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## CHAPTER V AL-ZAWAHIRI: KNIGHTS UNDER THE PROPHET'S BANNER

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Ayman Muhammad Rabaie al-Zawahiri, born in Egypt in 1951, is the second in command and chief ideologue of Al-Qaeda.<sup>973</sup> With firm

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<sup>973</sup> Zawahiri joined the MB at the age of fourteen and would later become one of the chief organizers and recruiters of the Egyptian Islamic jihad (EIJ), a radical offshoot of the MB. The EIJ was a terrorist organization, which like the MB, was heavily influenced by the writings of Al-Banna, Sayyed Qutb and the Salafi creed. Its main goal was the overthrow of the Egyptian government and the establishment of an Islamic state. Following the assassination of Anwar Sadat in October, 1981 by a cell of EIJ, Zawahiri and hundreds of other members of EIJ were arrested, tortured and subsequently imprisoned. Released in 1984, Zawahiri travelled to Saudi-Arabia, Pakistan and Sudan. In Pakistan, he met the founders of the Maktab al-khadamat (MAK), an organization which funnelled money, arms and fighters from the Arab world to Afghanistan in order to wage a jihad against the soviets. The founders were Abdullah Azzam, a member of the Palestinian branch of the MB who was already acquainted with Zawahiri, and Osama bin Laden. During his stay in Pakistan, Zawahiri endeavoured to re-establish the EIJ and subsequently found refuge in Sudan where he could once again set up a base of operations. It was during this period in 1991 that Zawahiri assumed leadership of the EIJ. During this stay in Sudan, the Egyptian government was able to get their hands on a list of the majority of the members of the EIJ, which resulted in a major crackdown on the organization in Egypt, during which more than 800 members of the organization were arrested. In a reaction to this crackdown, the EIJ in Sudan attempted a number of unsuccessful attempts at destabilizing the Egyptian government, most notably on the leader of the crackdown, Egyptian Interior Minister, Hasan al-Alfi and Prime Minister Aref Sidqi in 1993. In 1995 the EIJ together with another Egyptian radical Islamists group, al-Gama'a al-Islamiyya, and the Sudanese government plotted to assassinate Egyptian president Hosni Mubarak. This attempt also failed and resulted yet again in a crackdown by the Egyptian authorities against radical Islamists groups. To complicate matters even more, the Sudanese government, under pressure from the international community, forced the EIJ and bin Laden to leave Sudan. Finally, in 2001, the EIJ merged with bin Laden's Al-Qaeda, its official name being jamaa'at Qa'idat al-Jihad. See: Ayman al-Zawahiri, "Knights under the

roots in the ideology of Sayyed Qutb, Al-Banna's MB and the theology of Ibn Taymiyyah, Zawahiri's organization, the Egyptian Islamic jihad (EIJ) attempted to replace the Egyptian secular government with an Islamic state based on the Shari'ah. Having failed to elude the repeated Egyptian crackdowns on the EIJ, Zawahiri and others made way for a place which could provide fertile and safe grounds for the incubation of a worldwide vanguard movement of professional revolutionaries. The place was Afghanistan and this Vanguard came to be known as Al-Qaeda.

The reason I have chosen to deal with Zawahiri as the third ideologue of Islamism is as follows. Without Qutb one cannot understand the ideological and theological framework of Al-Qaeda. Whilst Khomeini's example on the one hand shows the widespread acceptance of Qutb's ideas even beyond the Sunni-Shi'a divide and the possibility of its implementation on the level of the state, Zawahiri on the other hand shows how it can be implemented as a worldwide, transnational revolutionary Islamic vanguard movement which operates outside of the boundaries of the state. Khomeini and Zawahiri therefore offer two distinct models of the Qutbian vanguard movement. The pivotal importance of Qutb's work is affirmed by Zawahiri in one of his main works *Knights under the prophet's banner* as follows:

Sayyed Qutb affirmed that the issue of unification in Islam is important and the battle between Islam and its enemies is primarily an ideological one over the issue of unification. It is also a battle over to whom authority and power should belong – to God's course and Shari'ah, to man-made laws and material principles, or to those who claim to be intermediaries between the creator and mankind. [...] This affirmation greatly

