

# The Modern Salafi Warrior: Inviting and Striving towards a Nostalgic Future

A Monograph

by

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## Abstract

The Modern Salafi Warrior: Inviting and Striving towards a Nostalgic Future, by LT Brandon T. Euhus, 109 pages.

This paper addresses the modern Salafist warrior with an emphasis on identifying and understanding the wellspring of ideological inspiration informing subsequent actions. This project is concerned with lens construction enabling further analysis and charts the development of Islamic jurisprudence from its inception on the pre-Islamic Arabian Peninsula through the establishment of Sunni Islam's four orthodox legal schools. From there it places shari'ah reasoning in context and extracts an Islamic just war theory. The lens is further refined and focused through a discussion of key battles in the Qur'an. The suitability of the lens is tested against three well-known and authoritative Salafist publications. The purpose is to provide an analytical tool enabling further study. Additional Salafist sources are offered for supplementary analytical iterations using, or adjusting, the constructed lens.

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## Note on Transliteration

This monograph allows for various transliterations of several important Arabic words and was necessary to preserve the accuracy of direct quotes. For example, Mecca is also Mekka; Medina is also Medinah and Madina; the Prophet Muhammad's tribe is Koraish, Quraish, and Quraysh. Additionally, an English translation follows key Islamic terms with each use. The glossary includes expanded definitions and a list of different spellings where applicable.

## Illustrations

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# Introduction

## Background

The September 11, 2001 terror strikes targeting the World Trade Center and Pentagon, constituted a watershed moment in American foreign policy and spurred significant cross-discipline interest in Islam, transnational terrorism, and possible relationships between the two. In the weeks, months, and years that followed, Western scholars vigorously debated the ideological roots of Islamic extremism in general, and the modern Salafist warrior in particular.

Initial arguments asserted that Islam was hijacked and the actions of extremists are divorced from pure Islam.<sup>1</sup> Other arguments postulated that frustration among young, impoverished, and generally uneducated Muslim males was the cause. Scholars reasoned that if the West could generate economic opportunities Islamic radicalism would lose its appeal.<sup>2</sup> In subsequent years, this argument lost explanatory power owing to substantiated reports from intelligence organizations, news agencies, and think tanks affirming that many extremists came from middle-upper class families and were well educated, many in Western nations. In other words, there was no precise Islamist terrorist type, making it difficult to pinpoint a particular gender, region, and economic status or education level.<sup>3</sup>

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<sup>1</sup> Stephen Sloan, *Terrorism: The Present Threat in Context* (New York: Berg, 2006), 97. Prominent American Muslim Sheikh Hamza Yusuf first used the hijack metaphor during several media interviews in the weeks following 9/11. Academics and political pundits continue to employ this characterization.

<sup>2</sup> Marc Sageman, *Leaderless Jihad: Terror Networks in the Twenty-First Century* (Philadelphia: University of Pennsylvania Press, 2008), 48; Mark Juergensmeyer, "Religion As a Cause of Terrorism," in *The Roots of Terrorism*, ed. Louise Richardson (New York: Routledge, 2006), 138.

<sup>3</sup> This is juxtaposed with groups like the Ku Klux Klan in America, the Irish Republican Army in Ireland, Germany's Baader-Meinhof Gang, and Japan's Aum Shinrikyo. Arguably, members of these groups shared several demographic commonalities, thus limiting their ability to develop robust networks

The scholastic aperture continued to expand once it became evident that Salafi inspired violence was not merely an aberration but a serious threat requiring the concentrated interest of policy makers and academia. Presently, the security environment continues to grow in complexity because of ongoing north-south migration characterized by Muslims fleeing north to Europe while thousands have rejected their European identities and émigré to the Islamic State and other battlefields around the globe. Zachary Shore, a historian of international conflict, argued that Muslims in Western Europe and America are susceptible to radicalization for several reasons including ambivalence towards their national identities and “a growing discomfort with mainstream European and American cultural values.”<sup>4</sup> In short, the West continues to witness the ceaseless evolution of the modern Salafist jihad organization and the ways in which they wage war, disseminate their message, and attract new recruits.

Consequently, since 2001 the United States has pursued an aggressive global counter terror strategy. However, despite tremendous tactical impacts it has failed to eradicate a single Salafi jihad organization.<sup>5</sup> In fact, Islamist-based transnational threats continue to spread like a cancer across the Middle East, Africa, and demonstrate the willingness and capacity to strike the United States and Western Europe.<sup>6</sup> This acute threat continues to adapt to efforts seeking to

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like al-Qaeda and the Muslim Brotherhood. Additionally, while some of these groups may have espoused global ambitions, they were confined largely to a limited base (both geographically and ideologically) from which they sprung. This enabled traditional law enforcement measures to isolate the threat and prosecute members who violated the law. This diverges from transnational terrorist organizations, which evoke an ideology transcending nationalistic fervor and regional end states.

<sup>4</sup> Zachary Shore, *Breeding Bin Ladens: America, Islam, and the Future of Europe* (Baltimore: Johns Hopkins University Press, 2006), 165.

<sup>5</sup> See Keith Patrick Dear, “Beheading the Hydra? Does Killing Terrorist or Insurgent Leaders Work?” *Defense Studies* 13, no. 3 (2013): 293-337.

<sup>6</sup> Director, Joint Staff, Joint Publication (JP) 3-26, *Counterterrorism* (Washington, DC: Government Printing Office, October 24, 2014), GL-3, iii. The term “transnational threat” represents the latest evolution regarding efforts to classify and categorize Islamist violence. A transnational threat is

isolate and destroy it. At the time of this writing, the US-led coalition initiated a multi-pronged operation to clear and hold Mosul, Iraq and Raqqa, Syria; both which are Islamic State in Iraq and Syria strongholds. The ground operation appears to be advancing slowly but steadily forcing Islamic State in Iraq and Syria members to take drastic measures to delay their eventual ejection. However valiant, it is unlikely to destroy Islamic State in Iraq and Syria's ideology or curtail Salafi violence.

Arguably, Western liberal democracies, and the United States in particular, discount the wellspring of ideological inspiration sustaining the Salafist vision, specifically its violent variant. Ideology maintains a prominent role within Islamic extremism; however, the sources of the ideology, its legitimation, and context remain hotly debatable. For example, Salafism, a term the media often equates with jihad and violence, is actually an explicit reference to the "pious forefathers who represented the first three generations of Muslims" and includes the "period of the four rightly guided caliphs (632-661)."<sup>7</sup> Accordingly, Salafists seek to live lives centered on strict Islamic legal codes codified during the first generation of Islam and further explained by religious scholars over the next millennium. The rejection of reformist thought based on

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defined as, "Any activity, or group not tied to a particular country or region that operates across international boundaries and threatens United States national security or interests." Other classifications include terrorist, Islamic fundamentalist/radical/extremist, al-Qaeda affiliates and adherents, Foreign Terrorist Organization, and Violent Extremist Organization. Likewise, the recently revised JP 3-26 includes an updated counterterrorism definition that "removes countering root causes and desired regional end states." Arguably, JP 3-26 emphasizes an intellectual pivot away from a focus on the Islamist threat and instead directs counterterrorism efforts towards purely tactical activities and operations; Faisal J. Abbas, "Is It Called 'Terrorism' or 'Violent Extremism'?" *The Huffington Post*, June 3, 2015, updated June 2, 2016, accessed January 27, 2016, [http://www.huffingtonpost.com/faisal-abbas/is-it-called-terrorism-or\\_b\\_7499384.html](http://www.huffingtonpost.com/faisal-abbas/is-it-called-terrorism-or_b_7499384.html).

<sup>7</sup> Robert G. Rabil, *Salafism in Lebanon: From Apoliticism to Transnational Jihadism* (Washington, DC: Georgetown University Press, 2014), 2; Steven Zhou, "Salafi Does Not Equal 'Terrorist': Stop Assuming All Conservative Muslims are Violent Extremists," *Salon*, December 21, 2015, accessed January 27, 2017, [http://www.salon.com/2015/12/21/salafi\\_does\\_not\\_equal\\_terrorist\\_stop\\_assuming\\_all\\_conservative\\_muslims\\_are\\_violent\\_extremists/](http://www.salon.com/2015/12/21/salafi_does_not_equal_terrorist_stop_assuming_all_conservative_muslims_are_violent_extremists/).

independent judgment is rejected in favor of imitation.<sup>8</sup> These concepts are unpacked in later sections, but foundationally, Salafist thought directs living according to shari'ah as espoused in the Qur'an and Sunnah and skillfully illuminated by legitimate religious scholars.

Understanding the correlation between the modern Salafist warrior and the canon of Islamic jurisprudence undergirding it is necessary for two reasons. First, by placing Salafism within the broader discussion of shari'ah reasoning and its religious application it is possible to identify how these concepts inform present-day Salafi warrior strategies and tactics. Second, ignoring the history and doctrine of Salafism innately perpetuates analytical blind spots, further constraining meaningful discussion.

Counter-arguments aimed at addressing Salafi jihad contend that these organizations have distorted Islamic teachings.<sup>9</sup> The crux of these arguments point out that only a minuscule number of approximately 1.6 billion Muslims worldwide are responsible for acts of violence, and more importantly, these groups have exploited Islamic history and the Qur'an to enhance their legitimacy amongst the global Muslim community. Arguably, this perspective represents a logical straw man and is analogous to arguing that the actions of the US military, globally present, yet accounting for less than 1 percent of the American population is somehow disconnected from the government or broader American public. Bin Laden's "Letter to America," indicates clearly that

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<sup>8</sup> John Kelsay, *Arguing the Just War in Islam* (Cambridge: Harvard University Press, 2007), 73-74.

<sup>9</sup> John L. Esposito, *The Islamic Threat: Myth or Reality 3<sup>rd</sup> Ed.* (New York: Oxford University Press, 1999), 3; Khaled Abou el Fadl *The Place of Tolerance in Islam* (Boston: Beacon Press, 2002), 3; AhulBayt (a.s.) News Agency, "Amin al-Hakem: Shiites, Sunnis United Against Saudi Invasion," December 19, 2016, accessed December 22, 2016, <http://en.abna24.com/service/ahb/archive/2016/12/19/799245/story.html>.

he correlated the general population with the actions of its democratically elected government and all volunteer military.<sup>10</sup>

Another convincing counter-argument is that, because Arabic constitutes Islam's *lingua franca*, Arabic-English translations of Islamic materials are undoubtedly fraught with mistakes and inadequate for serious scholarship. While it is always preferable to interact with materials in the source language, the number of Muslims worldwide who do not speak or read Arabic has necessitated their adoption of English to communicate Islam's message.<sup>11</sup> The pervasiveness of peaceful Muslims who do not read Arabic indicates that translations are adequate to communicate the message of Islam.

This paper asks, why is Islamic extremism a global phenomenon and what elements within the Qur'an, Sunnah, Islamic law, and history inform modern Salafist ideology and actions? The central thesis argues that the ideology and actions of the modern Salafist warrior predicated upon a deep understanding of early Islamic history at the time of the Prophet and the subsequent

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<sup>10</sup> Osama bin Laden, "Letter to America," November 24, 2002, in Robert O. Marlin IV, *What Does Al-Qaeda Want?* (Berkeley: North Atlantic Books, 2004), 56-73; David M. Witty, "Attack Al-Qaeda's Operational Centers of Gravity," *Joint Force Quarterly*, no. 48 (1st Quarter 2008), 99-103; James Reilly, "A Strategic Level Center of Gravity Analysis on the Global War on Terrorism," Strategy Research Project, US Army War College, Carlisle Barracks, PA, 2002); also note Stathis N. Kalyvas, *The Logic of Violence in Civil War* (New York: Cambridge University Press, 2006). Kalyvas argues that there is a correlation between violence and control. He identified five zones of control and noted that violence occurs the most in zones where two groups compete for control of the population. This argument has parallels to the current discussion on Salafist terrorism and the role of moderate Muslims in Western nations. For example, if a government cedes to extremist pressure through the adoption of shari'ah courts, no-go zones, or other concessions, how will this impact moderate Muslims? Arguably, it will grant extremists greater control over Muslim populations who will have less recourse to resist outspoken, organized, and violent Salafists seeking to control their lives. This will result in a positive feedback loop of concessions to Salafists and further marginalization of moderates whom will be ostracized by the government for their connection with Salafists and tormented by Salafists whom are unhappy with their restrained support. In this sense, both Salafist warriors and Western governments are locked in a protracted struggle for the support of moderate Muslims. See Shore.

<sup>11</sup> Ahmar Mahboob, "English as an Islamic Language: A Case Study of Pakistani English," *World Englishes*, 28, no. 2 (2009): 175-189.

development of shari'ah reasoning derived from the Qur'an, Sunnah, and *fatwas* (legal opinion). These characteristics inform an ideological perspective directed towards the overthrow of *taghut* (rebellious to Islam, idolatrous) governments and the establishment of conditions favorable for the emergence of a *khalifa* with the pedigree and capacity to rule according to shari'ah. This end state comes by framing the struggle as a protracted defensive war against *kufirs* (unbeliever, infidel). This description directs the ways and means employed to reach the end state. Various groups may disagree on the most effective, and shari'ah compliant ways and means, however, there exists broad concurrence on the ends.<sup>12</sup> The purpose of this paper is to provide a tool for unlocking the ideological orientation of the modern Salafist warrior.

This paper focuses on triangulating the roots and connective tissue linking Salafist organizations to their actions and overarching strategic objectives. Accomplishing this requires understanding how these groups are organized and the connections between what they say and what they do. This will illuminate the joints that unite and divide Salafists and the ideas that make them coalesce. Additionally, this process will clarify the points at which these organizations are reflecting first generation Islamic teachings and where it is adapted and distorted for their utility. This discrepancy will further refine an understanding of the modern Salafist warrior.

