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SUMMARY

A summary of

  Secular Totalitarian and Islamist Legal Political Philosophy

My PHD thesis covers two distinct territories: totalitarianism research and an analysis of the Islamist phenomenon.

The first part is an investigation into the origins and nature of totalitarianism. It focuses on Nazism and Stalinism in particular and analyzes the origins of these types of legal-political philosophy through the history of Western political thought. It then examines the theory and practice of both Nazism and Stalinism and correlates them with the different totalitarianism theories of Hannah Arendt, Eric Voegelin and Claude Lefort. What results is a definition and understanding of totalitarianism that can be used to ascertain whether or not Islamism is a novel form of totalitarianism.

The second part of this study focuses on Islamist theory and movements. This part begins with an analysis of the basic legal-political philosophy of Islam in general. It describes the centrality of Islamic law (shari'ah) in Islamic thinking and explains the relationship between Islam's canonical sources, the different modes of theological-legal thinking and ends with a description of the different legal evolution of the concept of jihad. Since Islamists are above all to be understood as jurists, not philosophers or ideologists, the centrality of Shari'ah law and jurisprudence (fiqh) in the Islamist discourse cannot be overstated. Hence a thorough analysis of the classical Shari'ah *ius ad bellum* and *ius in bello* is presented.

This is followed by a very in depth analysis of three major Islamist ideologues: Sayyid Qutb, Ayatollah Khomeini and Ayman al-Zawahiri. These three represent three different aspects of the Islamist's spectrum:

The bottom up approach of Sayyid Qutb, which is the hallmark of the Muslim Brotherhood and its affiliates;
The top down approach of Ayatollah Khomeini, the founder of the Islamic republic of Iran;
The transnational decentralized revolutionary Vanguard model of al-Qaeda as propagated by al-Zawahiri.

Not only does this method show the consistency of the Islamist-jihadist ideology across the Sunni-Shi'a divide, it also shows that this ideology can, and is being translated into practice in variant disguises ranging from the non-violent bottom-up approach of Qutbian da'wa organizations, the top-down approach of Islamists movement in control of state power (Iran), to the extraordinarily violent decentralized transnational franchise model of al-Qaeda.

This study finds that the Islamists' concept of Jihad, and its particular laws of war are closely connected to those held by scholars of the Islamic orthodoxy. Naming Islamism an abuse of Islam for non-Islamic goals is therefore simply not true. Moreover, in their pursuit of purifying the world entire of anything the Islamists deem un-Islamic, they give an extraordinary amount of attention to making sure they do not transgress the boundaries of either the Shari'ah or the consensus of the most well respected ulama. Acquiring

legitimacy on the basis of orthodox Islamic is for the Islamists of cardinal importance.

Whether or not their interpretation of orthodoxy is therefore of the upmost importance to Islamist movements. This research cannot answer whether their interpretation is correct. It is, however, important to show the opposing view. One of the most outspoken critics of the Islamist enterprise is the man who originally trained al-Qaeda's main ideologue, Ayman al – Zawahiri and who inspired untold numbers of jihadists: Sayyed Imam. Now a reformed jihadist, Sayyed Imam attacks al-Zawahiri's doctrines as being un-Islamic. In an in-depth, extremely complex legal discussion between al-Zawahiri and Imam it becomes clear that al-Zawahiri is bent on legitimizing the actions of al-Qaeda on the most authoritative sources of Shari'ah and fiqh and in particular on those sources where a consensus does exist among the learned and esteemed scholars of orthodoxy. Through this approach, a comprehensive corpus of Islamist *ius ad bellum* and *ius in bello* can be constructed that underlines both the similarities and differences between orthodoxy and Islamism.

In the end, the thesis concludes that we ought to treat Islamism as a novel form of totalitarianism. The study ends with a number of policy advices aimed at both Islamic and non-Islamic societies and with a number of research recommendations that build upon the analyses and conclusions of this study.