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Prophet's Banner," in *His Own Words, a Translation of the Writings of Dr. Ayman Al Zawahiri*, ed. Laura Mansfield (TLG publications, 2006), pp. 19-229, National Commission on Terrorist Attacks upon the United States, *The 9/11 Commission Report: Final Report of the National Commission on Terrorist Attacks Upon the United States* (New York: Norton, 2004). Chapter 2.

helped the Islamic movement to know and define its enemies. It also helped to realize that the internal enemy was not less dangerous than the external enemy was and that the internal enemy was a tool used by the external enemy and a screen behind which it hid to launch its war on Islam. [...] Sayyed Qutb's call for loyalty to God's oneness and to acknowledge god's sole authority and sovereignty was the spark that ignited the Islamic revolution against the enemies of Islam at home and abroad. The bloody chapters of this revolution continue to unfold day after day.<sup>974</sup>

All of the topics we have treated thus far, from the basics of the Islamic political outlook to the formulation of the Islamist political outlook in terms of the adapted version of Voegelin's Gnostic speculation can be found in this statement. In that respect it is fair to say that all the topics I have treated thus far, from the beginning of Islam up to the works of Qutb and Khomeini, were the preparation for the analyses of Al-Qaeda's, and their contemporary offshoot's theoretical and practical modus operandi.

Two of the writings of Zawahiri are exemplary of the theoretical and practical framework of Al-Qaeda. The first is 'Knights under the prophets banner', which I will refer to henceforward as 'Knights'.

### **5.1 Knights under the prophets banner**

Published in 2001, thirty-seven years after Milestones, this manifesto is both an historical account of the evolution, successes and failures of the Qutbian vanguard movements in Egypt as well as a critique on and reformulation of their operational and strategic premises.<sup>975</sup> In terms of the overarching principles which guide the revolutionary Islamic Vanguard movements it is comparable to, but

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<sup>974</sup> Knights under the prophets banner was published in 2001 and has been translated in al-Zawahiri, "Knights under the Prophet's Banner," pp. 19-229. See for the quotes on Qutb: pp. 47-48

<sup>975</sup> See for instance: Ibid., pp. 28-35.

much clearer than, the works of Qutb and Khomeini. The reason for this is simple. Qutb and Khomeini wrote their works as the rallying calls for the creation of revolutionary Islamist Vanguard movements. Since these movements still had to be born in the first place, both Qutb and Khomeini could say little of the actual details and battle plans needed in order to confront the *jahiliyaah* systems in which they would come to operate. Zawahiri, who wrote 'Knights' thirty-seven years after the first publication of Milestones, thus had the luxury of looking back on the earliest days of these movements and drawing lessons from their successes and failures. Whilst Zawahiri credits Qutb with providing the 'spark that ignited the Islamic revolution' he also has a fair deal of criticism on the early vanguard movements that were formed after the publication of Milestones.

### **5.1.1. The successes of the Qutbist Vanguard movements**

Zawahiri credits the Qutbist Vanguard movements with a number of groundbreaking and pivotal achievements. In his summary of the events from 1966 until 2000, Zawahiri names the following points as the movement's greatest achievements.

Firstly; spreading the message of 'Islam' through da'wa and Jihad, and rallying the population against what he perceives as the powers of jahiliyaah and the taghut regime in Egypt. Zawahiri here refers to the successful proliferation of numerous da'wa organizations that focused on preaching 'true' Islam, and which, following Qutb's blueprint in Milestones, rallied people to their cause through charitable organizations, the erection of parallel social, economic and political organizations, and which caused the weakening of the regime through infiltration into the governmental and army forces.<sup>976</sup>

Secondly; these young vanguard movements have shown the Islamic masses that opposition and resistance were indeed possible. In so

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<sup>976</sup> "There is no doubt that the struggling Islamic movements has gained much ground during that period, particularly amongst the youths, and that it continues to grow and spread." Ibid., p. 111.

doing they instilled hope and courage into a young generation and rallied Muslims everywhere to the cause of revitalizing Islam and re-Islamizing society. In fact this praise could equally be applied to Khomeini's successful revolution of 1979, but I suspect Zawahiri utterly ignores this fact due to the fact that Khomeini Shiism is considered *kufir* in Wahhabi-Salafi Islam whose teachings are underscored by Zawahiri.