Triangulating Salafism's doctrine, inspiration, strategy/tactics is fraught with opportunities for oversight and oversimplification. Additionally, it can be difficult to place these groups in context, inadvertently leaping over important nuances. Accomplishing this task requires understanding the key events and documents that resonate with Salafists. Likewise, this essay categorizes these mechanisms chronologically and thematically. This will elucidate the various

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<sup>12</sup> William McCants, *ISIS the Apocalypse: The History, Strategy, and Doomsday Vision of the Islamic State* (New York: Picador, 2015), 9; Anwar al-Awalaki, "Sermon on Tolerance," YouTube, September 10, 2012, accessed January 20, 2016, <https://www.youtube.com/watch?v=2t-2QnEr3NA>. "Unity of mission rather than unity of mind was what was needed;" Anwar al-Awalaki's sermon on Tolerance. In this case tolerance of other Muslims not non-believers.

Islamic legal codes and culturally relevant symbolism undergirding Salafist ideology. First, this research presents an overview of Salafism followed by a discussion of pre-Islamic law on the Arabian Peninsula and an overview of the life and times of the Prophet. Next, is a sketch of Sunni Islam's four orthodox legal schools and a subsequent development of shari'ah reasoning. From this, it is possible to identify an Islamic just war theory and examine how war is understood in Islamic history and discussed in the Qur'an. Finally, this lens is applied to three well-known and authoritative Salafist publications in order to demonstrate the utility of the lens as an analytical tool. Additionally, Appendix E includes a list other Salafist publications to encourage additional analysis employing this lens.

### Salafism's Three Schools of Thought and Matters of Convergence and Divergence

The Prophet said, "The people of my century (generation) are the best, then those who follow them, and then those whom follow the latter. After that there will come some people whose witness will go ahead of their oaths, and their oaths will go ahead of their witness.

—Muhammad al-Bukhari, *Sahih al-Bukhari*

The purpose of this section is to identify and explore Salafism's three schools of thought and the points of convergence and divergence that exist among them. There are a plethora of excellent scholars arguing that contemporary political upheaval created the modern Salafist warrior. However, a preoccupation with contemporary political factors risks devolving into monocausal arguments that can distract from other, equally powerful, motivators.<sup>13</sup> Historically,

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<sup>13</sup> Esposito; Louise Richardson, ed., *The Roots of Terrorism*, (New York: Routledge, 2006); William L. Cleveland, *A History of the Modern Middle East*, 3rd ed. (Boulder: Westview Press, 2004), 127. Arguably, this perspective is analogous to looking up at the sky, seeing an airplane explode in midair and attributing the explosion to the plane transiting that particular airspace. Without knowing the specifics of the device's initiator (timer, altitude, etc.), it is clear that a bomb existed onboard at least since before that

Islamic history is punctuated with the emergence of fundamental groups rejecting attempts to reform in response to outside pressures and instead promote a return to pure Islam as established by the Prophet.<sup>14</sup> With this in mind, this section focuses on the Salafist religious creed and the concept of *tawhid* (oneness of God) as critical components of the Salafist ideology informing subsequent actions.

Modern Salafism emerged in the nineteenth century and constitutes an orthodox interpretation of Islam advocating a return to pure Islam as practiced by Muhammad and his Companions up through the first Four Rightly Guided Caliphs. Salafism is a derivative of the term *al-salaf al-salih* (pious predecessors). There are three perspectives within Salafism. Each school shares the Salafi *aqida* (religious creed) but diverge concerning the ways and means permissible to achieve their aims. The three schools are *al-salafiyah al-ilmiyah* (the Quietists or Purists), the political activists, Harakis, (i.e. *jama'ah al-ikhwan al-muslimin* or Muslim Brotherhood), and the violent strain preoccupied with the utility and compulsory nature of jihad. While this paper focuses on the latter group, it is necessary to understand the points of intersection amongst the three approaches.<sup>15</sup>

Salafists share several commonalities, of which the *aqida* is foundational.<sup>16</sup> The Trinitarian creed is based on mutually supporting concepts reinforcing the severity of Islam's uncompromising monotheistic stance articulated as *tawhid* (the oneness of God). First, "God is

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last takeoff. At the risk of stretching the analogy too far, the question becomes, how did a bomb get there in the first place?

<sup>14</sup> Efraim Karsh, *Islamic Imperialism: A History* (New Haven, CT: Yale University Press, 2007).

<sup>15</sup> Rabil, 2.

<sup>16</sup> Quintan Wiktorowicz, "Anatomy of the Salafi Movement," *Studies in Conflict & Terrorism* 29, no. 3 (2006): 208.

the sole creator and sovereign of the universe;”<sup>17</sup> second, “God is supreme and entirely unique;” and third, “God alone has the right to be worshiped.”<sup>18</sup> The phrase *saubhanahu wa ta’ala* (glory to him, the exalted) is often shortened to SWT and used throughout Islamic texts to emphasize this belief.<sup>19</sup>

The centrality of *tawhid* cannot be overstated. The International Islamic Federation of Student Organization book entitled *Tawhid* declared, “Without tawhid there can be no Islam.”<sup>20</sup> Thus, “Tawhid is that which gives Islamic civilization its identity, which binds all its constituents together and thus makes of them an integral, organic body which we call civilization.”<sup>21</sup> This concept forms the intellectual foundation informing interactions with other religious groups such as Christians, Jews, and polytheists, of which the polytheists are the greatest offenders. Consequently, within Islam, anything that attempts to add or detract from *tawhid*, or associate any partner with the oneness of Allah, is considered *shirk* (association, idolatry) and is *haram* (forbidden). A rejection of *tawhid* constitutes the only unforgivable sin. *shirk*, which incorporates praying to other religious figures, includes the Christian trinity and a host of other activities. Islam’s intractable emphasis on *tawhid* is nonnegotiable, thus making its protection and propagation vital.

The singular importance of *tawhid* is accentuated when understood that the Qur’an constitutes the very word of Allah. Unlike the Christian Bible, which contains verses attributed to

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<sup>17</sup> Ibid., 208-209.

<sup>18</sup> Wiktorowicz, 208-209; Isma’il Raji al-Faruqi, *Tawhid: Its Relevance for Thought and Life* (Malaysia: Polygraphic Press, 1981), 19.

<sup>19</sup> Ibid., 11.

<sup>20</sup> Ibid., 20.

<sup>21</sup> Ibid., 18.

God, every word of the Qur'an belongs to Allah. Consequently, *tawhid* is a worldview.<sup>22</sup> "That tawhid is the highest and most important commandment of God is evidenced by the fact of God's promise to forgive all sins but the violation of tawhid."<sup>23</sup> Therefore, "Whoever says *La ilaha illa Allah* and rejects all other things that are worshipped besides Allah, his wealth and his blood are inviolable and his account rests with Allah."<sup>24</sup> Because of this, the Qur'an and Sunnah provide the blueprint for proper worship according to Islamic law.<sup>25</sup> For Muslims, this is evidence that there is a right and wrong way to worship, and for Salafists, any act outside of pure Islam is at best a sin and at worst a slide into apostasy.

For Salafists, the mixing of worldviews, or syncretism, constitutes a *bid'a* (innovation).<sup>26</sup> Western culture provides the greatest threat precisely because it allows for, and often rewards, innovation or progression (i.e. technology, business, and cultural values). Likewise, Western liberal societies, relying on ways of thinking developed during the Enlightenment, seek to solve problems through the application of logic and reason. For Salafists however, the "most dangerous challenge to pure Islam . . . is the application of human intellect and logic."<sup>27</sup> A Western understanding and application of logic are unnecessary because Salafists rely on a literal interpretation of the Qur'an, Sunnah and *fiqh* (legal ruling) provided by qualified *ulema* (religious scholars).<sup>28</sup> Additionally, Salafists view the Western concept of the nation-state and

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<sup>22</sup> Ibid., 10.

<sup>23</sup> al-Faruqi, 10.

<sup>24</sup> Sheikh-ul-Islam Muhammad bin Abdul-Wahhab, *Kitab At-Tauhid* (New York: Dar-us-Salam Publications, 1996), 41.

<sup>25</sup> Wiktorowicz, 209.

<sup>26</sup> Ibid., 210.

<sup>27</sup> Ibid., 210.

<sup>28</sup> Ibid., 210.

corresponding nationalism as fallacious manmade institutions and a deviation from the original, universal, and Allah instituted *deen* (religion).

However, the sheer complexity of modern society can make a reliance on literal interpretation ambiguous for situations not explicit within the Qur'an or Sunnah. In this case, the *ulema* (religious scholars) must carefully study the topic and issue a ruling. A great fear amongst Muslims in general and Salafists in particular is falling into *irja* (the separation of belief and action). According to the Islamic State in Iraq and Syria *irja* constitutes the “most dangerous” form of *bid'a* (innovation) because it convinces Muslims to abandon pure Islam in favor of selecting only those practices or obligations most desirable.<sup>29</sup> This is the main charge leveled against moderate Muslims who choose not to wear the *hijab*, or who drink alcohol. Likewise, this charge is leveled against those Christians and Jews who believe that they are saved by faith disconnected from works.

The Salafist Purists or Quietists “emphasize a focus on nonviolent methods of propagation, purification, and education.”<sup>30</sup> They seek to isolate themselves from any system that deviates from their Salafist perspective.<sup>31</sup> “Focusing on the correct Islamic upbringing and education of Muslim youth, this school opposes all forms of political organization and action and enjoins obedience to Muslim rulers.”<sup>32</sup> Quietists characterize politics as a human invention and not in accordance with *tawhid*. Accordingly, “Quietist Salafis believe that Muslims should direct

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<sup>29</sup> Ansar al-Khalifa, “Irja’ – The Most Dangerous Bid’ah (and its Effect on the Jihad in Sham),” Ansar al-Khalifa Media, accessed December 26, 2016, <https://ansarukhilafah.wordpress.com/2015/04/01/irja-the-most-dangerous-bidah-and-its-effect-on-the-jihad-in-sham/>.

<sup>30</sup> Wiktorowicz, 208.

<sup>31</sup> Ibid., 219.

<sup>32</sup> Rabil, 3.

their energies toward perfecting their personal life, including prayer, ritual, and hygiene.”<sup>33</sup> Thus, Purists refuse to participate in politics or interact with non-Muslims. The belief is that a return to pure Islam will occur through Allah’s will, *da’wa* (invitation) and education.

Political, or Harakis Salafists, reject the Quietist perspective and emphasize the necessity of political participation as a means to achieve their goals. “Their provenance is traced to the ideological fusion of the Muslim Brotherhood’s political culture and consciousness with Wahhabism’s creed of *tawhid* in Saudi Arabia.”<sup>34</sup> Politics is seen as the ideal vehicle to influence the population, obtain key political offices, and establish laws conforming to shari’ah. Hassan al-Banna, the founder of the Muslim Brotherhood, felt “political power is one, if not the fundamental aspect of Islam, for the revealed law requires a state to enforce it.”<sup>35</sup> As such, “without the power to legislate, the voice of the reformer would be as a ‘scream in the wilderness’.”<sup>36</sup> Harakis Salafists reject Quietist political passivism and accuse them of a futile preoccupation with esoteric religious rules at the expense of seizing power and providing practical assistance to the Ummah (global Muslim community). As such, “the politicians argued that they have a better understanding of contemporary issues and are therefore better situated to apply the Salafi creed to the modern context.”<sup>37</sup> For politicians, government rulers and laws divorced from Islamic law represents the greatest threat. Without active Salafi participation,

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<sup>33</sup> Graeme Wood, “What ISIS Really Wants,” *The Atlantic*, March 2015, accessed December 26, 2016, <http://www.theatlantic.com/magazine/archive/2015/03/what-isis-really-wants/384980/>.

<sup>34</sup> Rabil, 3.

<sup>35</sup> Richard P. Mitchell, *The Society of the Muslim Brothers* (London: Oxford University Press, 1969), 308.

<sup>36</sup> *Ibid.*

<sup>37</sup> Wiktorowicz, 221.

“rulers could destroy *tawhid* and Islam.”<sup>38</sup> For Harakis Salafis, Muslims are obligated to strain and strive towards the establishment of a shari’ah compliant government.

The third school of thought is Salafi jihad, which believes that they, like the *sahaba* (Prophet’s Companions), are willing to fight in the cause of Allah. Likewise, reflecting back to Islam’s earliest expansion on the Arabian Peninsula, they demonstrate their faith and piety through a willingness to shoulder the heaviest burdens in order to expand the *dar al-islam* (house of peace) and support the Ummah. This branch believes that the Quietists lack the resolve to fulfill their Islamic duty while the Harakis attempt to replace physical jihad with political striving.

Quintan Wiktorowicz, an expert on the processes of radicalization and a former member of the National Security Council, argued that the Salafi jihad school of thought “emerged during the war in Afghanistan against the Soviet Union.”<sup>39</sup> However, Middle East scholar Majid Khadduri argued that the obligation of jihad came about in 621, where the second oath taken at ‘Aqaba “marked the passing in the way of preaching Islam from persuasion to propagation by *jihad*.”<sup>40</sup> For Salafi Jihadis, violence is conceived in Clausewitzian terms as “an act of force to compel the enemy to do our will,” and “that war is not merely an act of policy but a true political

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<sup>38</sup> Wiktorowicz, 222.

<sup>39</sup> Ibid., 225. This is an oft-cited argument and one that gained special prominence in the aftermath of 9/11. While not wholly incorrect, this perspective unwittingly sacrifices intellectual rigor and constrains the broader discussion. Likewise, it fits a Western (especially American) cultural narrative that is quick to self-blame. See also Christopher M. Blanchard, *The Islamic Traditions of Wahhabism and Salafiyya*, Congressional Research Service Report for Congress (Washington, DC: Library of Congress, date, updated January 24, 2008), accessed February 11, 2017, <https://fas.org/sgp/crs/misc/RS21695.pdf>; Ben Norton, “We Created Islamic Extremism: Those Blaming Islam for ISIS Would Have Supported Osama bin Laden in the ‘80s,” *Salon*, November 17, 2015, accessed January 28, 2017, [http://www.salon.com/2015/11/17/we\\_created\\_islamic\\_extremism\\_those\\_blaming\\_islam\\_for\\_isis\\_would\\_have\\_supported\\_osama\\_bin\\_laden\\_in\\_the\\_80s/](http://www.salon.com/2015/11/17/we_created_islamic_extremism_those_blaming_islam_for_isis_would_have_supported_osama_bin_laden_in_the_80s/).

