurist-scholars. This does not mean that practitioners of individual jihad summarily reject Islamic authority. On the contrary, they fight with the verbal intention of reinstating a caliphate or and Islamic State, although what either of these would look like AQAP or other al-Qaeda affiliates is unclear (Pankhurst 2010). Moreover, the use of works by premodern and modern clerics in *Inspire* shows
that the backers of individual jihad do not completely dismiss the existence of religious-trained intellectuals with Islamic knowledge superior to their own. They sift through the enormous body of Islamic jurisprudence to select those passages and scholars that best support their existing reviews and goals, and encourage others to follow “approved” clerics, those viewed as having a correct understanding of Islam. In spite of the animosity shown toward the ‘ulama in general, the ability to find voices within this institution that can be used to support jihadism bolsters the claims to legitimacy made by jihadists. But, to function as independent political and military authorities, they must ignore the custom of jihad being the prerogative of the state.

Conclusion

Although *Inspire* did not invent the concept of individual jihad, by translating al-Suri’s militant strategy into English and packaging it with a do-it-yourself terrorism manual, it has spread the idea that individual and small cell terrorism is a religiously legitimate mode of violence to a wider audience. However, the principles behind individual jihad contrast sharply with those of jihad doctrine as traditionally articulated throughout Islamic history, particularly with respect to the dynamic between the Muslim fighter, political authority, and religious obligation.

Classical jihad doctrine defensive jihad is a response to clear aggression from a non-Muslim force. The threat posed by a foreign invasion activates an individual obligation to fight for all local male Muslims capable of doing so. In contrast to this relationship between defensive jihad and individual obligation, *Inspire* argues that the current relationship between Western countries and Muslim governments as well as the cultural, political and economic influence the West holds over the Islamic East is equal to an armed invasion and therefore constitutes and
equal security emergence for the Muslim community. Furthermore, in response to Western
dominance and oppression of the Islamic East, Muslims worldwide are required to participate in
the repulsion of the un-Islamic influences from all areas of the Muslim world, including through
the use of “all means in all places” (Hegghammer 2010b: 75).

Individual jihad provides a framework for Western residents who accept this
interpretation of their religious responsibilities to mount independent military operations or
attacks against their local population toward the end goal of establishing an “Islamic state” free
from un-Islamic influences. This framework ignores the territorial limits placed on the concept of
defensive jihad that restrict fighting and the application of jihad of individual duty to the area of
aggression. It also allows individual Muslims to freely construct their own attack plans according
to their personally held beliefs as to the limits or boundaries for violence, without regard to the
restrictions placed on violence even within the concept of defensive jihad. Inspire openly
advocates for Muslims to use their own discretion and imagination when deciding how to
maximum the loss of human life. I contend that taken together, the imprecise application of
“defensive jihad,” the broadening of the applicability of jihad as an universal obligation, and the
individual discretion with regard to the interpretation of the acceptable limits of violence in the
name of Islam and the freedom to deploy that violence are all indicative of a the fragmentation of
political and religious authority. Where it has become easier and more accepted to dismiss and
deligitimize existing political authorities and to drown out traditional voices of the religious
authority, it has also become easier to craft new meanings and purposes of Islam as well as to
reinterpret Islamic law.
Conclusion

“Jihad” has been used by militant Islamists to describe the war between Afghanistan and the Soviet Union, the plane crashes into the Twin Towers and Pentagon to the Boston Marathon Bombings. The broad spectrum of violence committed and orchestrated by different groups with different immediate agendas yet lumped under the same term speaks to the rapidity with which the nature and use of jihad has changed over the decades. The brutality and the attempts to explain the term to Westerners, public discussions of the concept have insisted upon a distinction between “real” jihad, as defined by moderate or mainstream Islamic scholars and Muslims, and jihad as articulated and practiced by militant Islamists. These discussions repeatedly attempt to separate militant violence from Islam in part by denying their actions are a part of jihad but are instead acts of terrorism. Although enactments of modern jihad are strikingly different from traditional practices, the use of “jihad” still implies that the violence being talked about meets certain requirements that earn it the right to be called jihad rather than qital or harb, which do not immediately connect to the defense of Islam and the legitimacy that comes with such a righteous undertaking. Unresolved debates over the true nature of jihad raises the question as to who, if anyone, manages the criteria for classifying violence as jihad and restricts the use of the term to conditions and occasions that warrant the label? It is not the intent of this thesis to answer whether or not the violence committed by militant Islamists is or is not righteous or Islamic enough to deserve the title “jihad,” but rather to make the claim that the nature of jihad has and continues to undergo swift and drastic changes precisely because there is no authoritative voice or collective voices within Sunni Islam capable of maintaining continuity between classical jihad doctrine and modern understandings of jihad. The disconnect, then, between the use of “jihad” by jihadists to describe their violence and its characterization as “terrorism” by government
officials and moderate Muslims is more about who has the authority to characterize violence as jihad or terrorism than it is about what the structural differences between the two. What, therefore, precludes jihad from also being terrorism?