Thirdly, through their charitable work the vanguard movements have offered safe refuge and support for "tens of thousands of detainees and wounded and tortured people, and thousands of dead in this continuing struggle".<sup>977</sup> This proves both that the vanguard movements 'roots are strong and deeply established in the ground' and that it maintains to pose the 'main threat to the governmental security forces'.<sup>978</sup>

Fourthly, the destabilization of Egypt and the ensuing threat of an Islamic caliphate in Egypt caused the Western powers to invest in the repression of the vanguard movements by colluding openly with the taghut regime, thus showing their existential animosity against Islam and removing the veil of hypocrisy. The fear of such a caliphate thus instills fear in the heart of 'the empire of the United States and the world's Jewish government' and rallies the Muslim ummah around Egypt as this epic battlefield.<sup>979</sup> It should be noted that in the same way as the vanguard movement aims to create artificial loneliness, as I have shown in the previous chapters, it also need to create a battlefield which is both symbolic and useful as a tool for propaganda. The more eye-catching it is, the more successful a tool it can become for the mobilization of the vanguard movements. The events of 9/11 in that respect were above all a display of force and an instrument for propaganda. The animosity Zawahiri refers to between the realm of Islam and the 'empire of the united States and the world's Jewish

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<sup>977</sup> Ibid., p. 112.

<sup>978</sup> Ibid., pp. 112-113.

<sup>979</sup> Ibid., p. 113.

government', is primarily an invention dictated by the totalitarian logic of the movement. It does not exist in reality but rather is constructed on the basic fact that Islam, as the radical Ideologues see it, cannot co-exist with any other system. The animosity therefore is not constituted by actions of these powers but by the existence of Islam itself, it is an existential animosity. In order to mobilize the passions of the masses, this animosity needs a battlefield. The actions of 9/11 and the actions inside Egypt were designed to validate this myth of the existential enemy by provoking a response which could be no other than repression and persecution. Repression and persecution give flesh and bones the mythical creature the ideology predicts and thus validates the logic of the ideology.

Fifthly, the vanguard movements through their struggles have clarified and raised attention to the main elements of their ideology. Since their ideology is based upon the examples of the prophet and his companions, Islam in its unsullied state has been revitalized and is now spreading amongst the masses uncompromised by either the imams of defeat or their US and Jewish backers.<sup>980</sup>

There are however also severe faults in the legacy of the vanguard movements; faults which would eventually lead to the separation from the MB and lead to the creation of Al-Qaeda and a host of transnational violent jihadist movements.

### **5.1.2 The failures of the Qutbist Vanguard movements**

The first fault Zawahiri mentions is the lack of logistical, strategic and operational planning. He blames this deficit on the 'haphazardness and rashness' of the actions and a failure to professionalize the violent jihadist actions.<sup>981</sup>

Secondly, whilst the doctrines of the movement are clear and their message is being spread throughout society, it mainly addresses the

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<sup>980</sup> Ibid., p. 115.

<sup>981</sup> Ibid.

elites. Although Zawahiri does not say so explicitly, it stands to reason that addressing the elites also means that one addresses those who are guilty, either actively or passively, of lending support to the taghut regime. The masses on the other hand, as with all totalitarian or popular movements, are considered a tabula rasa, a massive reservoir of potential followers that is waiting to be mobilized. Zawahiri thus comes to the conclusion that one of the main failures is the mobilization of the masses through propaganda specifically designed and aimed at them. One also needs to recall Khomeini who in Velayat addressed the elites of his time, the fuqaha. Whereas this might have worked in a society in which the fuqaha had the historical and conceptual groundwork laid out for them in the form of the doctrine of the imamate, and a hierarchical infrastructure which allowed them to grasp the reins of power, Sunni society did not have these preconditions and thus relied in greater amount on the masses. Qutb's anarchic reference to the masses remained largely vague and lacked a clearly defined approach. Zawahiri here identifies this deficiency as one of the main drawbacks of these vanguard movements.

