When does their jihad become my jihad?

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WEAKENED by worldwide counter-terrorism operations, Al-Qaeda has moved into a new area: Franchising its idea of jihad via the Internet and the release of video and audio statements, such as one by Ayman Al-Zawahiri or Sunday.

Widespread franchising of jihadi ideology is worrying as it creates potential freelance terror- rors — people who may not be members of Al-Qaeda, but are drawn into terrorism nevertheless because they share the common grievances as propagated by Al-Qaeda.

The threat from freelance terrorists was demonstrated by the London bombings of July 2005. If Al-Qaeda succeeds in its franchise business, it will complicate counter-terrorism efforts as the threat becomes more diffused and difficult to detect.

One of the many concepts used by Al-Qaeda to franchise its ideology is the idea of firdu- suh ayn (personal obligation): Armed jihad is incumbent upon every Muslim. This is in stark contrast to the opinion of the large majority of Muslim scholars who assert that armed jihad is originally firdu suh kifayah — an obligation that is incumbent on only a small segment of Mus- lims, on behalf of the larger community.

According to Al-Qaeda, the classical Muslim scholars ruled that if non-Muslims move even an inch of Muslim land, it becomes incumbent on Muslims living in the invaded land to liberate it through armed jihad. If they have no capacity to repel the enemy on their own, the responsibility is transferred to the nearest Muslim community and so on.

In today's context, Al-Qaeda argues, much Muslim land remains occupied by non-Mus- lims, such as Palestine, Iraq, Afghanistan, Chechnya, Kashmir and Mindanao. Since the peo- ple of these lands are not able to repel the enemy by themselves, Muslims all over the world are to render their hands and participate in jihad against the occupying forces.

Also, since jihad is firdu suh ayn like daily prayer and fast- ing, one need not wait for Mus- lim rulers to perform the obliga- tion if he can perform it on his own.

This view is, however, in sharp contrast to classical Mus- lim thinking, which holds that the decision on whether or not a particular person has sufficient capac- ity to carry out a jihad on their own — and to what extent that obligation is transferred to other Muslims — is a matter of judgment or ijtihad.

In these situations, differences of opinion often occur. Mus- lim scholars will tend to agree on the basic principle but differ on its implementation for a specific context.

When the result of ijtihad differs, each party has followed a standard ijtihad meth- odology, one cannot claim his opinion is absolutely right and dismiss others as wrong or mis- leading.

Assuming that the ruling of armed jihad as firdu suh ayn is ac- cepted, there is another impor- tant aspect to be considered be- fore armed jihad can be waged. This is the need to prioritise re- sponsibilities. Armed jihad is not the only firdu suh ayn bur- dened on the shoulders of Mus- lims at any point in time.

Prioritising is essential in Is- lam. Islamic practices are regu- lated by a dynamic system of prioritisation, and are a key consideration in many schools of Islamic jurisprudence. For example: When making a ruling, Muslim jurists are re- quired to prioritise a confirmed benefit above a doubtful one. They are also allowed to sus- tain a lesser harm to avoid a big- ger one.

Determining the type of jih- ad is again a matter of judg- ment (ijtihad) or which there will be differences of opinion.

MATTER OF JUDGMENT: Even if Muslims agree the Palestinian struggle against Israeli occupation is a legitimate armed jihad, this does not mean every Muslim should adopt it as his own jihad.

A PRACTICAL RELIGION

Prioritising is essential in Islam. Islamic practices are regulated by a dynamic system of prioritisation, and are a key consideration in many schools of Islamic jurisprudence.

For example, while Al-Qae- da claims that the protection of a Muslim's life requires Mus- lims to avenge the deaths of thousands of Muslims in vari- ous lands, they make no men- tion of the many thousands of other Muslims who die through poverty and poor living condi- tions.

The key question in this de- bate is: Is prioritising armed jihad above other firdu suh ayn an absolute rule on all Muslims in all parts of the world without giving due consideration to each Muslim community's con- text? Is armed jihad as a means of liberating Muslims' lands an absolute or the only option to all Muslims, with no regard to their context or circumstances vis-a-vis other Islamic obliga- tions?

It is argued here that the an- swer is no. Islam requires its fol- lowers to give due considera- tion to context in practising the religion. This means Islam takes into account the reality of the time, environment, individ- ual and other factors in deter- mining rules.

Hence, the ruling for a cer- tain matter may be different due to differences in reality. This applies whether the rule is a general policy for society, or specific to an individual or a particular group.

A good Muslim is not only one who is able to uphold the fundamentals of the religion, but also able to contextualise the teachings when the need arises.

One who studies the opinion of Muslim scholars will find that they changed their rulings with reference to the place, time, and person affected by a ruling.

Practising Islam within one's own capacity and context is impor- tant because failure to ad- morph to or accept such a principle will have negative effects, such as inflexibility towards a changing situation.

Impractical and unrealistic viewpoints or viewpoints that cause a person or community to waste valuable resources. It will also cause difficulty for Muslims in their practice of Is- lam. The very essence of Islam is that of a practical religion — see The Quran, 2:178, 3:85.

In conclusion, even if Mus- lims agree, as an example, that the Palestinian's struggle against Israeli occupation is a le- gitimate jihad and armed jihad in Palestine falls into the catego- ry of firdu suh ayn, this does not mean that every Muslim should adopt that as his own jihad.

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