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Abstract: This is a series of papers that translate and analyze articles, reports, religious decrees, and other documents, written primarily in Arabic by Islamist scholars, clerics, operatives, or intellectuals.

‘Islamic Legitimacy for the London Bombings’
By Reuven Paz

Introduction

In the past two weeks, two major controversial positions appeared on Jihadi web sites and in the Arab media. These statements were made by two of the most important and influential clerics of the Jihadi-Salafi current of global Jihad. The first was an interview of Abu Muhammad al-Maqdesi, the Jordanian-Palestinian Islamist scholar and spiritual guide of Al-Tawhid wal-Jihad in Jordan and Iraq, and was aired on the Al-Jazirah TV channel on July 3rd 2005.¹ Jordanian authorities have recently released Al-Maqdesi after a long arrest of about six months, only to detain him again following his controversial interview. In the interview, he criticized the Islamist insurgents in Iraq, led by his protégé Abu Mus’ab al-Zarqawi, for the mass killing of Muslims in Iraq. On 5 July 2005, he repeated his criticism in another interview with the Jordanian paper ‘Al-Ghad.’² His most important statement was that “the indiscriminate attacks might distort the true Jihad.” This was not his first criticism of Zarqawi and his group. In September 2004, Al-Maqdesi sent a long message from

¹ <http://www.aljazeera.net/NR/exeres/...F5DDB7D23C2.htm>

² <http://www.alghad.jo/index.php?news=31781&searchFor=المقدسي>



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Al-Qafqafa prison through Jihadi forums on the Internet.³ In both cases this criticism generated a wave of responses by Jihadi scholars, clerics, and youngsters, who were surprised and confused. If in September 2004 Al-Maqdesi used a “soft” tone, much like a father talking to his son, then this time his tone was direct and decisive, especially as it was aired through the media. The interview also enjoyed high degree of publicity in Jordan and Iraq.

The second statement was given by the Syrian Mustafa Abd al-Mun`im Abu Halimah, better known as Abu Basir al-Tartusi, a Syrian Jihadi scholar residing in London. Like Al-Maqdesi, Abu Basir is one of the leading guides of the Jihadi-Salafi current. Unlike Al-Maqdesi, however, he enjoys complete freedom of activity and speech in London, and hence, can manage close contact with other supporters of global Jihad. In the past, Abu Basir used to be in close contact with the Algerian Jihadi-Salafi group and its supporters in London. Abu Basir is known for his very strict and sharp language, and for his, at times, harsh and brave criticism of Islamist groups. In the past year, for instance, he severely attacked the Palestinian movement Hamas for what he called its “deviation from true Jihad.

On 9 July 2005, Abu Basir published a Fatwa on his web site that protested the London bombings and the killing of innocent British civilians.⁴ Abu Basir described the bombings as a “disgraceful and shameful act, with no manhood, bravery, or morality. We cannot approve it nor accept it, and it is denied islamically and politically.” He refused labeling the British citizens as “attackers” (*Harbiyyun*), emphasizing instead the social alliance (*`Ahd*) of Muslims in the United Kingdom with the British government and society, among which they live. He added, “if this act was done by British Muslims it does not mean that Islam or the Muslim community in the UK approve of this act.” He ended his statement by raising doubts about the responsibility taken for the London bombings by “The secret group of Al-Qaeda in Europe”

³ *Munasarah wa-Munasahah li-Abi Mus`ab al-Zarqawi min Abi Muhammad al-Maqdesi fi sijnihi* (Support and Advise to Zarqawi by Al-Maqdesi from within his Prison). See on-line in: <http://www.ansar.net.ws/vb/showthread.php?t=14593> (the forum is currently closed).

⁴ *Bayan hawla Al-Tafjirat allati Hasalat fi Madin. at London* (A Statement about the Bombings that Took Place in the City of London). See on-line in: <http://www.abubaseer.bizland.com/hadath/Read/hadath17.doc> The statement is presented as an answer to questions on the issue, and therefore, has the nature of a Fatwa.



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Abu Basir's statement/Fatwa elicited many responses in Jihadi forums, most among them creating anger and resentment against him. Once again, the supporters of global Jihad were left confused and surprised. The harsh responses Abu Basir generated led him to publish yet another statement on 11 July 2005, titled "The Love of Revenge or the Legal ruling."⁵ In this second statement, which did not sound apologetic at all, he explained that his position towards the attacks in London was not at all a retreat from his former well-documented positions on Jihad. His main argument was that there was no place for the symmetry of revenge between the Muslims and their oppressors—a symmetry that is a vital component of the strategy of global Jihad. According to Abu Basir, there is no place for revenge in Islamic doctrine, but only integrity based upon the interpretations of Islamic law. He also hinted at an attempt by Islamists to place a wedge between ordinary Muslims and clerics.