Thirdly, confronted with the violent repercussions and persecution, some of the vanguards leaders opted to offer a ceasefire to the government; a cease fire which was largely rejected. This ceasefire had two effects on Zawahiri. First is strengthened his belief that there could be no appeasement. Secondly it caused the masses to be doubtful about the resolve and possibility of success of the vanguard movements. Henceforth, any move towards appeasement should therefore be abandoned.<sup>982</sup>

The most damning points of criticism however, which run through the entire manifesto of Knights, is that the MB from its earliest days made two fundamental errors. It is from this observation that the aspiration for global violent jihad sprang forth. Firstly, whilst the MB

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<sup>982</sup> Ibid., p. 116.



shared many of the goals Zawahiri subscribes to, the MB made an error by focusing mainly on the external enemy in the form of colonial powers and Israel. Secondly, it sought to appease or gain influence over the state through cooperation in order to fight against the external enemy and in order to avoid persecution. The error in this type of thinking, Zawahiri says, is that the external enemy and the internal enemy are basically one and the same and one cannot appease them, one can only fight them.<sup>983</sup> When the MB swore allegiance to Hosni Mubarak in 1987, it thus enabled itself to continue its charitable work and low scale da'wa activities, but it essentially committed suicide 'ideologically and politically'.<sup>984</sup> Zawahiri admits that the only reason the MB survived in the first place is due to the MB's abandonment of outright violence against the state but herein also lies his main point of criticism. Reflecting on the success of state repression and the abandoning of violent jihad by many Qutbist vanguard groups, which Olivier Roy called 'the failure of political Islam'; Zawahiri is forced to reevaluate the basis of the Qutbist vanguard modus operandi.<sup>985</sup>

One of the main causes of the disorder in the world, according to Zawahiri, is the neglecting of the basic ideas that govern jihad. Jihad is not something which one can engage in only when it is possible, but something which one should engage in at all times, in every place, regardless of the conditions. It is not a battle restricted to some time or place, not restricted to only a few mujahedeen, but a global

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<sup>983</sup> Ibid., pp. 46, 53. In addition, evidence of this perceived unity of the internal and external enemy is provided in numerous theories which betray a high level of paranoia and classical national-socialist styled anti-Semitic conspiratory thinking on the one hand, and the actual experience of ruthless persecution on the other. It is however fair to say that the Egyptian state did in fact persecute the MB and its affiliates tremendously throughout the course of their existence although not on the basis of the absolute dichotomy between the forces of Islam on the one hand, and Christianity and world Jewry on the other as Zawahiri states

<sup>984</sup> Ibid., pp. 162-163.

<sup>985</sup> Roy, *The Failure of Political Islam*.

perpetual battle for the defence of Islam which is incumbent upon all Muslims in the world until 'all religion is for Allah'.

It is a battle of ideologies, a struggle for survival, and a war with no truce.<sup>986</sup>

More clearly than either Qutb or Khomeini have done, Zawahiri states that Islam *is* jihad. Abandoning jihad in the face of oppression, especially armed jihad, is a sign of cowardice and defeatism and relinquishes all chances of transforming society.<sup>987</sup> When faced with persecution and the ineffectiveness of da'wa, the only recourse left is to engage in violent jihad. The choice made by the MB, to postpone violent jihad and to retreat into seclusion and appeasing the regime is therefore the opposite of what should have been done. Even worse, by doing so the MB sends out the signal that the forces of jahiliyaah and taghut cannot be defeated, thus instilling despair into the hearts of Muslims everywhere.<sup>988</sup> The MB confronted the persecutions that befell them by seeking to appease the powers that be and this act, according to Zawahiri, is an abandonment of jihad and nearly amounts to treachery towards Islam. Whilst Zawahiri acknowledges the subdivision in the different types of jihad, he states that since the MB has not succeeded in changing society through da'wa, as Qutb suggested as a priority over violent jihad, violent jihad has become the *only* viable alternative. If the MB then chooses to abandon jihad in the hopes of one day finding the opportunity and means to attempt to change society through da'wa again, then, Zawahiri claims, the MB is thoroughly misguided about the chances of that ever happening. The nature of the enemies won't allow it and the nature of Islam and jihad demand action, not retreat. For Zawahiri it has thus become

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<sup>986</sup> al-Zawahiri, "Knights under the Prophet's Banner," p. 111.

<sup>987</sup> "The MB has reneged on its history of struggle and what this history contains in terms of the blood of the martyrs [...] the MB has also reneged on its principles and creed. The MB is drifting away from its history, creating a new generation who only care about worldly things now and in the future." Ibid., p. 163.