<sup>40</sup> Majid Khadduri, *War and Peace in the Law of Islam*, 5th ed. (Baltimore: The Johns Hopkins Press, 1955), 83.

instrument.”<sup>41</sup> While seeing an obvious benefit to political action, jihadis feel that Muslims are obligated to engage in jihad and it is only through a physical commitment that Islam’s universal mandate can be realized.

In summary, Salafism’s three schools each seek to institute an all-encompassing Islamic system based on the actions and experiences of Muhammad up through the Four Rightly Guided Caliphs. The ways and means to achieve this objective vary according to each school. For Quietists, it requires apolitical and nonviolent *da’wa* (invitation) and education. For Harakis, it necessitates vigorous political activism, and for the Jihadi, it means relying on war to achieve Islam’s mandate. In reality, these three schools are not mutually exclusive and actually demonstrate significant overlap. For example, the Muslim Brotherhood, a Harakis Salafi movement, frequently engaged in violence in support of their political agenda.<sup>42</sup> Similarly, Salafi Jihadis engage in Quietist pursuits through the promulgation of strict religious rules in support of shari’ah compliance. Similarly, a Quietist may “seek to spend their wealth in God’s cause” and provide financial or material assistance to Harakis or Jihadi organizations.<sup>43</sup> It is necessary to grasp the basics of Salafist thought because it permeates their ideology and guides their actions. Additionally, Salafist thought remains wedded to the fundamentals of the Islamic faith, giving them, at times a begrudged, special status as true believers and keepers of the faith.

Salafists, like most mainstream Muslims, believe that every act is an act of worship. As such, actions are either right (*halal*) or wrong (*haram*). This concept is best explained in the Qur’anic treatment of Noah and the flood, which saw the world flooded and the disbelievers

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<sup>41</sup> Carl von Clausewitz, *On War*, trans. Michael Howard and Peter Paret (Princeton, NJ: Princeton University Press, 1989), 75, 87; McCants, 13.

<sup>42</sup> See Appendix E for a list of additional Salafi Harakis sources.

<sup>43</sup> Qur’an 2:261.

killed while righteous Noah and his family were saved. Because of this, Salafists seek to conform every aspect of daily life to what is considered *halal* (right, acceptable). The following section looks at how pre-Islamic customary law on the Arabian Peninsula established precedents that informed the subsequent trajectory of Islamic jurisprudence. The purpose is to understand how Islamic law developed and the ways it sought to systematize the practice of Islam and codify the actions of true believers.

### Pre-Islamic Customary Law on the Arabian Peninsula and its Influence on Islamic Law

Salafists' devotion to pure Islam and their enthusiastic devotion to Islamic jurisprudence make it useful to understand the development and growth of Islamic law. Pre-Islamic customary law on the Arabian Peninsula functioned as the foundation upon which the Prophet Muhammad established an all-encompassing—and universal—Islamic legal architecture. Majid Khadduri argued that “There is ample evidence to show that Islamic law evolved from Arab customary law and that, after the expansion of the Islamic state, Islam absorbed the local custom and practices of the conquered territories no less than other religious systems had done.”<sup>44</sup> The outgrowth of Islamic law from customary law served a pragmatic function. At several points, Muhammad coopted customary law as a means to appeal to disparate tribes and provide a mechanism to unite divergent factions.<sup>45</sup> This was necessary because “the Arabs of Arabia at the time of the Prophet had no certain constitution and nothing like a settled form of government.”<sup>46</sup> However, the most powerful tribes (Arab and Jewish) controlled a principal city on the Arabian Peninsula, Mecca.

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<sup>44</sup> Khadduri, 20.

<sup>45</sup> Abdur Rahim, *The Principles Of Muhammadan Jurisprudence According To The Hanafi, Maliki, Shafi'i And Hanbali Schools* (London: Luzac, 1911), 1.

<sup>46</sup> *Ibid.*, 3.

Leaders of this city wielded considerable economic, political, and religious authority. Trade routes from Syria and beyond converged towards Mecca, making its merchant elite wealthy and dominant politically. The Arab Koraishi tribe, based in Mecca, acted as custodian of the Arabian Peninsula's holiest shrine, the *ka'ba*. The *ka'ba* "was a place not only of public worship but of many social and political ceremonies."<sup>47</sup> Tribes from the surrounding areas received safe passage to come and worship at the *ka'ba*.

At the time of the Prophet, customary law addressed several areas including raiding, murder, marriage, and commerce. The organization of Arab society was around the various trade routes crisscrossing the peninsula creating a "symbiotic" relationship between urban dwellers and nomadic Bedouin.<sup>48</sup> For a Bedouin *ghazw* or *razzia* (raiding party), intercepting vulnerable caravans was a way to obtain otherwise inaccessible supplies. Additionally, "For many Bedouins, the *razzia* was not merely a means of subsistence but rather an exciting social endeavor."<sup>49</sup> During a raid, the *sayyid* (tribal chief) served as the tribe's diplomatic representative and upholder of customary law.<sup>50</sup> Deciding what to do with captured people formed a key consideration. "Enslavement by war is an ancient custom which existed in the ancient East and was practiced in pre-Islamic Arabia."<sup>51</sup> Consequently, "Islamic law, which has its roots in Arab customary law, recognized slavery."<sup>52</sup> A master exercised complete control over his slaves and had considerable

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<sup>47</sup> Rahim, 4.

<sup>48</sup> Richard A. Gabriel, *Muhammad: Islam's First Great General* (Norman: University of Oklahoma Press, 2007), 9.

<sup>49</sup> Karsh, 5.

<sup>50</sup> Khadduri, 21.

<sup>51</sup> *Ibid.*, 130.

<sup>52</sup> *Ibid.*

latitude regarding their treatment and use. Khadduri noted, “If the slave were a woman, the master was permitted to have sexual connection with her as a concubine.”<sup>53</sup> This allowance was incorporated into the Qur’an and explained in *ayah* (verse) 23:4-6, “And who act for the sake of purity and who restrain their sexual passions—except in the presence of their mates or those whom their right hands possess, for such surely are not blamable.”<sup>54</sup> Similarly, verse 47:4 says, “When you meet the disbelievers in battle, strike them in the neck, and once they are defeated, bind any captives firmly—later you can release them by grace or by ransom—until the toils of war have ended.”<sup>55</sup> The Islamic State uses this and similar verses, along with various hadiths (saying of the Prophet and his Companions) to justify and perpetuate sex slaves.<sup>56</sup> The section analyzing Salafi Jihadi publications treats this issue more fully.

In the case of murder, the accused often faced the option to reimburse the offended tribe or provide enough witnesses to absolve the charges. For example, a victim’s family could demand that either the defendant furnish one hundred camels or provide fifty witnesses from his tribe willing to swear innocence. A failure to accomplish either would result in death. For this reason, the quantity of male witness testimony carried significant legal weight.<sup>57</sup> Additionally, in pre-Islamic society, a stronger tribe often demanded greater compensation than customary law authorized. Qur’anic verse 2:178 deals with this issue and clarifies that retribution is required,

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<sup>53</sup> Khadduri, 131.

<sup>54</sup> Qur’an 23:4-6; 33:50, 4:24, 8:69, 24:32, 2:178, 16:75

<sup>55</sup> *Ibid.*, 47:4.

<sup>56</sup> *All Things Considered*, “‘New York Times’: Islamic State Uses Quran to Justify Rape of Yazidi Women,” transcript, Melissa Block with Rukmini Callimachi on NPR, August 13, 2015, accessed December 26, 2016, <http://www.npr.org/2015/08/13/432122595/new-york-times-islamic-state-uses-quran-to-justify-rape-of-yazidi-women>.

<sup>57</sup> Rahim, 5-6.

however, compensation must be equitable. This verse is similar to the Old Testament directive an “eye for an eye, tooth for a tooth.”<sup>58</sup> This arrangement applies principally to disagreements between Muslims. Islamic law argued that it was always lawful to kill “non-Muslims at war with Muslims, apostates from Islam, convicted married adulterers, pigs, and biting dogs.”<sup>59</sup>

Customary law regulating marriage permitted a spectrum of arrangements and included traditional marriage between one man and one woman and temporary marriages of various dimensions.<sup>60</sup> Adbur Rahim, an Islamic law expert noted, “In spite of some strict customs regulating sex relations, the male enjoyed almost free and licentious rights in marriage, such as unrestricted polygamy, *mut’a* (temporary marriage), and divorce.”<sup>61</sup> A woman had no rights and could be married or divorced at the will of the husband. A husband could accuse his wife of unchaste behavior or declare *talaq* or *ila’* (husband swearing that he would have nothing to do with his wife) and the marriage was dissolved.<sup>62</sup> After being divorced, the woman would have to wait a period of *iddat* (three menstrual cycles) before remarrying. This was to ensure she was not pregnant.<sup>63</sup> Qur’anic verse 65:4 sanctions *iddat* directing, “If you are in doubt, the period of waiting will be three months for those women who have ceased menstruating and for those who have not [yet] menstruated.”<sup>64</sup> Moreover, customary law placed no restriction on the number of

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<sup>58</sup> Qur’an 2:178; Exod. 21:24 (NIV).

<sup>59</sup> Ahmad ibn Naqib al-Misri, *Reliance of the Traveller: A Classic Manual of Islamic Sacred Law* trans. Nuh Ha Mim Keller (Beltsville: Amana Publications, 2011), 87 (e12.8).

<sup>60</sup> Rahim, 8.

<sup>61</sup> Khadduri, 21.

<sup>62</sup> Rahim, 8-10.

<sup>63</sup> Ibid., 11.

<sup>64</sup> Qur’an 65:4.

wives a man could have as long as he could financially support them. “Unrestricted polygamy which was sanctioned by usage was universally prevalent.”<sup>65</sup> However, Qur’anic verse 4:3, while authorizing polygamy, restricts the number of wives to three or four.<sup>66</sup> Additionally, Sunni Islam largely forbids *mut’a* (temporary marriage).<sup>67</sup>

Pre-Islamic society on the Arabian Peninsula depended heavily on the importation of goods not available in the desert environ. Customary law regulating goods and land “recognized every one’s right to own property.”<sup>68</sup> This excluded the slave but included women, who owned land and amassed wealth.<sup>69</sup> Customary law regulated a variety of contractual situations including absolute or irrevocable sales, selling money for money, and the sale of un-harvested crops and fetuses in the womb.<sup>70</sup> Qur’anic verse 2:276-283 emphasizes fair business dealings based on clear record keeping and mutual trust. Likewise, the development and growth of shari’ah finance are based on rectifying aspects of usurious financial practices prevalent in pre-Islamic society.<sup>71</sup>

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<sup>65</sup> Rahim, 9.

<sup>66</sup> Qur’an 4:3.

<sup>67</sup> al-Misri, 525, 526, 530, 539, 556-571. Illegal forms of marriage include *mut’a* (temporary marriage) (m6.12). It is lawful for man to take up to four wives (m6.10). The potential disruptive effects of supporting and coalescing multiple wives is discussed as several points throughout this work, specifically “Relations Between A Husband and Wives” (m10.1), and “Taking Turns With Wives” (m10.5). “It is obligatory for a woman to let her husband have sex with her immediately when: (a) he asks her” (m5.1). Additionally, “A husband possesses full right to enjoy his wife’s person” (m5.4). For a description of the various conditions of pre-marital *’idda* (waiting period) refer to “A Woman’s Post marital Waiting Period (*’idda*)” (n9.0-n9.19). It also describes the shari’ah divorce process (n1.0-n8.3). A husband is the initiator (n1.0-n1.1). In addition, it must occur between menstrual cycles and after a period of abstinence (n2.3). Additionally, it is lawful to affect a divorce by simply stating, “I divorce you” (n3.0), or by declaring indirectly that the husband is divorcing his wife (n3.3, n3.5, n4.1).

<sup>68</sup> Rahim, 12.

<sup>69</sup> Ibid.

<sup>70</sup> Ibid., 14.

<sup>71</sup> Qur’an 2:276-283; Zamir Iqbal and Abbas Mirakhor, *An Introduction to Islamic Finance* (Singapore: John Wiley & Sons (Asia), 2011).

In sum, customary law on the Arabian Peninsula, while lacking a unifying constitution, institutionalized a variety of scenarios and permeated nearly every facet of Arab life. Clearly in matters of marriage and divorce, the Arab male possessed considerable power, placing females in a precarious legal situation. However, in the realm of commerce, women could direct their steps provided they had some sort of male or familial protection. The importance of customary law in the realm of murder, marriage, and commerce presented Prophet Muhammad with a delicate balancing act, requiring astute political skill to navigate successfully. Islamic legal jurisprudence grew out of pre-Islamic law and influenced significantly the trajectory of Islamic thought.

The following section will discuss how the Prophet Muhammad grafted Islam onto pre-Islamic cultural, political, and religious systems. The purpose is to gain an appreciation for the establishment and prorogation of Islam at its founding. This will enable a broader understanding of the context within which Salafists seek to practice Islam. In other words, the goal is to answer the question, what does a Salafist return to pure Islam mean, and how does the experience of Muhammad inform this objective?