This last claim by Abu Basir, we should note, concerns a crucial issue in the research and analysis of religious groups in general, and radical ones in particular: the question of—who is leading who—are the clerics leading the operatives or vice versa? The examples of the martyrdom operations, beheadings, killing of Muslim civilians (Shi'is or Sunnis), and other such issues provide us with a clear answer—the operatives are leading the clerics. Jihadi clerics usually provide the ideological 'umbrella' for the radicalization of the *modus operandi*.

The Legal Justification of the London Bombings

The controversy over Abu Basir's fatwa⁶ and his position against the London bombings has produced an interesting response in the form of a long and unsigned long fatwa, distributed in the form of a booklet. The name of the booklet, which praised the attacks in the British capital, is "The Base of Legitimacy for the London Bombings, and Response to the disgraceful Statement by Abu Basir al-Tartusi."⁷ Although anonymous, the fatwa, which was published on 12 July 2005, in a Jihadi forum, was clearly written by a Jihadi-Salafi cleric or scholar, ironically calling himself "Al-Tartusi."

⁵ *Hubb al-Tashaffi am al-Hukm al-Shar'i*. See on-line in:
<http://www.abubaseer.bizland.com/articles/read/a88.doc>

⁶ The main responses appeared on the Salafi forum Al-Hesbah. See for example in:
<http://www.alhesbah.org/v/showthread.php?t=26865> and
<http://www.alhesbah.org/v/showthread.php?t=26751>

⁷ *Al-Ta'sil li-Mashru'iyat ma Jara fi London min Taffirat wal-Radd ala al-Bayan al-Mash'um li-Abi Basir al-Tartusi*. See on-line in: <http://alfirdaws.info/forums/showthread.php?t=3317>



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According to the author of the counter-Fatwa himself, the response to Abu Basir is composed in the style and form of the legal Islamist justifications for the September 11 attacks, written by a number of clerics, including the Salafi Saudi Sheikh Abd al-Aziz bin Saleh al-Jarbou', using his almost identical title;⁸ the famous fatwas of the Saudis Hamoud bin `Uqla al-Shu`aybi and `Ali al-Khudayr; and the article by the Egyptian Jihadist Abd al-Qader bin Abd al-Aziz titled—"This is a public statement – Terrorism is part of Islam, and whoever denies it is an Infidel."⁹ The position that Islamists should be proud to be called 'terrorists' since it is part of Islam is a well-known argument that has been made by several Jihadi-Salafi scholars and clerics, since September 11, 2001. In October 2004, that argument was made even by an Iraqi Shi'i cleric by the name of Muhammad Alusi, who published this unusual position, in a pamphlet titled "There is no Jihad without Terrorism."¹⁰

The anonymous author of the counter-fatwa opens his position by claiming that there is no need for Muslims to defend Islam and Muslims with a fatwa or other form of writing, each time an attack takes place on enemy soil. "The Muslims in general and the 'awakening' in particular, should be aware that we are not members of the U.S. Congress or legal advisers for the White House." The use of the term "awakening"—*Sahwah*—is clear evidence that the author is a Saudi scholar. He may live either in Saudi Arabia or in London, where not only Abu Basir resides, but where the leaders of the original "Awakening Movement"—Sa`ad al-Faqih and Muhammad al-Mas`ari—are spending their days in exile. Many of the author's arguments rely upon Tawhidi doctrines of past Wahhabi scholars, adding to the conclusion that the author is Saudi.

The author's main theme is the prohibition of any sympathy or sharing of feelings of any form with the enemy and the infidels, based on the doctrine of *Al-Wala' wal-Bara'* (Loyalty and affection for the believers and aversion for the infidels). It is of importance that the use of this theme is typical for Jihadi-Salafi writings. The Muslims should be glad and show their joy for every tragedy that happens to the

⁸ *Al-Ta'sil li-Mashru'iyat ma Jara li-Amrika min Tadmir* (The Base of Legitimacy for the Destruction in the U.S.). See on-line in: <http://tawhed.ws/r?i=849>

⁹ See this particular significant article in: <http://tawhed.ws/r?i=2768>

¹⁰ *La Jihad bila Irhab*. See on-line in: http://www.albasrah.net/maqalat_mukhtara/arabic/1204/alosi_041204.htm



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infidel oppressors and aggressors, the author continues, and stop being sympathetic with them. “This is an integral part of the Muslim Sunnah.”