<sup>988</sup> Ibid., p. 109.

clear that the bottom-up approach advocated by Qutb and Khomeini did not work in the Arab arena. Outgunned by the forces of the Ba'athist and pan-Arabic nationalist movements, the Islamic vanguards on the whole had to retreat into secrecy. Zawahiri's Knight's seeks to counter this abandonment of jihad by providing a detailed program which offers logistical and strategically guidelines for a new generation of mujahedeen. Zawahiri's political ideology thus adopted a top-down approach, believing that the rebirth of the Islamic state should be organized from above in a bolshevist like overthrow of the government and an Islamization of society from above

### **5.1.3 The vanguard on the brink of extinction, rethinking the strategy**

The weakness of the MB led to a rift in the spectrum of Qutbist vanguard groups. One side chose to follow the path of the MB, that is da'wa in so far as possible and cooperation with the regime if needed. The other side chose to follow the path of violent jihad and aimed at the overthrow of government. This last group rallied under the banner of the Egyptian Islamic Jihad, *tanzim al-jihad*, which was formed in 1980. In 1981 the EIJ successfully assassinated the Egyptian president Anwar Sadat but failed to achieve the aspired overthrow of government. Instead, the assassination provoked increased repression and numerous successful crackdowns on the EIJ by the Egyptian government. As a result the EIJ was largely in tatters and forced to seek refuge abroad. During the 1980's period the EIJ found refuge in Pakistan where it was headed for a time by the Egyptian Sayyed Imam Al-Sharif. Sayyed Imam or 'Dr. Fadl' as he is also known, was born in 1950 and is considered one of the oldest allies of Zawahiri, one of the chief ideologues of EIJ and later AL-Qaeda. He has written some of the handbooks which detail the operational aspects and the legal-theological justification of jihadist violence such as "*The Essential Guide for Preparation*" and "*The Compendium of the Pursuit*

of *Divine Knowledge*".<sup>989</sup> The EIJ continued on its path of trying to force change through a top down approach by its attempted assassinations of Egyptian government officials throughout the 1980's and early 90's. These attempts included most notably a cooperation with another Islamist offshoot of the MB, *Al-Gama'a al-Islamiyya*, and the Sudanese secret intelligence service on the life of Hosni Mubarak in 1995. This in turn prompted even more severe persecutions and by the end of the 1990's the number of EIJ members, both in Egypt and abroad had almost dwindled to the point of extinction.<sup>990</sup> Rescue for the movement appeared in the form of Osama bin Laden, a wealthy financier and supporter of the Mujahedeen operations in Afghanistan. In 2001 EIJ joined forces with bin Laden's organization and thus formed the Al-Qaeda we know today.

Disillusioned by the failure of the previously adopted top-down approach, Zawahiri would come to abandon his policy of

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<sup>989</sup> The works of Sayyed Imam, as many other Islamists writings, have not been published by any reputable publishing house. Rather, they appear on numerous Islamists media outlets such as al-Qaeda's [www.ansar1.info](http://www.ansar1.info) or [www.as-ansar.com](http://www.as-ansar.com). The translations used here are derived from these outlets and compared to translations published on [www.jihadica.com](http://www.jihadica.com), a think tank run by research analysts from the Norwegian Defence Research Establishment (FFI), West Point's Counter-terrorism Center (CTC) and Johns Hopkins University, amongst others. Sayyed Imam's *compendium of the pursuit of divine knowledge* can be seen as the forerunner of Zawahiri's 'Exoneration' to which I will return shortly. It is a 1000 page book dealing with the legal-theological aspects of jihad from the viewpoint of Shari'ah law, the Quran, Sunna and consensus of the classical jurist. Zawahiri, however, deleted some passages which gave criticism to the jihadist movements of the day, thus sparking a separation between Zawahiri and Imam, E. Staub, *Overcoming Evil: Genocide, Violent Conflict, and Terrorism* (Oxford: Oxford University Press, 2010), p. 161. During the 90's and especially the first decade of the 21<sup>st</sup> century Sayyed Imam recanted much of his earlier doctrines and chose to embrace a more moderate position. This put him on a collision course with his former pupil Zawahiri. *Vide infra*.