### Life and Times of the Prophet: The Constitution of Medina and Establishment of the Ummah

Pre-Islamic customary law on the Arabian Peninsula addressed certain aspects of Arab life, but was never intended as a universal system nor was it equated with worship. However, Muhammad's Islamic jurisprudence sought to direct every facet of a person's life and associate every action with worship.<sup>72</sup> "His [Muhammad] dicta in all matters of law and religion were

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<sup>72</sup> Rahim, 16.

inspired and suggested by God, though expressed in his own words, while the Qur’anic texts were God’s, both in language and thought.”<sup>73</sup>

In the year 610, Muhammad ibn Abdallah a member of the Banu Hashem sect of the Quraysh tribe, received his first revelation.<sup>74</sup> In the years immediately preceding his role as Allah’s Messenger, Muhammad had a career as a successful businessman with above-average skills in caravan administration and logistics.<sup>75</sup> Historian Paul Johnson argued, “Like Christianity, Islam was originally a heterodox movement within Judaism which diverged to the point where it became a separate religion, and then rapidly developed its own dynamic and characteristics.”<sup>76</sup> However, the Meccan elite were loath to forsake their pagan gods—one of which was called Allah—and accept Muhammad’s call for total submission to this new revelation.<sup>77</sup>

In 622, after suffering incessant persecution in Mecca and failed attempts to relocate to Ethiopia, Muhammad and his followers conducted *hijra* (emigration) to Yathrib (Medina).<sup>78</sup> Medina—a city under tremendous social unrest—presented an appealing target for Muhammad.<sup>79</sup> The city lacked the capacity to present unified and concentrated resistance. Thus, “At one fell swoop, Muhammad was transformed from a private preacher into a political and military leader

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<sup>73</sup> Rahim, 18.

<sup>74</sup> Karsh, 10.

<sup>75</sup> Gabriel, 56.

<sup>76</sup> Paul Johnson, *A History of the Jews* (New York: Harper Perennial, 1988), 166.

<sup>77</sup> Karsh, 12.

<sup>78</sup> *Ibid.*, 13.

<sup>79</sup> Gabriel, 21.

and head of a rapidly expanding community.”<sup>80</sup> Muhammad’s relocation to Medina was a transformative experience for him and the *muharjihun* (the emigrants) who faithfully left their homes and wealth behind for the sake of Islam. Muhammad’s skill in law and administration came into sharp relief through the establishment of the Islamic calendar—which reset the months and years in relation to the *hijra* (June 622)—and the ratification of the Constitution of Medina, which among other things officially sanctioned one Islamic community called the Ummah.<sup>81</sup> “The document wisely refrained from specifically abolishing existing tribal structures and practices” but it innovatively substituted “religion for blood as the source of social and political organization.”<sup>82</sup> The Covenant at Medina organized the new religious community along Manichean lines demarcating between insiders and outsiders and inculcated a mentality stressing, “if you are not with us you are against us.”<sup>83</sup> Military historian Richard Gabriel noted, “The model for the new community was not the clan per se, but the clan as it operated when engaged in a blood feud.”<sup>84</sup> Muhammad’s earliest followers, forsaking their tribal positions, recognized this distinction and joined the newly minted Ummah in Medina.

Throughout his time in Medina, Muhammad continued to exploit opportunities to strengthen and expand his local power base. “The bulk of the legal rules that later became known as shari’ah was revealed after the Prophet’s migration from Makkah to Madinah, where a new

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<sup>80</sup> Karsh, 13.

<sup>81</sup> Karsh, 13.

<sup>82</sup> Ibid.; Brainy Quote, “Arnold J. Toynbee Quotes,” accessed December 29, 2016, <https://www.brainyquote.com/quotes/quotes/a/arnoldjto201061.html>. According to historian Arnold Toynbee the creation of the *Ummah* is one of Islam’s supreme achievements.

<sup>83</sup> Gabriel, 71.

<sup>84</sup> Ibid., 27.

Muslim community and government came into being.”<sup>85</sup> Wealth was injected into the Ummah through the successful execution of raids against caravans transiting to Mecca from Syria.<sup>86</sup> However, the *hijra* did not solve all of Muhammad’s problems. For example, attempts to persuade local Jewish tribes to embrace Islam were met with contempt, prompting Muhammad to expel the weakest of the tribes and confiscate their property.<sup>87</sup> Additionally, “The direction of prayer was changed from Jerusalem to Mecca,” while the Meccan *ka’ba* was re-designated as Islam’s holiest shrine.<sup>88</sup> Qur’anic verse 2:142 confronts this discrepancy saying, “The foolish people will say, ‘What has turned them away from the prayer direction they used to face?’ Say, ‘East and West belong to God. He guides whoever He will to the right way’.”<sup>89</sup> Additionally, Qur’anic revelations received during this period promoted “the virtues of *jihad* against idolaters, infidels, and *munaḥiqun* (hypocrites).”<sup>90</sup>

The Qur’an was revealed to Muhammad over a period of twenty-three years, thirteen years in Mecca and ten in Medina.<sup>91</sup> Originally, the Qur’an was memorized and individual *surahs* transcribed onto various types of material. Caliph Abu Bakr, in the years immediately following the Prophet’s death, compiled the Qur’an, which until that time did not exist in a single volume.<sup>92</sup>

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<sup>85</sup> Mohammad Hashim Kamali, *Shari’ah Law* (Oxford, England: Oneworld, 2008), 3.

<sup>86</sup> Karsh, 14.

<sup>87</sup> Ibid.

<sup>88</sup> Ibid., 15.

<sup>89</sup> Qur’an 2:142.

<sup>90</sup> Karsh, 20.

<sup>91</sup> Qur’an I-26-27.

<sup>92</sup> Rahim, 19.

“This was done to safeguard the Qur’an against incessant attempts to change verses and their meanings.”<sup>93</sup> However, efforts to compile the extensive collection of the Prophet’s sayings were not undertaken for several decades. The Qur’an is not organized chronologically—according to the order each Revelation was received—but structured according to *surah* length, from longest to shortest. This means that *surahs* revealed in Mecca and Medina are intermingled.

Additionally, the Qur’an introduces the concept of abrogation and supersession.<sup>94</sup>

Abrogation is an important concept within Islam and necessary for understanding how the Qur’an is organized. Abrogation refers to verses within the Qur’an canceling each other out and constitutes an oft-overlooked element of Islamic theology. An extensive discussion on abrogation is beyond the scope of this essay; however, it is necessary to discuss its significance. David Bukay, a Middle East scholar noted, “Classical scholars argued that anyone who studied the Qur’an without having mastered the doctrine of abrogation would be ‘deficient’.”<sup>95</sup> Likewise, there are four Qur’anic verses sanctioning abrogation (2:106, 16:101, 13:39, 17:86). Bukay noted the extensive scholarship among Muslim academics, over nearly a millennium, dedicated to explaining the doctrine of abrogation. Scholars acknowledge that the Qur’an can abrogate itself; however, there exists considerable debate regarding the possibility for the Sunnah to abrogate the Qur’an. The central concept is that misunderstanding the importance of abrogation in Islamic theology invites misinterpreting the Qur’an.

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<sup>93</sup> Ibid.

<sup>94</sup> Qur’an 2:106. “Any revelation We cause to be superseded or forgotten, We replace with something better or similar. Do you [Prophet] not know that God has power over everything?”

<sup>95</sup> David Bukay, “Peace or Jihad? Abrogation in Islam,” *Middle East Quarterly* 14, no. 4 (Fall 2007): 4.

Qur'anic accounts of Muhammad's battles and directives not only provide a historical account but also stipulate justification for certain behaviors and laws. Contrasted with the Christian view of the Bible is the belief that the Qur'an is more than holy and inerrant, but constitutes the actual word of God.<sup>96</sup> As such, the Qur'an is authoritative on all matters and serves as the basis for shari'ah reasoning. However, soon after the death of Muhammad situations arose that were left unexamined by the Qur'an and Sunnah. As a result, the study and transmission of Islamic law required careful and deliberate *ijtihad* (developing a response to a new situation) by qualified *ulema* (religious scholars). In Islam, every action is an act of piety and worship. Thus, it is imperative that the Ummah receive precise guidance or risk *bid'a* (innovation) or *irja* (postpone).<sup>97</sup> Over time, after the establishment of the four Sunni orthodox schools of law in the eighth and ninth centuries, the corpus of law had achieved sufficient depth and breadth shifting the importance of *ijtihad* to *taqlid* (imitation).<sup>98</sup>

The history of Islamic law is divided into four periods. The first period began with Muhammad's arrival to Medina and ended upon his death. During this period, Islamic law, as expressed by the Qur'an and the sayings of the Prophet, came into being and provided the cornerstone for subsequent developments within Islamic law.<sup>99</sup> The second period began at the

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<sup>96</sup> Rahim, 18.

<sup>97</sup> *Irja* is adapted from word the *murji'ah* and refers to a fringe theological movement that advocated faith over deeds and believed rewards and punishments should be left to Allah and Day of Judgment. The theological counterpoint belonged to the Kharijites who advocated jihad against unjust rulers and desired a return to pure Islam. The term *irja*, is applied to Muslims accused of selecting only those practices and rituals they want to follow, thus diverging from pure Islam. Muslims often compare the perspective of Protestant Christianity with that of the Murji'ah in the Islamic faith.

<sup>98</sup> Kamali, 94.

<sup>99</sup> Rahim, 16.

Prophet's death and ended at the start of the emergence of the four Sunni legal schools.<sup>100</sup> The third period covered the establishment of the four Sunni schools.<sup>101</sup> The fourth period, continuing today, is characterized by persistent efforts to interpret and expand the knowledge of the four established schools.<sup>102</sup> It is necessary to understand the life and key events of the Prophet and his Companions because Salafists base their religious experience upon this example. Likewise, this period serves as a time capsule of sorts for Muslims worldwide seeking to emulate the Prophet's life.

### Sunni Islam's Four Orthodox Legal Schools

The Sunni Muslim community (*ulema* and lay followers) credit Sunni Islam's four orthodox legal schools with establishing timeless guidance on all aspects of the Islamic practice and for providing precedent for dealing with non-Muslims and war. According to Islamic scholar Nuh Ha Mim Keller, the four legal schools are "identical in approximately 75 percent of their legal conclusions."<sup>103</sup> Likewise, Salafists incorporate guidance across the schools making it important to understand each school's founder and formation. In other words, unlike other extremist groups devoted to their own divine revelations, Salafists reject esoteric and fringe interpretations in favor of codified and legitimate legal sources. In fact, it is often the fringe legal schools that are accused of operating outside of true Islam.<sup>104</sup>

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<sup>100</sup> Ibid.

<sup>101</sup> Ibid., 17.

<sup>102</sup> Rahim, 17.

<sup>103</sup> al-Misri, xvii.

<sup>104</sup> Esposite, 55; Jonathan A.C. Brown, "Even If It's Not True It's True: Using Unreliable Hadiths in Sunni Islam," in *Islamic Law and Society*, vol. 18, ed. Ed. David S. Powers (Netherlands: Leiden, 2011), 51; Sheila Musaji, "The Lunatic Fringe Still Pushing Sunni-Shia Sectarianism," *The*

The corpus of Islamic law developed during the Abbasid Era between the eighth and fourteenth centuries.<sup>105</sup> Nearly from the outset, the Abbasid Caliphate sought to rid Islam of the secular influences attached during the Umayyad Era. Caliph Ma'mun (813-833) was the "first to style himself as imam, the [Islamic] community's religious leader and spiritual heir to the Prophet."<sup>106</sup> Compiling and codifying Islamic law was a key initiative of the Abbasid promise to return to pure Islam. In the mid-ninth century, Muhammad al-Bukhari embraced the monumental task of sifting through some six-hundred thousand hadiths distilling them down to seven thousand determined to be authentic.<sup>107</sup> The purpose, similar to Abu Bakr's Qur'anic compilation, was to strengthen the authority of the Sunnah and bring it into conformity with the Qur'an.<sup>108</sup>

These efforts, combined with Abbasid sponsorship, permitted the establishment of Sunni Islam's four orthodox legal schools. Each school emerged in reaction to the former; however, "the principles of these four Schools are substantially the same, and they differ from each other

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*American Muslim*, December 12, 2012, accessed January 21, 2017, <http://theamericanmuslim.org/tam.php/features/articles/sunni-shia>. Arguably, this dichotomy contains the seeds preventing an Islamic reformation along the same lines as the Christian reformation (1517-1648). In the Christian experience, Martin Luther—advocating *sola fide* (faith alone) and *sola scriptura* (scripture alone)—sought to strip away ever-increasing traditions, like Papal Indulgences, and return to a more narrowly defined Christianity based on personal faith and adherence to scripture. Applying this analogy to Islam, Salafists, rejecting innovations and seeking to practice Islam in accordance with the example established by the Prophet, are the Martin Luthers. Thus, a reformation paralleling Christianity is an unlikely and possibly illogical expectation.

<sup>105</sup> Rahim, v.

<sup>106</sup> Karsh, 45.

<sup>107</sup> *Hadiths* are divided according to veracity. These divisions include *sahih* (sound), *hasan* (good), *da'if* (weak) or *maudu* (fabricated, forged). *Sahih hadiths* are considered undeniably accurate and serve as the basis informing *ijtihad* and/or *shari'ah*. Veracity is established through *isnad*, which refers to the chain of transmission. A *hadith* is considered strong based on the *isnad's* validity and the ability to verify this chain. This process is similar to the way expert martial artists chart their lineage in order to establish credibility as a true expert.

<sup>108</sup> Rahim, 31.

merely in matters of detail.”<sup>109</sup> By the tenth century, broad consensus across the *ulema* (religious scholars) contended that Islam’s salient issues had been discussed and resolved.<sup>110</sup> Thus, what mattered most in the Muslim life was achieving immaculate *taqlid* (imitation) as a *muqallid* (imitator).<sup>111</sup> This situation continued for a millennium until the introduction of Salafiyya and various modernist reformist schools in the late nineteenth century with some rejecting *taqlid* and others affirming its legitimacy.<sup>112</sup>

The Hanafi, named for Abu Hanifa Nu’man ibn Thabit (699-767), formed in the mid-eighth century in the Islamic powerhouse of Kufa, Iraq.<sup>113</sup> A key feature of this school is the reliance on *ra’y* (opinion), *qiyas* (personal opinion and analogy), and *al-istihsan* (good opinion).<sup>114</sup> The Hanafi School emphasized individual freedom and personal liberty.<sup>115</sup> “The Muhammadans of India, Afghanistan, and Turkey are mostly Hanafis, and the followers of his school are also largely found in Egypt, Arabia, and China.”<sup>116</sup>

The Maliki School originated in Medina in the late eighth century under the guidance of Malik ibn Anas al-Asbahi (715-796).<sup>117</sup> “Malik leaned more upon traditions and the usages of the

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<sup>109</sup> Ibid., 23.

