

When does their jihad become my jihad?

By MUHAMMAD HANIFF HASSAN
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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 on Sunday.

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

The threat from freelance terrorists was demonstrated by the London bombings of July 2005. If Al-Qaeda succeeds in its franchise programme, 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 *fardhu ain* (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 *fardhu kifayah* – an obligation that is incumbent on only a small segment of Muslims, on behalf of the larger community.

According to Al-Qaeda, the classical Muslim scholars ruled that if non-Muslims seize 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-Muslims, such as Palestine, Iraq, Afghanistan, Chechnya, Kashmir and Mindanao. Since the people 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 *fardhu ain* like daily prayer and fasting, one need not wait for Muslim rulers to perform the obligation if he can perform it on his own.

This view is, however, in sharp contrast to classical Muslim thinking, which holds that the decision on whether a particular people have sufficient capacity 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-

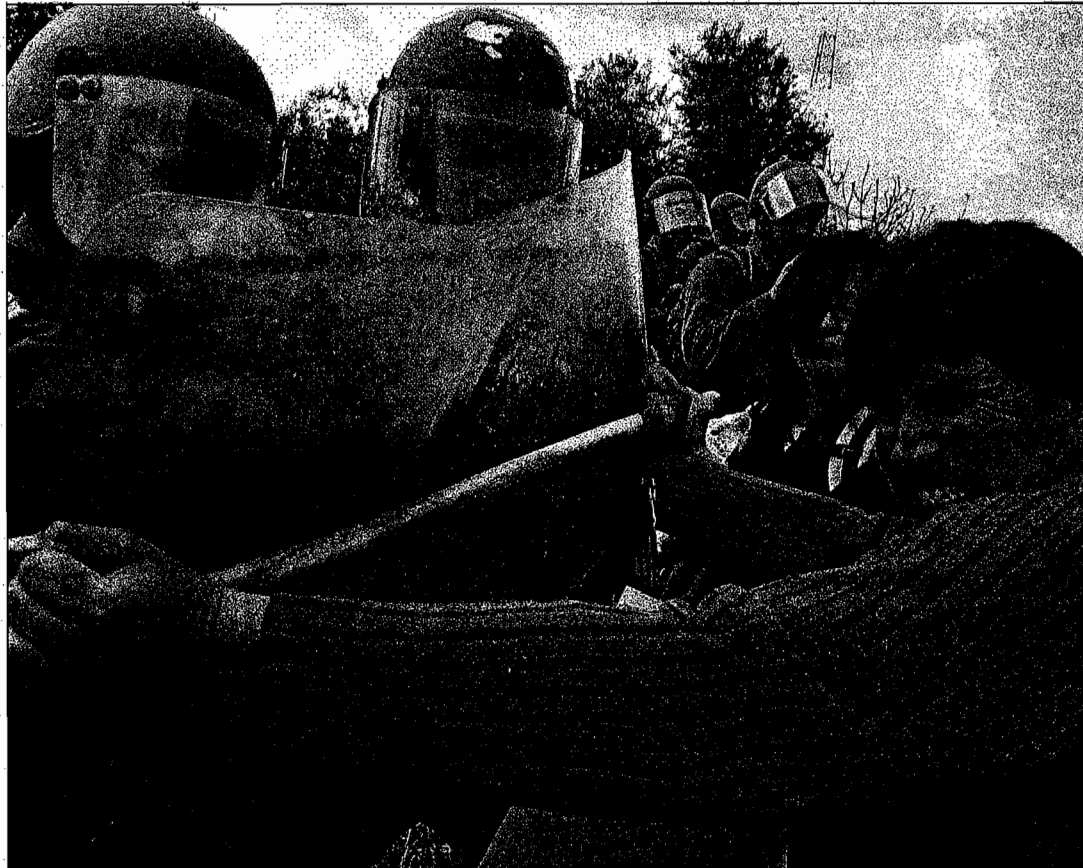


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MATTER OF JUDGMENT: Even if Muslims agree the Palestinian struggle against Israeli occupation is a legitimate armed jihad, this does not mean every Muslim should adopt it as his own jihad.

A PRACTICAL RELIGION

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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, after each party has followed a standard *ijtihad* methodology, one cannot claim his opinion is absolutely right and dismiss others as wrong or misleading.

Assuming that the ruling of armed jihad as *fardhu ain* is accepted, there is another important aspect to be considered before armed jihad can be waged. This is the need to prioritise responsibilities. Armed jihad is not the only *fardhu ain* burdened on the shoulders of Muslims at any point in time.

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For example: When making a ruling, Muslim jurists are required to prioritise a confirmed benefit above a doubtful one. They are also allowed to sustain a lesser harm to avoid a bigger one.

Determining the type of jihad is again a matter of judgment (*ijtihad*) in which there will be differences of opinion.

For example, while Al-Qaeda claims that the protection of a Muslim's life requires Muslims to avenge the deaths of thousands of Muslims in various lands, they make no mention of the many thousands of other Muslims who die through poverty and poor living conditions.

The key questions in this debate are: Is prioritising armed jihad above other *fardhu ain* an absolute rule on all Muslims in all parts of the world without giving due consideration to each Muslim community's context? 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-à-vis other Islamic obligations?

It is argued here that the answer is no. Islam requires its followers to give due consideration to context in practising the religion. This means Islam takes into account the reality of the time, environment, individual and other factors in determining rules.

Hence, the ruling for a certain 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 important because failure to adhere to or accept such a principle will have negative effects, such as inflexibility towards a changing situation.

Impractical and unrealistic expectations or viewpoints cause a person or community to waste valuable resources. It will also cause difficulty for Muslims in their practice of Islam. The very essence of Islam is that of a practical religion – see The Quran, 22: 78, 185.

In conclusion, even if Muslims agree, as an example, that the Palestinians' struggle against Israeli occupation is a legitimate jihad and armed jihad in Palestine falls into the category of *fardhu ain*, this does not mean that every Muslim should adopt that as his own jihad.

Muhammad Haniff Hassan is a research analyst at the S. Rajaratnam Institute of International Studies, Nanyang Technological University. He is the author of *Unlicensed To Kill: Countering Imam Samudra's Justification For Bali Bombing* (2006).