<sup>990</sup> Lawrence Wright. "The Looming Tower Al-Queda and the Road to 9/11." (Place Published: Random House, 2006.

overthrowing the Egyptian government and instead aim at mobilization of the Muslim masses at large. This meant that the Qutbist agenda of Islamizing society from the bottom up would focus not only on Egypt, or the Arab world, but also on the world entire. Operating from within the relatively safe haven of Afghanistan, Al-Qaeda was not to be *the* instrument of revolution but rather would seek to function as the spiritual, ideological and in part, operational headquarters of a much larger global Islamic Palingenetic movement aimed at awakening the Muslim masses and carrying out jihad on a global scale. The conditions of the Islamic world, according to Zawahiri, overlap to a great degree with those of the masses in pre-communist Russia, China, Cambodia and pre-Nazi Germany. The masses face material poverty, have no political representation, suffer greatly from a lack of civil and political freedom and are in a search for order and destiny now that their traditional ways are increasingly confronted with modernity.<sup>991</sup> The base in Afghanistan would offer a safe refuge for Muslims from around to world where they could receive training of every kind needed to perform jihad in any place of the world. Thus from a nearly extinct offshoot of the MB, Zawahiri managed to reform and restructure EIJ into the global revolutionary Islamic vanguard movement.

This brings us to the second book which belongs to my analysis of Zawahiri's political and ideological thought. Unlike *Knights*, which is largely an historical overview and a repetition of arguments made

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<sup>991</sup> Numerous reports by human rights organizations, the UN, and the rise of Islamic revivalist movements across the Islamic world tend to agree with this observation. See for instance: United Nations, "Freedom and Good Governance " in *Arab Human Development Report* (United Nations, 2004), — — —, "Building a Knowledge Society " in *Arab Human Development Report* (United Nations, 2003), — — —, "Creating Opportunities for Future Generations " in *Arab Human Development Report* (United Nations, 2002). Although it should be mentioned that Zawahiri's answer to this malaise is not civil and political liberties as is commonly understood though the relevant charters on human rights, but is all seen through the lens of Shari'ah.

before him by Qutb, Khomeini or Mauwdudi, amongst others, the next book is indicative of one of the most important issues confronting policy and lawmakers today. The actual rules and procedures of jihad and the challenges they pose to liberal rule of law democracies whose constitutional freedoms allow for Qutbist da'wa groups to propagate their message and serve as a springboard for violent jihadist groups.

## 5.2 The transition towards 'The Exoneration'

In the second book by Zawahiri, *The Exoneration*, Zawahiri responds to a critical document written by his former ally, mentor and repudiated 'grandfather of jihadism', the aforementioned Sayyed Imam Al-Sharif. Sayyed Imam, like many of the members of the MB and its offshoots had come to renounce violence as a result of either force by the government, disillusion with the failure of violent jihad or for genuine theological motives.<sup>992</sup> In the document, *Rationalizing Jihad in Egypt and the World*, Sayyed Imam attacks Al-Qaeda for what he sees as the illegitimate and un-Islamic use of violence against prohibited or innocent targets and calls for an end to the operations of the organization he used to inspire.<sup>993</sup> Zawahiri in his turn replied with a lengthy document that goes the heart of the legal issues

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<sup>992</sup> Egypt's grand Mufti Ali Gomaa was involved in a program to de-radicalize much of the imprisoned members of the EIJ. Staub, *Overcoming Evil: Genocide, Violent Conflict, and Terrorism*. See for a study in de-radicalization programs and their efficiency: O. Ashour, *The De-Radicalization of Jihadists: Transforming Armed Islamist Movements* (New York: Routledge, 2009), A. Rabasa et al., *Deradicalizing Islamist Extremists* (Washington: RAND).

<sup>993</sup> This document is also known as: "The Document of Right Guidance for Jihad Activity in Egypt and the World" and was published in 2007 in the Egyptian newspaper *al-Masri al-Yawm* and the Kuwaiti newspaper *al-Jarida*. No official English translations exist, however, and much of the information contained in it is derived from Zawahiri's exoneration. In a rebuttal to the exoneration, Sayyed Imam heavily criticized Zawahiri's conclusions, but never his translation or depiction of Imam's original document. J. M. Skelly, *Political Islam from Muhammad to Ahmadinejad: Defenders, Detractors, and Definitions* (Santa Barbara: Praeger Security International, 2010), pp. 111-112.