<sup>110</sup> Kamali, 94.

<sup>111</sup> Kamali, 94.

<sup>112</sup> Ibid., 94.

<sup>113</sup> Ibid., 69-70.

<sup>114</sup> Ibid., 70; Kelsay, 54.

<sup>115</sup> Kamali, 71.

<sup>116</sup> Rahim, 27.

<sup>117</sup> Kamali, 73.

Prophet and the precedents established by his Companions.”<sup>118</sup> Malik also sought to incorporate more of the hadiths than the Hanafi.<sup>119</sup> “Malik is distinguished by the fact that he added another source of law to those known to other schools, namely the practice of the Madinese (‘aml ahl al-Madinah).”<sup>120</sup> Madinese referred to legitimizing the practices of the Muslims in Medina, who chronologically, traced the origins of their traditions to the Prophet himself, thus serving as a “time capsule” in terms of Islamic validity.<sup>121</sup> Additionally, Maliki was comfortable with disagreements in matters of *ijtihad* and rejected entreaties to establish his school as the one and only.<sup>122</sup> “The Maliki School is currently predominant in Morocco, Algeria, Tunisia, Upper Egypt, the Sudan, Bahrain, and Kuwait.”<sup>123</sup>

Maliki’s student Muhammad ibn Idris Ash-Shafi’i (767-820) developed the third legal school in the ninth century. In contrast to Maliki, Shafi’i took a more critical position on the incorporation of traditions and hadiths and relied more heavily on analogy. “He allowed greater scope of *ijma* (consensus of opinion) than Malik, putting a more liberal and workable interpretation on the well-known dictum of the Prophet, ‘My people will never agree in error’.”<sup>124</sup> Shafi’i rejected Maliki’s acceptance of Madinese and argued that legal rules in the Sunnah should

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<sup>118</sup> Rahim, 27.

<sup>119</sup> Ibid., 28.

<sup>120</sup> Kamali, 73.

<sup>121</sup> Ibid.

<sup>122</sup> Ibid., 77.

<sup>123</sup> Ibid., 73.

<sup>124</sup> Rahim, 29.

always prevail over “popular practice.”<sup>125</sup> Additionally, “he formulated the legal theory of Shari’ah in the form in which it has largely been retained ever since.”<sup>126</sup> Shafi’i “restricted the sources of law to the Qur’an and the Sunnah.”<sup>127</sup> He was also a strong proponent of the concept of *usul al-fiqh*, which sought to confine legal study and critical analysis to a side-by-side reading of the Qur’an and Sunnah.<sup>128</sup> “According to al-Shafi’i, the general mode by which God provides guidance may be described as *al-bayan*, a declaration.”<sup>129</sup> Shafi’i introduced strict guidelines for evaluating and verifying the authenticity of hadiths known as *isnad* (chain of transmission). This was significant because it provided a mechanism for separating counterfeit hadiths from those presumed authentic. It also gave new life to hadiths that were muted because they contradicted customary practice.<sup>130</sup>

Ahmad ibn Hanbal (780-855), extending the Shafi’i commitment to the Sunnah, established the fourth school in the mid-ninth century. Hanbal drew a sharp distinction between Muslims and non-Muslims and was unimpressed with the clever rulings derived by previous scholars.<sup>131</sup> He was more interested in absorbing the Sunnah and allowing it to provide discreet guidance. The Wahhabi, “a puritanical movement in the Arabian Peninsula, derived its doctrine

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<sup>125</sup> Kamali, 74.

<sup>126</sup> Ibid., 77.

<sup>127</sup> Ibid., 78.

<sup>128</sup> Kamali, 78.

<sup>129</sup> Kelsay, 56.

<sup>130</sup> Kamali, 79.

<sup>131</sup> Christopher Melchert, *Ahmad ibn Hanbal* (Oxford: Oneworld Publications, 2006), 122.

and inspiration from the Hanbalis.”<sup>132</sup> The Hanbali School is noted for its “rigidity” and its insistence on living an “austere life.”<sup>133</sup> Hanbal’s severe devotion to shari’ah brought him into conflict with his Abbasid rulers who imprisoned him for a number of years as part of a wider campaign of persecution called the *mihna*.<sup>134</sup> However, “In law he adhered rigidly to the traditions, a much larger number of which he felt himself liberty to act upon than any other doctor. His interpretation of them was literal and unbending.”<sup>135</sup> Accordingly, Hanbal is credited as an “exemplar of developing trends in the practice of Shari’a reasoning.”<sup>136</sup> The Hanbali School predominates in Saudi Arabia, with adherents in Oman, Qatar, Bahrain, and Kuwait.<sup>137</sup>

Understanding the formation of the four legal schools enables a discussion on shari’ah reasoning, which is rooted firmly in orthodox Islamic jurisprudence. Salafists point to these rulings as the underpinning evidence informing their ideology and guiding their actions.

### Shari’ah Reasoning: Sources and Implications

As discussed, each school, emerging during the Abbasid era, maintains a legitimate position within orthodox Sunni thought and contributes towards the general body of knowledge informing shari’ah reasoning. Shari’ah refers to the “commands, prohibitions, guidance, and principles that God has addressed to mankind pertaining to their conduct in this world and

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<sup>132</sup> Kamali, 84.

<sup>133</sup> Khadduri, 37.

<sup>134</sup> Kelsay, 67.

<sup>135</sup> Rahim, 29.

<sup>136</sup> Kelsay, 67.

<sup>137</sup> Kamali, 84.

salvation in the next.”<sup>138</sup> The word shari’ah means “the path” or “the way.”<sup>139</sup> The three-letter root is related to the words for waterhole and drinking place.<sup>140</sup> This imagery is instructive and emphasizes shari’ah as the universal source of life.

As such, “Shari’a reasoning is best regarded as an open practice, in that readings of its sources with a view toward discerning divine guidance in particular contexts can yield disagreement.”<sup>141</sup> Disagreements among the ulema are usually confined to the types of arcane rulings relished by Salafi Quietest and maddening Harakis and Jihadis. This is because “Shari’a reasoning is properly characterized as a conservative practice, in the sense that it requires that most participants follow the line of precedent.”<sup>142</sup> Additionally, the premise of shari’ah reasoning is on mastering the *usul al-fiqh* (approved canon of Islamic jurisprudence).<sup>143</sup> This conservatism manifests in the importance of consensus as a form of legal legitimacy.

For example, al-Shafi’i argued, “The more extensive the consensus, the more likely that a particular opinion is, in fact, correct.”<sup>144</sup> Once again, *ijma* (consensus) is supported by the hadith, “My community will never agree on an error.”<sup>145</sup> This perspective reinforces *taqlid* (imitation) and rejects contemporary attempts to modernize or reform in a way that absolves previous

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<sup>138</sup> Ibid., 14.

<sup>139</sup> Kelsay, 39.

<sup>140</sup> Hans Wehr and J Milton Cowan, *A Dictionary Of Modern Written Arabic*. 4th ed. (Urbana, IL: Spoken Language Services, Inc, 1994), 544. The three letter root *Sh-ra-ay*.

<sup>141</sup> Kelsay, 77.

<sup>142</sup> Ibid., 75.

<sup>143</sup> Ibid., 68.

<sup>144</sup> Ibid., 60.

<sup>145</sup> Ibid., 61.

rulings. However, scholars such as Ibn Taymiyya (fourteenth century) and al-Wansharisi (sixteenth century) sought to use their extensive *ilm* (knowledge) to arrive at independent judgments.<sup>146</sup> Arguably, this reliance and acceptance of consensus stems from early Muslim insistence on following local tradition similar to the practice of the Madinese. In reality, achieving broad *ijma* is difficult when applied to niche aspects of shari'ah but not problematic regarding foundational components in Islam (i.e. *tawhid*, *da'wa*, jihad, universal shari'ah).

Understanding the existence and basic positions of each school permits a deeper analysis of Salafi groups because these organizations rely on *ijma* and independent judgments to inform their ideology and justify their actions. It is useful to understand the sources of precedent employed just as it is necessary to categorize various counterarguments. The role of *ijma* (consensus) and validity of *taqlid* (imitation) offer a potent combination making it difficult for moderate Muslims—and nearly impossible for non-Muslims—to develop legitimate and coherent counter-arguments. The ongoing debate between Salafists and their moderate counterparts are constricted to identical *'aqida* (tenets of faith) and *usul al-fiqh* (canon of Islamic law). Reasoning based on tenuous rulings from fringe or controversial legal schools will be fragile and unable to withstand serious Islamic scholarship thus sacrificing *ijma* and *taqlid*.

For example, in the aftermath of the collapse of the Ottoman Empire, Islamic scholars from the prestigious al-Azhar University in Cairo, Egypt, organized a select group to discuss the path towards reestablishing the *khilafat*.<sup>147</sup> Central to the debate was the concept of religious authority and political leadership.<sup>148</sup> A scholar named 'Abd al-Raziq published a treatise that

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<sup>146</sup> Ibid., 74.

<sup>147</sup> Kelsay, 83.

<sup>148</sup> Ibid., 86.

broke with the “historical consensus of the *‘ulama,*” and argued the permissibility of a separation between “religious authority and political power.”<sup>149</sup> Ultimately, the scholars pursued a more conservative approach in line with historic precedent and *ijma* while Raziq was censured and his career sidelined.<sup>150</sup>

The development of shar’iah reasoning is instructive for a couple reasons. First, it demonstrates the function and purpose of shari’ah as a divinely instituted system of governance. The belief is that deviating from this system invites corruption and the spread of injustice. Similarly, shari’ah seeks to categorize all human activity as either *halal* (acceptable, approved) or *haram* (forbidden). This allows Muslims to forsake corrupting innovations and live according to pure Islam. Likewise, shari’ah reasoning informs interactions between Muslims and non-believers, which is the topic discussed in the next section.

## Islamic Just War Theory: Foundations and Implications

The Qur’an features several battles that are central to the practice of Islam. However, before discussing these battles’ tactical actions and corresponding strategic outcomes, it is necessary to outline key aspects of Islam’s just war theory and establish the doctrinal framework informing war in Islam. All battles within the Qur’an are defensive.<sup>151</sup> Consequently, Qur’anic descriptions of battles are framed as a means to prevent hostile polytheist, Arab, and Jewish tribes from destroying the Ummah. Consequently, “Islam outlawed all forms of war except the jihad,

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<sup>149</sup> Ibid.

<sup>150</sup> Hassan al-Banna founded the Muslim Brotherhood at around the same time.

<sup>151</sup> Kelsay, 97; Abu Abdullah Muhammad Umar al-Waqidi, *The Life of Muhammad: Al-Waqidi Kitab al-Maghazi*, trans. Rizwi Faizer, Amal Ismail, and Abdulkader Tayob (New York: Routledge, 2011), xiii.

that is, war in Allah's path."<sup>152</sup> Fighting is a way to "open neighboring territories to Islamic governance."<sup>153</sup> In this sense, war is the means to return wayward peoples back to Allah's *deen* (religion) and establish shari'ah governance. War is sanctioned if "a given people refused the invitation of the Muslims to accept Islam or pay tribute and come under the protection of the Islamic state."<sup>154</sup> A refusal to accept the universal call to Islam constitutes a declaration of war because it establishes an explicit barrier to the spread of Islam. Thus, the purpose of war is to transform the *dar al-harb* (house of war) into the *dar al-islam* (house of peace). "The jihad . . . is regarded by all jurists, with almost no exception, as a collective obligation of the whole Muslim community."<sup>155</sup> Finally, until recently, it was understood among the *ulema* that a permanent state of war existed against non-believers. This suspension of permanent war is temporary and can be abrogated at any point "the principle of jihad" becomes "compatible with Muslim interests."<sup>156</sup>

Muhammad ibn al-Hassan al-Shaybani (749-805), a Hanafi scholar, was a preeminent Islamic jurist and credited with deriving Islam's foundational legal treatise on the rule of law for dealing with nations outside the Islamic state. Entitled *Shaybani's Siyar* (Law of Nations), this work was written at the request of the fifth Abbasid Caliph, Harun al-Rashid (Reign: 786-809). The purpose of the *Siyar*, which exists within the broader corpus of Islamic law, is to provide crucial guidance regarding "Islam's legal relationship with other nations."<sup>157</sup> These other nations

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<sup>152</sup> Khadduri, 62.

<sup>153</sup> Kelsay, 97.

<sup>154</sup> *Ibid.*, 102.

<sup>155</sup> Khadduri, 60.

<sup>156</sup> *Ibid.*, 65.

<sup>157</sup> Muhammad ibn al-Hasan Shaybānī and Majid Khadduri, *The Islamic Law of Nations* (Baltimore: Johns Hopkins Press, 1966), x.

include the territories belonging to the *dar al-harb* (house of war) and the “tolerated religious communities” within the *dar al-islam* (house of peace).<sup>158</sup> Shaybani’s careful study elucidated several important areas including military operations, dividing war spoils, dealing with apostates, and the treatment of *harbis* (non-Muslim) granted safe passage into the *dar al-islam*.<sup>159</sup> The *Siyar* was viewed as a temporary construct necessary only until the Islamic State “was capable of absorbing the whole of mankind” and imposing the universally applicable shari’ah.<sup>160</sup>

Shaybani outlines the rules for engaging in or escalating violence and is worth quoting at length:

Fight in the name of God and in the “path of God” [i.e. truth.] Combat only those who disbelieve in God. Do not cheat or commit treachery, nor should you mutilate anyone or kill children. Whenever you meet your polytheist enemies, invite them first to adopt Islam. If they do so, accept it, and let them alone. You should then invite them to move from their territory to the territory of the *émigrés* [Madina]. If they do so, accept it and let them alone. Otherwise, they should be informed that they would be [treated] like the Muslim nomads (Bedouins) [who take no part in the war] in that they are subject to God’s orders as [other] Muslims, but that they will receive no share in either the *ghanima* (spoil of war) or in the *fay*. If they refuse [to accept Islam], then call upon them to pay the *jizya* (poll tax); if they do, accept it and leave them alone.<sup>161</sup>

This passage contains several important insights. First, is the importance of *da’wa* (invitation). Strictly speaking, *da’wa* means to invite, however, the root (*d-ay-wa*) also relates to the words for appeal, missionary activity, propaganda, and call-up for military duty.<sup>162</sup> Muslims must first invite the enemy to accept Islam. In a way similar to jihad, *da’wa* is a communal

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<sup>158</sup> Ibid., 3.