The direct arguments against the United Kingdom are as follows:

- The United Kingdom is an ally of the United States, and hence is part and parcel of the worst front of aggression Muslims are facing in present time. They are even worse than Pharaoh in his war against Moses. Pharaoh attacked Moses and his people on Egyptian soil, while the United States and the UK, through their Crusader alliance, attack or support attacks against the Muslims everywhere in the world. This is another reason to show happiness toward every tragedy in the West, like Moses and Muhammad did by ordering the fast of the `Ashura for their people (Yom Kippur in Judaism and the fast of 10 Muharram in Islam).
- Britain is an infidel country since it is a Christian one, and hence an enemy of Allah and his believers. “As long as it remains an enemy, it is a Muslim duty to terrorize it...they are allies of the worst devilish idol (*Taghut*) of our times—the U.S. and the Jews—and do their utmost to support them.”
- The UK is led by a graduate of the worst schools of international conspiracies—Tony Blair—who had declared that the campaign against Iraq was an historic one.” These quotes, along with others from the British Prime Minister’s speeches, were part of an April 2004 article written by the Jihadi-Salafi ‘Lewis Atiyyat Allah,’ which was circulated on Jihadi web sites on 8 July 2005, one day after the London bombings, titled “Yes Mr. Blair, This is an Historic War.”¹¹
- The major decisions in the UK are based upon public support voiced through the British Parliament. Therefore, every British citizen who voted for the members of Parliament who supported the war in Iraq should be regarded as an attacker (*Muhareb*), or at least an assistant. The argument made in Abu Basir’s fatwa, namely that the victims were innocent civilians, should be denied. Moreover, “the division between civilians and soldiers is a modern one, and has no basis in Islamic law... where every healthy male above 15 years old is a potential soldier... In the U.S., the UK, and Israel, even the females are recruited to the military, and hence, they are not innocent

¹¹ About this article see PRISM Occasional Papers no. 3/3, 11 July 2005 – “From Madrid to London: the Export of the War in Iraq to Europe.” See on-line in:

http://www.e-prism.org/images/PRISM_no_3_vol_3_-_London_Bombings.pdf



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civilians too.” The fact that the majority of British citizens, according to polls in the UK, supported Blair’s Iraq policy, is another piece of evidence that these are not civilians.

- In the past, Muslims used to attack their enemies with Ballistas (*Manjaniq*) that could not differ between civilians and warriors. This is another argument to legitimate the terrorization of the entire British public.
- According to the author, there is wide Islamic approval for the killing of innocent Muslim prisoners of war, who are placed in the front of the enemy lines to use as a cover (the doctrine of *Tatarrus*). The conclusion is that “the mixture of innocent and non-innocent people cannot prevent the killing of them all, if you cannot differentiate between them.
- Many Islamic scholars have ruled in favor of the symmetry of revenge. The West has killed thousands of Muslim civilians, and so Muslims are allowed to kill Western civilians, and there should be no doubt.

The author is surprised by the wave of condemnations of the London bombings by expressed by Muslim scholars, clerics, governments, and NGOs, including some of the Islamist groups that are part of global Jihad. He rules against this condemnation, claiming that they are contradicting Islam. He also rules against Abu Basir’s argument about the possible harm done to Muslim communities as a result of such attacks. Such an argument, the author asserts, has the potential to end each form of Jihad in our times. “I warn my believing brothers to stop criticizing their brothers, the Mujahidin, especially these days.

No compromise can be reached between the Muslims and their enemies. “The Islam that satisfies the West is the popular Islam of the Sufis—*Islam al-Darawish*—which does not follow the Salaf. This is the Islam of Fahmi al-Huwaydi and Yousef al-Qaradhawi, and others, who do not know Islam, but only its name, the “minimal Islam.”

Another argument, typical to Jihadi-Salafis, is the controversial issue of Muslim immigration to the West, which is prohibited by the Salafis, even if temporary for the purpose of studies.