concerning jihad called *'The Exoneration'*.<sup>994</sup> Imam in turn replied with a largely ad hominem document *'the Denudation of the Exoneration'*.<sup>995</sup> The documents by Sayyed Imam and Zawahiri offer an incredibly rich description of the procedures and arguments that underlie the actions of Al-Qaeda. Before we enter into the details of Exoneration I should lay out the core issue which is at stake. Following the book *Knights under the prophets banner* and Zawahiri's pessimistic appraisal of the achievements of the vanguard movements over the last thirty-seven years, the Exoneration can be best seen as a confrontation between those who wish to redesign and revitalize the vanguard movements and those who seek to largely abandon the project until a later, undefined date. In other words, Sayyed Imam, who once was an advocate of the former group of violent jihadists, has now become an advocate of the latter. Alternatively, to use Zawahiri's terminology, Imam has become an imam of defeat. The Exoneration is:

a manifest response to the theoreticians of defeat in our era like some false advocates of the faith and others who declare that fighting in the cause of God until there is no more conflict in the land and all religion is God's alone is in itself a cause of conflict and those who advocate fighting are advocates of conflict. Those theoreticians have gone so far on their misguided path that they contradicted God's precise words with nonsensical arguments coming from their whimsical and defeatist minds. With regrettable arrogance they say: Do not fight or carry out jihad against the enemies of religion in this era to avert sedition and to preserve the gains we have made in our advocacy of the faith and national unity. I swear by God that these groups of people are the most evil in our nation and

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<sup>994</sup> al-Zawahiri, "Exoneration."

<sup>995</sup> Sayyed Imam and (translated by) William McCants, "The Denudation of the Exoneration," (2008).

they pose the biggest threat to its current conditions and future.<sup>996</sup>

### 5.2.1 The core issue of Sayyed Imam's critique of Al-Qaeda

The general point being made by Imam is the following. Since the vanguard movements have all failed and have resulted in the deaths of thousands of its adherents, the project of violent jihad and da'wa against the taghut states should be abandoned. The time is not right for it and the mujahedeen should retreat, wait and restrict themselves to living a personal life of purity without confronting the regime. Imam names six conditions which must be met before any form of jihad can even be considered:

- 1) an abode of emigration and support or a safe base; 2) equivalence in number and equipment; 3) safeguarding women and children; 4) provision of support; 5) a group with which one can side; and 6) distinction of ranks.<sup>997</sup>

Zawahiri, as we will see, will confront each of these six point by referring to the roots of fiqh and the classical and medieval sources commentary on those roots, all of these are arguments which carry a great deal of authority in the Islamic world and their content should be known by western policy and law makers.<sup>998</sup>

Imam holds that none of these six points are actually possible and that thus jihad cannot be undertaken. If however one should decide to pursue jihad than he is confronted with six prohibitions which apply to the legal dimensions of jihad:

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<sup>996</sup> al-Zawahiri, "Exoneration," p. 43.

<sup>997</sup> Ibid., p. 6.

<sup>998</sup> "In our actions and words we rely on Shari'ah and religion and the good of the faith alone. Let others judge us by this standard and we will see if we have won or lost. What they regard as a loss, we consider only some pain and hurt according to the text of the Koran".Ibid., p. 63.



"1) Killing protected individuals on the pretext of shielding oneself; 2) sanctioning burglary and the seizure of funds; 3) treachery and breaking of promises; 4) inability to protect children; 5) serving abroad as a client or mercenary; 6) being forced to take political refuge."<sup>999</sup>

Any of these six points, according to Imam, would constitute a breach of the laws of jihad and since they are unavoidable, jihad must cease. Thus the aspiring jihadist is confronted with six options that are left open to him namely:

"a) emigration, b) self-isolation, c) amnesty, d) withdrawal from action, e) patience, and f) concealment of faith."<sup>1000</sup>

This schematic of criteria and options results in Imam's pessimistic conclusion:

"Then there are the lessons of history: "Popular movements, including Islamic ones, have never changed the regime in Egypt throughout history." If you come out of the components, you fall into the prohibited things; and if you emerge unscathed from the prohibited things, the options grab you; and if you escape from the options, the impediments prevent you; and if you get by the impediments, it's into the abyss of despair, and so there is no hope for change. After that, dear reader, it is not just jihad about which you need not speak to me, but about any Islamic or popular activity -- and that's the end of the matter."<sup>1001</sup>

According to Zawahiri this would mean that jihad, both in its violent form and its non violent preparatory trajectory towards violent jihad, would have to cease. At best this can be seen as a model for what one would call 'moderate Islam' , that is, a form of Islam which abandons

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<sup>999</sup> Ibid., p. 207.

<sup>1000</sup> Ibid., p. 6.