<sup>159</sup> Ibid., 39.

<sup>160</sup> Ibid., 5.

<sup>161</sup> Shaybānī and Khadduri , 76.

<sup>162</sup> Wehr and Cowan, 326-328.

obligation for all Muslims. In a description of the Qur’anic way of war, Pakistani Brigadier General S. K. Malik wrote, “The first duty of Islam is to extend Dawa . . . It is only after they refuse this ‘Dawa’ and confront the world of Islam . . . [that] the believers have no option but in sheer self defense to wage a war against those who are threatening aggression.”<sup>163</sup> Majid Khadduri argued that the requirement to extend an invitation immediately before a conflict depends on the legal school. For example, Hanafi and Maliki, following the example of the early caliphs, maintained that an invitation must always precede hostilities.<sup>164</sup> However, the Shafi’i School upheld that if an invitation was previously extended then a re-invitation was not obligatory but dependent upon the discretion of the Imam.<sup>165</sup> Hanbali jurists argued that re-invitation, or notification prior to hostilities was superfluous, and only necessary when engaging unreached peoples.<sup>166</sup>

Likewise, the Qur’an describes Muhammad’s central purpose as Allah’s Messenger sent to invite all to embrace Islam.<sup>167</sup> Khalid ibn al-Walid, granted the title *saiyidullah* (sword of Allah), was Islam’s foremost general in the time of the Prophet.<sup>168</sup> In a letter sent to his Persian enemy,

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<sup>163</sup> S. K. Malik, *The Quranic Concept of War* (New Delhi: Himalayan Books, 1986), xix-xx .

<sup>164</sup> Khadduri, 97.

<sup>165</sup> Khadduri, 98.

<sup>166</sup> Ibid.

<sup>167</sup> Qur’an 12:108, 61:9, 33:45-46, 26:214.

<sup>168</sup> Khalid Bin Walid is revered as the greatest Muslim warrior second only to the Prophet Muhammad. He is Quraishi like the Prophet and before his conversion fought against the Muslims at the Battle of Uhud. Walid’s story is similar to that of Saul of Tarsus. Both men prior to their conversion were known as enthusiastic persecutors but ended their lives as their adopted religion’s most celebrated defenders. See S. K. Malik, *Khalid Bin Walid: The General of Islam* (Lahore, Pakistan: Ferozsons, 1968).

al-Walid encouraged his foes to accept Islam but concluded that if refused, “I shall send you men who like death as much as you like life.”<sup>169</sup> A refusal to accept Islam constitutes *casus belli*.

Second, accepting Islam requires the converted to decide whether to emigrate to the House of Peace. In Muhammad’s time, emigration meant relocating to Medina and physically entering the Ummah. This carried with it the obligation to contribute towards the daily routine and participate in military operations. In addition to salvation, the emigrated convert would be entitled to a fair share of the spoils. The division of war spoils is an important topic in the Qur’an and consequently *Shaybani’s Siyar*. Shaybani noted that the Muslim victor divided the spoils into fifths and one-fifth of which was further divided into fifths for God and Muhammad, close relatives, the poor, orphans, and the traveler.<sup>170</sup> This extract is from the Qur’anic *surah* titled *al-anfal* (battle gains); specifically verse 8:41, which describes the division of war booty in precisely these terms.

A failure to emigrate meant the convert was excluded from receiving a percentage of the war spoils but remained accountable for paying the *zakat* (religious tax).<sup>171</sup> The Bedouin converts, who were unwilling to alter their nomadic lifestyle, fell into this category. If the invitation is refused, there exist two potential recourses. If the invited are People of the Book (Jews or Christians) they can acquiesce to pay the *jizya* (poll tax) —amongst other taxes—and assume the status of *dhimmi*. This is offered in return for permission to continue practicing their

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<sup>169</sup> Khadduri, 97.

<sup>170</sup> Shaybānī and Khadduri, 77.

<sup>171</sup> Qur’an *surah* 9:60; al-Masri, 270-271. “Alms (*zakat*) are meant only for the poor, the needy, those who administer them, those whose hearts need winning over, to free slaves and help those in debt, for God’s cause, and for the travellers in need.” It is understood that “those whose hearts need winning over,” indicates that *zakat* funds can be given to recent converts as part of a broader *da’wah* campaign. This applies especially to giving *zakat* to “The chief personages of a people whose Islam may be expected to improve, or whose peers may be expected to enter Islam” or to “the heads of a people who collect *zakat* for us from Muslims living near them who refuse to pay it, or who fight an enemy for us at considerable expense and trouble to themselves” (h8.14).

religion while living under the protection of Muslim rulers within the House of Peace. The offer of *dhimmitude* is only available to Scriptuaries. Polytheists, barred from this status, have the option to convert or fight.

Finally, the *Siyar* codifies acceptable diplomatic and military interaction with groups living outside the *dar al-islam*. Ideologically, the *dar al-islam* remains perpetually at war with those living beyond its grasp. Jihad constitutes the tool by which to subjugate the *dar al-harb*. Until this objective is realized, Muslims are required to conduct jihad through the “continuous process of warfare, psychological and political, even if not strictly warfare.”<sup>172</sup> Like the broader *Siyar*, Islamic scholars viewed the jihad as a temporary requirement commanded until the whole world was brought under Islamic rule.

Ibn Taymiyya (1263-1327), a Hanbali scholar, “made a concession to reality by reinterpreting the jihad to mean a defensive war against unbelievers whenever they threatened Islam.”<sup>173</sup> Khadduri argued that this perspective was precipitated by the internal struggles occurring throughout the *dar al-islam*, which meant that Muslims were militarily too weak to conduct external campaigns.<sup>174</sup> This assessment took on a greater significance after the territorial holdings of the Abbasid Caliphate fragmented into numerous principalities based on territory and ideological positions. This required Muslim leaders to become more pragmatic in their dealings with the *dar al-harb* and to forego attaching strict timelines to peace treaties.<sup>175</sup>

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<sup>172</sup> Shaybānī and Khadduri, 16.

<sup>173</sup> Shaybānī and Khadduri, 59.

<sup>174</sup> Ibid.

<sup>175</sup> Ibid., 61, 63.

Relying on the case method, the *Siyar* explains in plain terms the legal status of persons and their property under a variety of conditions. Shaybani mentions several opportunities for entering into temporary (no longer than ten years) peace treaties with individuals and nations within the *dar al-harb* and describes levels of protection available to non-Muslims, or *harbi*, seeking to live or transit through the *dar al-islam*.<sup>176</sup> For example, a *harbi* can enter Islamic lands after obtaining an *aman* (safe conduct).<sup>177</sup> In this case, the *harbi* becomes a *musta'min* (non-Muslim foreigner) enjoying a temporary (usually only one year) special legal status allowing him to move freely without paying the *jizya* (poll tax).<sup>178</sup> The *Siyar* also describes the legal status of those who rebel, renounce, or dissent from Islamic rule.

The purpose of this section was to understand the tenets of Islamic just war theory. The goal was to outline how Islamic scholars and the Qur'an discuss war and conceive of the steps leading to hostilities. It is clear that *da'wa* (invitation) is a primary factor in the decision to wage war and a refusal to accept Islam necessitates *casus belli*. The following section will discuss the treatment of war in the Qur'an in order to understand how tactical actions and strategic implications inform the cultural consciousness of Muslims in general and the modern Salafist warrior in particular.

## War in the Qur'an: A Guide for Future Action

Those who have been attacked are permitted to take up arms because they have been wronged – God has the power to help them—those who have been driven unjustly from their homes only for saying, “Our Lord is God.”

—Muhammad A.S. Abdel Haleem, Qur'an

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<sup>176</sup> Ibid., 17, 18, 54.

<sup>177</sup> Ibid., 47.

<sup>178</sup> Ibid.

The Qur'an features the battles the Prophet led personally. The Qur'anic treatment of these engagements includes tactical descriptions, strategic implications, and further religious guidance. Brigadier General S. K. Malik's, *The Qur'anic Concept of War*, summarizes these engagements. According to Malik, "As a perfect divine document, the Holy Quran has given a comprehensive treatment to its concept of war."<sup>179</sup> This is significant because as the literal word of God, and "source of eternal guidance for mankind," the Qur'an outlines acceptable behavior on the battlefield.<sup>180</sup> As such, Qur'anic battles are ingrained upon the Muslim consciousness as precedents informing future action. Additionally, the modern Salafi warrior actualizes this familiarity and trust to inform and justify various acts of violence.

A brief overview of the Battle of Badr, the Battle of Uhud, the Siege of Medina, the Treaty of Hudaibiya and Conquest of Mecca, and the Battle of Hunain and Tabuk Expedition serve as reference points for appreciating the broader Islamic narrative. Other military actions and campaigns in Islamic history could be included (i.e. Abu Bakr's re-conquest, Mongol invasion, or the Crusades). However, these examples were selected because of their incorporation in the Qur'an and the reverberating salience in Islamic, especially Salafi publications.

## Battle of Badr

The Battle of Badr occurred two years after *hijra* to Medina (624). It marked the "first occasion in which the Arabs had fought each other as Muslims and Non-Muslims."<sup>181</sup> Ultimately,

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<sup>179</sup> Malik, *The Quranic Concept of War*, 1.

<sup>180</sup> *Ibid.*, xxvii. Arguably, this diverges sharply with a Christian appreciation of Old Testament battles. For example, Moses holding a staff above his head to defeat the Amalekites in Exodus and the Israelite siege against Jericho described in Joshua contain tremendous spiritual and theological value but are not evoked in modern military plans or to justify particular actions.

<sup>181</sup> Malik, *The Quranic Concept of War*, 81.

the outnumbered Muslims were victorious. Qur'anic *surah* eight, *al-anfal* (battle gains), discusses Muhammad's decision to strike the numerically superior Meccan combatants at the risk of failing to seize the caravan, which was presumably the original target. Additionally, the eighth *surah* provides guidance on the time, place, and rules for dividing war booty.<sup>182</sup> As mentioned previously, the Qur'an stipulates the division of war gains into fifths emphasizing that distribution will occur only in a secure area after a victory<sup>183</sup>

According to Islamic scholar Sayed Ameenul Hasan Rizvi, "For Muslims the battle of Badr was a battle fought in self-defense and was not a battle of aggression and not even a pre-emptive one."<sup>184</sup> Prior to this battle, the bulk of Muslim military operations were towards raiding non-Muslim caravans. On one of these raids the Muslim *ghazi* (Muslim raiders) sought to intercept a Koraish caravan. The caravan leader, anticipating a Muslim attack, requested and received robust military assistance in the form of one thousand Koraishi warriors. The overwhelming force presented a precarious tactical situation for the Muslims, who only fielded approximately 315 warriors.<sup>185</sup> Ultimately, Muhammad made the decision to fight a battle of annihilation against the Korashi at Badr, which resulted in a great military victory for the Muslims and an unexpected example to surrounding tribes of Muslim combat prowess. This decision is described in Qur'anic *ayah* (verse) 8:7, "you wanted the unarmed group to be yours, but it was God's will to establish the truth according to His Word and to finish off the

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<sup>182</sup> Qur'an 8:1-75.

<sup>183</sup> Ibid., 8:41, 113, 8:67, 114.

<sup>184</sup> S.A.H. Rizvi, *Battles By The Prophet* (New Delhi: Genuine Publications, 1992), 18.

<sup>185</sup> Ibid., 28.

disbelievers.”<sup>186</sup> Fresh with victory, Muhammad expelled the weakest Jewish tribe (Qainuqa) from the city and divided their properties.<sup>187</sup> As a result, the Korashi lost control of an important trade route to Syria and therefore vital economic and political influence. Meanwhile, the Muslims expanded their economic control and improved their political position with neighboring tribes. Badr marked the Muslims’ transition from impoverished rabble to legitimate military threat.

## Battle of Uhud

A year following their disaster at Badr, the Korashi initiated the Battle of Uhud. Fought five kilometers north of Medina, the Korashi objective was to annihilate the Muslim community and restore Koraishi prestige.<sup>188</sup> Muhammad marched his forces to a position of his choosing and stationed fifty archers on key terrain overlooking the battlefield.<sup>189</sup> The Muslims fought hard and broke the Koraishi lines causing them to retreat in a disorganized manner. However, the Muslims, assuming a guaranteed victory, broke off their pursuit and plundered the Koraishi camps.<sup>190</sup> The stationary archers, witnessing this, abandoned their positions to participate. Khalid bin al-Walid, not yet a convert and fighting on the side of his Koraishi tribesmen, mounted a vigorous counterattack.<sup>191</sup> However, the Koraishi warriors, while tactically successful, failed to consolidate

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<sup>186</sup> Qur’an 8:7.

<sup>187</sup> Karsh, 14.

<sup>188</sup> Rizvi, 33.

<sup>189</sup> Ibid., 36.

<sup>190</sup> Ibid., 38.