The Tsarnaev brothers’ attack on the runners and bystanders at the 2013 Boston Marathon conformed to one of the newest articulations of jihad, which bears little to no resemblance to jihad, defensive or offensive, as conventionally understood within Sunni Islam. Before individual jihad, modern jihad attacks were financed and orchestrated by jihadist organizations that also selected and trained the attackers. However, as subscribers to individual jihad, the Tsarnaev brothers operated completely free of any oversight or assistance by external authority, political, religious or organizational. They decided on their own where, when, and who or what to attack without most of the restrictions imposed by Islam law or jurisprudence. Their bombing of a public sporting event attended by thousands of civilians provided an easier opportunity to fulfill the goal of individual jihad attacks, which is to their limited ability to access or do significant damage to the more sensitive targets, such as government and military personnel and facilities as well as the imperative within individual jihad to generate the maximum amount of fear through mass casualties and economic damage.

The looseness of individual jihad is in stark contrast to the prescriptive and state-directed classical jihad. Classical jihad was governed by legal doctrines produced by senior ‘ulama and implemented as state military policy by the political ruler. Jurists and scholars built upon the direct injunctions regarding jihad in the Qur‘an and hadiths to construct a solid account of jihad, including legitimate justifications for war, the processes by which jihad could progress, and the objectives of war. While the ‘ulama constructed the parameters within which jihad could exists, the choice to initiate jihad rested with the head of state. So, although jihad took into account a
course division of the world into the *Dar al-Islam* (Abode of Peace) and the *Dar al-Harb* (Abode of War), where the latter constituted the territory in which jihad could be conducted (Cook 2005: 20), whether or not Muslims forces initiated war beyond Muslim borders required a decision by the head of state to undertake a military campaign. As for instances in which non-Muslim forces invaded or attacked within the borders of the Islamic state, the threat of immediate harm allowed for a counterattack to be mounted by the local authorities in lieu a direct command by the head of state but still under his authority. The decision to wage jihad triggered a process that began with the ruler relaying an official call to jihad to the Muslim community and an official call to Islam to the enemy, and ended with ruler accepting the conversion of the non-Muslim population or signing a treaty within the limits of Islamic law. In between the head of state acted as the official commander of the military and was responsible for ensuring the Muslim forces conducting themselves within the limits of Islamic law. The dependence of jihad from beginning to end on the primary authorities over the community prevented the blossoming of divergent articulations of jihad.

The role of and relationship between the ‘ulama and the political leader tied the practice of jihad firmly to the state. Together they ensured jihad of the sword was only waged under correct authority and in compliance with religious law. However, the Islamic world’s encounter with Western modernity drastically transformed the way in which Muslim societies were governed and induced an authority crisis within Sunni Islam. Historical political systems were abandoned with the elimination of the caliphate and the fragmentation of the Muslim world into nation-states. The only remaining traditional institution was the ‘ulama, but the advancing secularization of society, including the displacement of Shari’a law courts by a secular legal system, illuminated its powerlessness to uphold Islamic governance. This fact, coupled with the
expansion of public education that enabled Muslims to question juridical readings of the religious texts, severely weakened that authority of the 'ulama. As a consequence of this modern restructuring, neither the state nor the 'ulama are able to manage articulations of jihad. Instead, the authority to craft structure of jihad was claimed by militant Islamists.