The last argument made in the unsigned fatwa is the issue of whether there could be a covenant (*Mu`ahadah*) between the UK or any other infidel country with the Muslims. On this point the author maintains that since there is no Khilafah or Khalifah, no Muslim government can represent Islam by signing such a covenant.



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“Therefore, the United Kingdom is an infidel country, which fights against Islam and the Muslims, with every criminal means possible... The Muslims should use against the UK every means possible, approved by the Prophet... including destroying their houses and terrorize them... Allah, May you destroy the United Kingdom and the United States and their allies; kill them and do not leave them a remain. May Allah humiliate the UK, and terrorize it... Show us in the U.S., the UK, and their allies, your might and wonders of your power, like you did with Pharaoh and Qarun (Korah).”

Conclusion

The document described and analyzed here seems to imitate some of the above-mentioned Anti-American articles and fatwas that followed the September 11 attacks. Parts of the counter-fatwa seem to have been directly taken from these documents. It seems, however, that the author made a serious effort to include every possible argument to present his opinion and ruling. Several reasons can be mentioned to explain why the document is unsigned. The first is a fear of both the Saudi or British authorities, especially if the author is a Saudi living in exile in the UK. Second, the reason may be sheer respect for Abu Basir, who has so far been an admired and most respected figure by supporters of global Jihad of various groups and streams. This might also explain why no direct or personal attacks are made on Abu Basir. Third, there may be an attempt to present the document as an organizational fatwa rather than personal response, which could be controversial in itself. We should also note that unlike the other responses posted on Jihadi web sites and forums, this one was posted as a document ready for uploading in pdf format by a new member. The secrecy of the process may suggest that it was written by a well-known Jihadi scholar, who would not like to directly confront Abu Basir, and/or is afraid of the reaction of the British authorities.

One of the significant elements to note here is the Iraqi connection of the document and the justification of the attack on British soil. It seems that even after the London bombings the British government refuses to acknowledge in public the link between the war in Iraq and the bombings.

The public dispute over the London bombings raised by Abu Basir al-Tartusi—the same as the controversy over the critical positions of Abu Muhammad al-Maqdesi regarding the killing of Muslims in Iraq—may well mark a possible turning point in the unity created by Al-Qaeda between different currents of global Jihad. We may



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soon witness additional controversies as a result of the intensive escalation of terrorist Jihadi activity both in Iraq and in Europe.

In an article dated April 1988, Abdallah Azzam, the spiritual father of global Jihad and Al-Qaeda, first presented the principles of “The Solid Base” (*Al-Qa'idah al-Sulbah*), writing:

Holding of arms by the believing group before having undergone this long educating training (*Tarbiyyah*) is forbidden, because those carrying arms could turn into bandits that might threaten people's security and do not let them live in peace.

Al-Maqdesi, Abu Basir, Abu Qutadah, and other colleagues, who lead the doctrinal ‘umbrella’ of global Jihad, are following in Azzam's steps. Operatives such as Abu Mus'ab al-Zarqawi, however, give the tone and their actions lead to extreme escalation of tactics. The younger generations of supporters for global Jihad, both in the Arab world and among Muslim communities in the West, are attracted by the appeal of Zarqawi. In recent months, the admiration for him and the glorification of his image in Islamist forums, threaten to surpass that of Osama bin Laden. There are great expectations of Zarqawi to reach a “new world record” for the highest number of martyrdom operations in Iraq. Apparently, four such operations per day are not enough.

A key question is whether we are going to witness a crisis in the relations between the older generation of Jihadi-Salafi clerics and scholars and their operative protégés. Zarqawi and his colleagues in Chechnya, Afghanistan, Saudi Arabia, or Kashmir, will always find new and younger clerics to back their strategy from an Islamic point of view. Finding the ‘proper’ authority among the hundreds of graduates of Saudi Wahhabi Islamic universities should not prove too difficult. Such a split occurred for example between the two Saudi scholars, Safar al-Hawali and Salman al-Awdah, and their younger followers in the past three years in Saudi Arabia. In this case Hawali and al-Awdah lost their appeal and influence over the Saudi supporters of Al-Qaeda, were pushed aside, and became part of *Ulamaa al-Salatin*—the clerics of the government. They could not be divorced from the negative image Arab governments have in the eyes of the Jihadis.

These developments should encourage the West to try and counter the Jihadi-Salafi doctrines and public support for them by exploiting the possible ideological splits. Such an effort, however, requires a new class of **independent** scholars, who are not part of corrupted Arab dictatorships.