<sup>191</sup> Ibid., 40. See also Shaybānī and Khadduri.

their gains and destroy the Muslim army.<sup>192</sup> Qur’anic *surah* three *al-‘imran* (the family of ‘Imran) describes the contrast between the success at Badr and defeat at Uhud. Writing, “God fulfilled His promise to you: you were routing them, with His permission, but then you faltered, disputed the order, and disobeyed, once He had brought you within sight of your goal.”<sup>193</sup> The defeat at Uhud brought to the forefront the mounting discord between the *munaḥfiqeen* (hypocrites) and several of the Jewish tribes living in Medina. As a result, Muhammad expelled the Jewish Banu Nazir tribe from the city and divided their properties among the *muhajirun*.<sup>194</sup> The Qur’an concludes, “God has power over everything: what befell you on the day the two armies met in battle happened with God’s permission and in order for Him to see who were the true believers and who were the hypocrites.”<sup>195</sup> Rizvi noted that the impact of Uhud turned the Muslims “into a highly disciplined band of dedicated followers of Islam and torchbearers of the Islamic movement, the like of which the world has never since witnessed.”<sup>196</sup> In short, Uhud was a wakeup call for the Muslims and the surrounding Arab tribes.

The Battles of Badr and Uhud are significant in the Muslim consciousness. There are entire Qur’anic chapters dedicated to the historical description of each of these battles. Additionally, the Qur’an provides specific religious guidance in relation to the lessons learned. A reoccurring theme throughout the Qur’an, and specifically in the case of Uhud, describes how the *munaḥfiqeen* (hypocrites) and other non-Muslims used treachery to work against the Muslim army.

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<sup>192</sup> Rizvi, 41.

<sup>193</sup> Qur’an 3:152. 45.

<sup>194</sup> Malik, *The Quranic Concept of War*, 88; Karsh, 14.

<sup>195</sup> Qur’an 3:165-66.

<sup>196</sup> Rizvi, 48.

However, Allah ultimately frustrated these designs. Likewise, the battles describe Muslim courage, the importance of following orders and steadfast piety.

### Siege of Medina (*ghazwa-e-khandaq*) (Battle of the Trench)

In the spring of 627, five years after *hijra*, Muhammad fought his third battle against multiple Arab-Jewish tribes. The mixed results at the Battle of Uhud and continued Muslim capture of trade routes by Muslim warriors convinced the Koraish to unite with neighboring tribes, decisively defeat the Muslim army, and re-occupy Medina. “The siege of Medina was the last and the strongest Koraish bid to destroy the Muslims.”<sup>197</sup> Eleven tribes formed a coalition (ten thousand men) and agreed to lay siege to Medina from three directions.<sup>198</sup> On the advice of one of his companions, Muhammad dug a trench to obstruct a possible cavalry assault and stationed archers to stop a Koraishi attack.<sup>199</sup> “This caused considerable operational confusion among the Meccans, whose hopes of victory largely rested on their superior cavalry.”<sup>200</sup>

However, the siege slowly depleted Muslim resources. Muhammad, militarily constrained, sought to exploit fractures within the fragile confederacy.<sup>201</sup> A secret convert in the enemy camp offered to assist Muhammad.<sup>202</sup> The convert’s machinations, combined with an

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<sup>197</sup> Malik, *The Quranic Concept of War*, 88.

<sup>198</sup> *Ibid.*, 89.

<sup>199</sup> Malik, *The Quranic Concept of War*, 89.

<sup>200</sup> Karsh, 16.

<sup>201</sup> Malik, *The Quranic Concept of War*, 91.

<sup>202</sup> Rizvi, 56.

unusually strong storm, made foraging difficult and ended the siege.<sup>203</sup> Echoing other scholars, Malik characterized the event as a “truly bloodless victory against their [Muslim] adversaries.”<sup>204</sup> In the aftermath, Muslim military and political power soared neutering further Meccan military resistance. Following the siege, the victorious Muslim army dealt severely with the Quraiza—the most powerful Jewish tribe residing in Medina. “Charged with collaboration with the enemy, the tribe’s six to eight hundred men were brought in small groups to trenches dug the previous day, made to sit on the edge, then beheaded one by one and their bodies thrown in.”<sup>205</sup> Likewise, the Prophet’s real or perceived paranoia prompted swift and ruthless treatment of non-Muslim groups, especially those identified as *munifiqeen* (hypocrites) or those threatening the dominance of the Ummah.

The title of Qur’anic *surah* thirty-three *al-ahzab* (the joint forces) refers to the diverse coalition brought against the Muslim and indirectly mentions the trench and sandstorm that affected the coalition effort. Writing, “You who believe, remember God’s goodness to you when mighty armies massed against you: We sent a violent wind and invisible forces against them.”<sup>206</sup> Additionally, this *surah* emphasizes the role played by the Jews and how the Muslims killed or captured them confiscating their possessions and land. Saying, “He brought those People of the Book who supported them down from their strongholds and put panic into their hearts. Some of them you [believers] killed and some you took captive. He passed on to you their land, their

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<sup>203</sup> Malik, *The Quranic Concept of War*, 91.

<sup>204</sup> Ibid.

<sup>205</sup> Karsh, 15.

<sup>206</sup> Qur’an 33:9.

houses, their possessions, and a land where you had not set foot.”<sup>207</sup> Over time, the Muslims consolidated their territorial holdings and expelled all non-Muslims from Medina.<sup>208</sup>

## Treaty of Hudaibiya and Conquest of Mecca

In spring of 628, Muhammad flush with victory following the siege of Medina sought to make *umra* (little pilgrimage) to the *ka’ba* in Mecca.<sup>209</sup> He took with him fourteen-hundred unarmed Muslim warriors. For the Koraish elite, this was problematic. Arab customary law recognized the Koraish as the protectors of the *ka’ba* and it was a violation of custom to prevent any tribe, regardless of status, to reach the *ka’ba*.<sup>210</sup> The Koraish deigned to induce the Muslims to initiate a hostile act, but when this plan failed, they formed a military force and met the Muslims eight miles from the city. The bloodless meeting resulted in the Treaty of Hudaibiya. The terms of the treaty are compelling. First, “by the very act of entering into a treaty with the Prophet and his follower Muslims, the Quraish acknowledged them as a parallel entity.”<sup>211</sup> This gave the Muslims diplomatic recognition. Second, the ten-year truce provided the Muslims with a much-needed respite. “Now with the declaration of a truce period the Muslims could concentrate fully on the *dawah* work.”<sup>212</sup> Thus, Muslims gained unfettered access to conduct *da’wa* among neighboring tribes. Third, it permitted Muslims to enter into alliances with other tribes on the

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<sup>207</sup> Ibid., 33:26-27.

<sup>208</sup> Rizvi, 60.

<sup>209</sup> Karsh, 16.

<sup>210</sup> Rizvi, 64.

<sup>211</sup> Rizvi, 73.

<sup>212</sup> Ibid., 74.

Arabian Peninsula without Koraishi interference.<sup>213</sup> Fourth, the Quraish permitted the Muslims to perform *umra* the following year. As Rizvi noted, “The result was that thereafter Islam spread at such a fast pace . . . that within four years after it when the Prophet breathed his last, almost the entire population of Arabia, of all tribes and clans, had embraced Islam.”<sup>214</sup>

At the time, many Muslims felt the treaty was tantamount to defeat. However, the Qur’an characterizes the treaty as a great Muslim victory and mentions the oath (Pledge of Good Pleasure) taken by the Muslims on their way to Hudaibiya, which reaffirmed their willingness to fight to the last. Muhammad’s revelation described in the forty-eighth *surah al-fath* (triumph) recalls the Muslim’s pledge of *bai’a* (loyalty) declaring, “God was pleased with the believers when they swore allegiance to you [Prophet] under the tree.”<sup>215</sup> Additionally, this *surah* characterizes the Treaty of Hudaibiya as a great victory for the Muslims and silences dissenters. Arguably, in reaction to Muslim consternation, the next *surah* (forty-nine) *al-hujurat* (the private rooms) reminds the believers not to push forward and raise their voices when speaking with the Prophet lest their good deeds be unknowingly canceled.<sup>216</sup>

Two years after its signing, the Koraish, frustrated with the tidal spread of Muhammad’s message, abrogated the treaty. In reaction, Muhammad concentrated his forces at the gates of Mecca and declared, “Whoever does not take up arms against the Muslims would be in peace.”<sup>217</sup> The city capitulated and Muhammad entered on the back of a camel going directly to the Ka’ba

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<sup>213</sup> Ibid., 75.

<sup>214</sup> Ibid., 76.

<sup>215</sup> Qur’an 48:18.

<sup>216</sup> Qur’an 49:1-5.

<sup>217</sup> Rizvi, 98.

where he received keys to the sacred shrine.<sup>218</sup> The conquest of Mecca constituted the physical manifestation of *huq* (truth) overcoming *batil* (falsehood) and was the *fath-e mubeen* (grand victory) Muhammad and his companions had faithfully worked towards since the *hijra*.<sup>219</sup>

## Battle of Hunain and the Tabuk Expedition

The Battle of Hunain, fought in 630, eight years after *hijra*, was an extension of the conquest of Mecca. Surrounding tribes, previously unaffected by the Quraish-Muslim hostility, began to feel the impacts of Muhammad's victory and were particularly incensed at the removal of all the idols present at the *ka'ba*. Muslim overconfidence in their numerical superiority, and an underestimation of the threat, led to tactical errors enabling an initial thrashing at the hands of the Arab Banu Hawazan.<sup>220</sup> However, the Prophet, "Unruffled by the chaos around him and undaunted by the unending volleys of arrows he dismounted himself and started marching forward with firm steps."<sup>221</sup> As a result, the tide of the battle shifted in favor of the Muslims who won the day. "After the battle of Hunain the whole of Arabia came under the sway of Islam."<sup>222</sup> Qur'anic *ayat* 9:25-27 recalls the inadequacy of Muslim numerical superiority. However, Allah instilled calm in the hearts of the Messenger and the believers and sent invisible forces to punish the enemy.<sup>223</sup>

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<sup>218</sup> Ibid., 99.

<sup>219</sup> Ibid., 107-108.

<sup>220</sup> Malik, *The Quranic Concept of War*, 94.

<sup>221</sup> Rizvi, 109.

<sup>222</sup> Ibid., 112.

<sup>223</sup> Qur'an 9:25-27. "God has helped you [believers] on many battlefields, even on the day of the Battle of Hunayn. You were pleased with your large numbers, but they were of no use to you: the earth seemed to close in on you despite its spaciousness, and you turned tail and fled. Then God sent His calm down to His Messenger and the believers, and He sent down invisible forces. He punished the

The Tabuk Expedition was Muhammad’s final military operation. As in each preceding battle, expanding territory and power of the Muslim army caused increasing trepidation among rulers along each new Islamic periphery. In this case, the Christian Kaiser, Emperor of Rum, took note of the numerous failed efforts to destroy the Ummah and calculated that the threat was now his problem. The *munifiqeen* (hypocrites) used their access and placement to assist the Kaiser’s efforts and crafted excuses to avoid active military participation in Muhammad’s army. These duplicitous efforts are in the ninth *surah*, *al-tawba* (repentance). Despite numerous setbacks, Muhammad fielded thirty-thousand warriors, the largest he ever commanded.<sup>224</sup> “Struck with terror at the Muslim reaction, the Romans dispersed before the Muslim army reached there.”<sup>225</sup> Consequently, Muslim power on the Arabian Peninsula was secured, opening up the opportunity for Muhammad to establish a new order.<sup>226</sup> Additionally, the Qur’an announces the abrogation of all treaties made with non-believers, giving them four months to sort out their affairs.<sup>227</sup> Rizvi noted, “great significance of the expedition of Tabuk,” indicated “certainly Islam is perpetually at war with *Kufr*.”<sup>228</sup>

In conclusion, the various battles contained in the Qur’an are instructive. Perhaps most illustrative is the notion that warfare, while expressed in the physical, is really a spiritual endeavor. Second, most obviously is the importance of trusting in Allah, not numbers, for success. The Qur’an also comments on non-Muslim, specifically polytheist and Jewish, reliance

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disbelievers—this is what the disbelievers deserve—but God turns in His mercy to whoever He will. God is most forgiving and merciful.”

<sup>224</sup> Rizvi, 121.

<sup>225</sup> Malik, *The Quranic Concept of War*, 95.

<sup>226</sup> Rizvi, 132.

<sup>227</sup> Qur’an 9:1-4.

<sup>228</sup> Rizvi, 135.

on treachery and the subversive nature of *munifiqeen* (hypocrites), all of whom factored into nearly every battle. Likewise, the concept of *da'wa* and physical jihad are intimately connected.

Similarly, the establishment of the Ummah and bifurcation of the world into the *dar al-harb* and *dar al-islam* permitted the expansion of war and war aims. Arguably, Muhammad re-introduced the concepts of total war and final victory to the Arabian Peninsula unseen since antiquity. Carl von Clausewitz, commenting on his experience as witness and participant in the Napoleonic Wars, described the powerful *gestalt* created when volunteer armies are ably led and infused with extreme nationalistic ideals enabling war on an industrial scale in pursuit of final victory.<sup>229</sup> According to Richard Gabriel, “Muhammad’s ultimate goal, the transformation of Arab society through the spread of a new religion, was a strategic concept.”<sup>230</sup> This required employing conventional and unconventional tactics directed towards “exterminating an entire town or a tribe,” and the occupation of territory all of which was customarily “beyond the imagination of those engaged in a blood feud.”<sup>231</sup> Despite lacking nineteenth century weapons and deliberately transcending nationalistic fervor, Muhammad brought into being an unbreakable force nourished from a religious wellspring and equipped with a universal mandate.

### Analysis of the Modern Salafi Warrior

The purpose of the preceding sections was to construct a lens enabling an analysis of the modern Salafi warrior. As discussed, *salaf* is a derivative of the term *al-salaf al-salih* and expresses a desire to practice Islam in accordance with the example established by the Prophet up

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<sup>229</sup> Clausewitz, 582, 592.

<sup>230</sup> Gabriel, 48.