<sup>1001</sup> Ibid., p. 186.

every form of jihad and is put into practice only on the personal level or at on the level of peaceful social activities. At worst it can be seen as lying in wait for an appropriate time to arrive in which violent jihad and da'wa can once again be practiced openly. Both views however are dismissed by Zawahiri who concludes that the document *rationalizing jihad in Egypt and the world*:

is not a document of "rationalizing jihad" but a document of restricting and stopping jihad and bringing it to its knees.<sup>1002</sup>

Zawahiri in turn responds to the general pessimism of Imam in a most important way. Whilst to Imam the *possibility* of effecting change in Egypt or the world entire is the criterion for jihadist actions, Zawahiri repeats the arguments made by Qutb, Khomeini, and in part Imam himself, before him, namely, that jihad is not for the sake or wellbeing of mankind: it is for pleasing Allah. The expression *fi sabil Allah*, in the cause of Allah, is the criterion. Repeating the credo of Qutb "Brother, push ahead, for your path is soaked in blood. Do not turn your head right or left but look only up to heaven", Zawahiri underlines the totalitarian nature of the jihadist enterprise.<sup>1003</sup> Man is but a specimen of the species, and the species itself answers to one law only namely the law of motion that is the logical consequence of the law of nature. It does not matter whether or not change is possible in this era, what matters is that one devotes himself and his life entire to the cause of effecting that change. This earthly life is not the centre of existence, it is a test, and the real purpose of being is pleasing Allah, he who has devised this test:

The response to such theorists is the following: The nation's greatest gain of all is the assertion of God's Oneness in its comprehensive sense even if this clashes with the interests of evil rulers and misguided imams. Ma'adh Bin-Jabal narrated

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<sup>1002</sup> Ibid.p. 115 For a more general view on al-Qaeda's views on 'moderate Islam', see: Bin Laden, "Moderate Islam Is a Prostration to the West," pp. 17-63.

<sup>1003</sup> al-Zawahiri, "Knights under the Prophet's Banner," p. 137.

the following Hadith: I heard the messenger of God saying: "The wheel of Islam will turn. Stick to the book, for when the book and the rulers are separated, you should stick to the book. The time will come when your rulers will serve their own interests, not yours. If you disobey them, they will kill you and if you obey them, they will mislead you." His listeners asked: "Oh messenger of God, what shall we do?" True interest lies in seeking God's pleasure no matter what the cost is, for it is all God's will and wisdom. "Be sure that we shall test you with something of fear and hunger, some loss in goods or lives or the fruits of your toil, but give glad tidings to those who patiently persevere" [Koranic verse; Al-Baqarah 2:155] *{sic!}*.<sup>1004</sup>

Thus through an appeal to the classical sources, the Quran and the sunna, and the most well respected of the classical, medieval and modern ulama, Zawahiri tries to show the fault in Sayyed Imams arguments. As such it gives us the opportunity to come to terms with the political, legal and religious vocabulary employed by Al-Qaeda, which is nothing if not rooted in the best of Islamic jurisprudence traditions. Even more important, by going back to the roots of fiqh, Zawahiri attempts to show that Al-Qaeda is *not* abusing Islam for political aims, is *not* a collection of mad radical extremist, but is in fact unlike those who utter such accusations thoroughly Islamic.<sup>1005</sup>

Styled as a question and answer document, the 'Exoneration' goes into each of the point made against Al-Qaeda and thus offers a rare glimpse inside the modus operandi and legal underpinnings of Al-Qaeda. Unlike the works we have discussed so far by Qutb, Khomeini and Zawahiri, the Exoneration thus explains all the practical details of the jihad to which the three prior works referred. Its importance for law and policymakers is therefore hard to overestimate.

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<sup>1004</sup> ———, "Exoneration," pp. 43-44.

<sup>1005</sup> "The 'jihadist' acts that occurred in America have good and bad sides but the important thing is whether they were according to Shari'ah." *Ibid.*, p. 63.

I will show how even in a document which is as dense and thick with legal arguments as this one, Zawahiri displays the same line of reasoning as all the works we have discussed so far. That is, the logicity of ideological thinking which takes the laws of Quran, the sunna and the Shari'ah as its premise and deduces from it all the steps needed to implement the formula for self and world salvation, Jihad. With that observation we have actually arrived at the real definition of *Islamism*. What makes Zawahiri radical in this respect is not his *abuse* of Islam or his use of violence, but his unflinching uncompromising adherence to the laws of the Shari'ah, as he interprets them.