Sayyid Qutb and Muhammad Faraj were two influential Muslim thinkers who participated in the transfer of the authority to regulate jihad from the political leader and the 'ulama to the lay Muslim. Their voices were among those that insisted a return to Islam as a comprehensive and particularly political system offered the only solution to the secularization of Islamic society. By capitalizing on the restructuring of political authority around the state rather than the guardianship of Islam as well as the weakened condition of the 'ulama, Qutb and Faraj were able to take control of the concept of jihad and repackage it as a tool for rebellion against the modern state as an instrument of secularization. They undermined the modern state by denying the legitimacy of all human authority, but they also undermined the remaining authority of the 'ulama by arguing that religious knowledge did not belong to those with an extensive, formal religious education, but to the most pious. At the core of their plans for instituting a new political, economic and social order in line with their version of Islam was the “true” or pious Muslim who epitomized Abduh’s modern self-governing subject by regulating his or her own behavior according to the dictates of Islam (Haj 2009). For Qutb and Faraj the “true” Muslim expressed the supreme sovereignty of God through a strict and personal compliance with Shari‘a, especially the command to defend (and restore) Islam through jihad. In linking piety or Muslim-ness with jihad in this way, both men recast the pious Muslim as the true defender and guardian of Islam.
Qutb and Faraj were instrumental in associating piety with access to God’s law and the defense and restoration of Islam. In the process they erected the “true” or pious Muslim as a religious expert and temporary replacement for Islamic political leadership. The power they attributed to the pious, best identified by his participation in jihad, has entitled jihadists to assert that as the actual defenders of Islam, they have the right to decide what type of conduct is necessary and permissible under the heading of jihad (Cook 2009; Wagemakers 2011). Qutb and Faraj’s concepts of Islam, jihad and the “true” Muslim paved the way for the continued distancing of jihad from classical conceptualizations by men like al-Suri. Their ideas are strongly present in the concept of individual jihad, but individual jihad takes them a step farther by actualizing the “true” Muslim as, in the words of Mawdudi, “a Caliph of God in his individual capacity” (Lerman 1981: 310) and as such derives directly from God the ability and right to function as a political and religious representative of the Muslim community. Having secured jihad as the responsibility of the pious individual rather than the state, jihadists are free to continuously redefined, revised and reimagine violence in accordance with their needs and religious interpretations, and to still label such violence “jihad” even if it butts up against general definitions of terrorism.

Jihad has come to mirror terrorism, not because Islam advocates or allows for indiscriminate violence but because the delineation of jihad is no longer controlled by institutionalized authority committed to maintaining political and religious stability. What we see in individual jihad is violence that does not conform to accepted practices, uses, laws or customs; it does not match up with our rules of who can use violence, against whom or what and how. These questions would have had clear or concrete answers if jihad were still the prerogative of the state. Instead, the violence carried out by lone or small groups of jihadists, gives no
indication as to who is in charge, who does the work of killing and it certainly does not impose limits on itself as to who can be killed and by what means. From every angle, individual jihad looks like terrorism, yet some have accepted it as a legitimate form of jihad because they have accepted jihadists as legitimate actors on behalf of Islam. The difficulty in challenging or overturning extreme interpretations of jihad and the acceptance of jihadists as authority figures is that modern states, even Muslim majority states, and the ‘ulama do not have or lack sufficient Islamic authority to rein in radical articulations of jihad. In spite of this deficit, religious and political leaders speak of educating Muslims in the “true” nature of Islam the “real” practice of jihad as safeguards against radicalization. But the success of such efforts will first require them to (re)establish themselves as the legitimate authorities Islam exclusively responsible for regulating articulations of Islam and jihad.

This thesis has addressed the relationship between an identity as the rightful caretaker of Islam to the ability to control jihad. Because the articulation of Islam and jihad are no longer the prerogative to the state and ‘ulama, but are, through processes of modernization, subject to the religious interpretations of the individual Muslim, their essential practices are open to manipulation. For militant Islamists, the practice of jihad has become a defining characteristic of Islam and what it means to be a good Muslim more so than compliance with official Islamic law and jurisprudence. The ability then of the jihadists to rewrite the content of jihad, either on a group or personal level calls into question the governability of the “true” Muslim by any iteration of Islamic authority.
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