<sup>231</sup> Gabriel, 28.

through the Four Rightly Guided Caliphs.<sup>232</sup> Commenting on his analysis of the Islamic State in Iraq and Syria publications, historian Brian Steed observed, “to fully understand the content requires a grasp of Islamic history and culture as many of the words and references may be easily missed by one who lacks the proper context.” Achieving this “grasp” was the intent of the preceding sections.<sup>233</sup>

Likewise, this section looks at a variety of Salafi publications to elucidate the ways Salafists actualize Islamic law, theology, and history for the ideological formation and the justification of action. There are several Salafist publications to choose from (many others are included in Appendix E), but the three included here were selected for a couple reasons. First, they remain influential. They achieved broad dissemination and are read and analyzed by Salafists and counter-terror experts alike. Second, the authors explained their ideas and the source of those ideas in detail. The authors write what they mean and un-package key concepts. This avoids a susceptibility to extrapolate meaning incorrectly.

*The Management of Savagery* is a Salafi Jihad publication linked to al-Qaeda.<sup>234</sup> The article, published by an al-Qaeda strategist under the *nom de guerre* Abu Bakr Naji, originally went viral in 2004 throughout various jihad sites on the dark web. The article answers the question originally posed by scholars at al-Azhar University in the mid-1920s regarding how to dismantle Sykes-Picot and revive the Islamic caliphate. However, this publication aims to achieve

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<sup>232</sup> Rabil, 2.

<sup>233</sup> Brian L. Steed, *ISIS: An Introduction and Guide to the Islamic State* (Santa Barbara: ABC-CLIO, 2016), 65.

<sup>234</sup> Abu Bakr Naji, *The Management of Savagery: The Most Critical Stage through which the Umma Will Pass*, trans. William McCants, John M. Olin Institute for Strategic Studies, Harvard University, Cambridge, MA, May 23, 2006, accessed January 26, 2017, <https://azelin.files.wordpress.com/2010/08/abu-bakr-naji-the-management-of-savagery-the-most-critical-stage-through-which-the-umma-will-pass.pdf>.

Islamic rule on a global scale and stresses, “our battle is a battle of tawhid against unbelief and faith against polytheism and it is not an economic, political, or social battle.”<sup>235</sup> According to this publication, the application of savagery in ungoverned or under-governed areas creates a Hobbesian vacuum facilitating the establishment of Islamic rule based on shari’ah.<sup>236</sup> Salafi Jihadists apply this oil spot method globally until the zones are connected indicating universal subjugation. Evoking the Prophet’s example, it is necessary to master political and military action.<sup>237</sup> The methodology is similar to the phases of revolutionary warfare outlined by Mao Tse-Tung especially as it relates to protracted struggle and placing the stronger power on the horns of a dilemma regarding decisions related to force dispersion and concentration.<sup>238</sup> Operationally, the goal is to compel the government to expend inordinate resources protecting economic infrastructure leaving the periphery and crowded places lightly defended.<sup>239</sup>

Additionally, the book recalls the first years after the *hijra* as a potent example of the management of savagery.<sup>240</sup> This requires reordering society according to shari’ah, meeting the practical needs of the people, while also relying on savagery to maintain order.<sup>241</sup> This is possible

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<sup>235</sup> Naji, 114.

<sup>236</sup> *Ibid.*, 36-38.

<sup>237</sup> *Ibid.*, 85.

<sup>238</sup> *Ibid.*, 40, 50; Mao Tse-Tung, *On Guerrilla Warfare*, trans. Samuel B. Griffith (Mineola: Dover Publications, 2005), 5, 21-22; Andrew Mack, “Why Big Nations Lose Small Wars: The Politics of Asymmetric Conflict,” *World Politics* 27, no. 2 (January 1975).

<sup>239</sup> Naji, 103.

<sup>240</sup> *Ibid.*, 28.

<sup>241</sup> *Ibid.*, 42.

through the suppression of hypocrites and exploitation of a global support network.<sup>242</sup> According to Naji, the Arab's nature requires the use of ruthless violence to ensure compliance.<sup>243</sup> This demands steadfastness and a willingness to carry out atrocities. "The Umma which possesses strength is the Umma which is able to protect the positions it has won and it is the Umma which boldly faces horrors and has the firmness of mountains."<sup>244</sup> Naji cites instances of Abbasid violence to emphasize the utility of violence to consolidate and maintain power. Additionally, the article recalls the example of the Companions to legitimize extreme violence. "Even the Friend (Abu Bakr) and Ali b. Abi Talib (may God be pleased with them) burned (people) with fire, even though it is odious, because they knew the effect of rough violence in times of need."<sup>245</sup> Violence was necessary to recodify elements of a backsliding Ummah slipping into apostasy in the years after Muhammad's death.<sup>246</sup>

Likewise, the book compares this period of history with that at the time of the Prophet's death. Writing, "Thus, we need to massacre (others) and (to take) actions like those that were undertaken against the Banu Qurayza and their like."<sup>247</sup> This is an explicit reference to the murder of hundreds of Qurayza in the aftermath of the Siege of Medina.

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<sup>242</sup> Ibid.

<sup>243</sup> Ibid., 73.

<sup>244</sup> Ibid.

<sup>245</sup> Ibid., 74.

<sup>246</sup> Ibid., 75.

<sup>247</sup> Naji, 75.

Similarly, the essay advocates for a policy of violent retribution. “No harm comes to the Umma or to us without (the enemy) paying a price.”<sup>248</sup> There exists no statute of limitations regarding revenge; however, it is most effective for retributive violence to take place in another geographic locale, which will induce greater anxiety in the minds of the enemy.<sup>249</sup> The centrality and universal nature of the Umma must be protected.<sup>250</sup> “They are part of the mujahid movement, even if they differ over the correct method in intellectual and operational matters, as long as these differences are over interpretation rather than intent.”<sup>251</sup> This refers to overlooking disagreements among competing orthodox legal traditions. “When our goals are united, the groups will be united and our power will be more firmly established and have a greater effect and change reality for the better (by the permission of God), especially since this will be in opposition to classes of people among the enemy whose goals differ from each other.”<sup>252</sup>

Additionally, the article discusses the division of war booty and cites the eighth *surah al-anfal* (battle gains) to emphasize that the struggle is not about obtaining worldly wealth.<sup>253</sup> “The Ansar (the helpers) abandoned the wealth they procured for themselves in the raid of Hunayn for the sake of uniting the hearts of the Tulaqa’ [another name for the Meccan pagans who converted to Islam after the Muslims conquered Mecca].”<sup>254</sup>

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<sup>248</sup> Ibid., 76.

<sup>249</sup> Ibid., 77.

<sup>250</sup> Ibid., 98-100.

<sup>251</sup> Ibid., 80.

<sup>252</sup> Ibid., 82.

<sup>253</sup> Ibid., 114.

<sup>254</sup> Naji, 116.

Naji discusses the importance of education according to the first age of Islam, which includes studying the Qur'an and serving as living examples of Muslim piety.<sup>255</sup> Recalling the Prophet's Companions, Naji writes, "When their way of life spread amongst the ranks of the army—most of them were residents of conquered countries—a new spirit pervaded the ranks by devoting (themselves), in general, to pious deed and, more specifically, to the pious deed of jihad."<sup>256</sup> Moreover, Naji cites *ayah* 8:24 and argues that educating the Umma should serve as a means to connect "them to servitude, obedience, and seeking refuge with God."<sup>257</sup> However, Naji rejects the Quietest Salafi branch arguing that the Prophet militarized his Companions and used them to fight against the unbelievers.<sup>258</sup>

In conclusion, *The Management of Savagery* is a deliberate program to destroy *taghut* (idolatry, rebellious) governance and revive the Islamic Caliphate. It seeks to use maximum violence to destabilize the status quo creating a power vacuum filled by Salafi Jihadi warriors. The article makes numerous explicit references to the importance of shari'ah and uses examples from the Qur'an and Islamic history to prove its case.

Similarly, the advent of the Islamic State in Iraq and Syria provides a compelling example of the modern Salafi warrior. In opposition to other Salafi organizations, the Islamic State in Iraq and Syria declared an Islamic State in 2006 and the revival of the Khilifah in June of 2014.<sup>259</sup> Traditionally, Salafi groups classified their territory as an "emirate" *imara* (government

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<sup>255</sup> Ibid., 126.

<sup>256</sup> Ibid., 128.

<sup>257</sup> Ibid., 131.

<sup>258</sup> Ibid., 172.

<sup>259</sup> McCants, 15; *Dabiq*, "Khalifah Declared," *The Return of the Khalifa*, no. 1 (1435 Ramadan): 7. The publication date of this issue translates to between June 29, 2014 and July 28, 2014.

of a region), which is subordinate to a “state” *dawla* (empire ruled by the caliph).<sup>260</sup> This distinction is not just semantic but carries with it a politically and psychologically powerful image, that of the final caliphate which precedes the arrival of the Mhadi. The Islamic State in Iraq and Syria based this doctrinal shortcut on an “apocalyptic schedule” derived from a study of the Qur’an and Sunnah and breaks with traditional Salafi thought.<sup>261</sup> However, the group’s leader, Abu Bakr al-Baghdadi, equipped with a doctorate in Qur’anic studies and a member of the Koraishi tribe, is seen as a rightful leader among many would-be Salafi warriors. A full discussion on the Islamic State in Iraq and Syria is beyond the scope of this study; however, it is useful to review some of the initial claims made in their official English language magazine *Dabiq* (now *Rumiyah* presumably because of the recent loss of *Dabiq*).<sup>262</sup>

In the first issue, *The Khalifah*, the Islamic State in Iraq and Syria uses the Qur’an, Sunnah, and Islamic history to establish the legitimacy of the caliphate and convince Muslims worldwide to lend their support towards its function and expansion. Initial articles describe the Muslim Ummah in language identical to the Constitution of Medina and calls on all Muslims to *hijra* to the Islamic State.<sup>263</sup> Reflecting their global mission, the magazine reminds Muslims that the world is divided into the house of war and house of peace, requiring Muslims to make a

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<sup>260</sup> McCants, 9.

<sup>261</sup> *Ibid.*, 15. This “apocalyptic schedule” informs the Islamic State in Iraq and Syria’s eschatological ideology and is based on various Sunni end time prophecies. McCants includes three primary source documents in the appendix and stresses the importance of jihad to bring about an Islamic State which precedes the arrival of the Mahdi and the Day of Judgment.

<sup>262</sup> Sunnah.com, “54: The Book of Tribulations and Portents of the Last Hour,” accessed January 27, 2017 at <http://sunnah.com/muslim/54/44>. According to a well-known hadith, *Dabiq* is the site of an apocalyptic battle between Muslims and *kufirs* (infidels) heralding the day of judgment. *Sahih Muslim’s* full hadith published in *Dabiq, The Return of the Khalifa*, no. 1 (1435 Ramadan): 50.

<sup>263</sup> *Dabiq*, “A Call to Hijra,” *The Return of the Khalifa*, no. 1 (1435 Ramadan): 7, 11.

discreet choice.<sup>264</sup> The Islamic State in Iraq and Syria characterizes the conflict as a defensive war against the unbelievers. Writing, “O Americans, and O European, the Islamic State did not initiate a war against you . . . It is you who started the transgression against us, and thus you deserve the blame and you will pay a great price.”<sup>265</sup> Echoing *The Management of Savagery* is a description of the phases the Islamic State in Iraq and Syria must pass through, which are: *hijrah*, *jama’ah*, destabilize *taghut*, *tamkin*, and finally *khilafah*.<sup>266</sup> The initial phases requires fomenting instability through *nikayah* (violence) until more complex attacks can *tamkin* (consolidate gains).<sup>267</sup> Finally, this first issue cites Muslim persecution in Mecca, the defeat at Uhud, and the victory at Hunayn to explain how Allah tests and rewards loyal *mujahidin*.<sup>268</sup>

Subsequent issues of *Dabiq* cover a variety of topics but remain wedded to the Qur’an, Sunnah, and Islamic history. For example, an article summarized the third *surah*, *al-‘imran* (family of ‘imran) and retells the story of the Prophet Noah and the flood, which is offered as evidence that there is a clear right and wrong and Allah will judge accordingly.<sup>269</sup> This example is used to compel Muslims to forsake *shirk* (idolatry) and return to pure Islam.<sup>270</sup> Additionally, numerous Muslim jurists and scholars are cited as references including: Imran Ibn Husayn

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<sup>264</sup> *Dabiq*, “The World Has Divided Into Two Camps,” *The Return of the Khalifa*, no. 1 (1435 Ramadan): 10.

<sup>265</sup> *Dabiq*, “Statement,” *The Failed Crusade*, no. 4 (1435 Dhul-hijah): 8. The publication date of this issue translates to between September 6, 2014 and October 24, 2014.

<sup>266</sup> *Dabiq*, “Feature,” *The Return of the Khalifa*, no. 1 (1435 Ramadan): 38.

<sup>267</sup> *Ibid.*, 36-37.

<sup>268</sup> *Ibid.*, 39.

<sup>269</sup> *Dabiq*, “Content,” *The Flood*, no. 2 (1435 Ramadan): 2.

<sup>270</sup> *Dabiq*, “The Widespread Ignorance Among the People,” *The Flood*, no. 2 (1435 Ramadan): 10.

(Companion), Ibn Hajar (Shafi'i scholar), Ahmad Ibn Hanbal (Hanbali founder), Ibn Taymiyyah (Hanbali scholar), Ibnul Qayyim (Hanbali scholar), Ibn 'Adbil-Wahhab (Hanbali scholar), and a host of others, all quoted at length to support the legitimacy of the Islamic State and justify violence against non-believers, *munifiqeen* (hypocrites), and *taghut* (idolatrous) rulers.<sup>271</sup>

Repeated are calls to *bay'ah* (allegiance) and an obligation to *hijra*.<sup>272</sup>

Additionally, the Islamic State in Iraq and Syria justifies the confiscation of property and enslavement of non-believers. A *sahih* hadith (strong hadith, legitimate) explains that Allah's Messenger went to kill "Allah's enemies who refuse to accept tawhid, [and] legitimizes the spilling of their blood and taking their wealth, and enslaves their women and children."<sup>273</sup> Also, sanctioned is the legality of *ghanimah* (spoils of war) and *fay* (booty obtained without fighting), which is considered more lawful than other types of income because it indicates Allah's approval of the believers.<sup>274</sup>

The Yazidi's, who rejected *da'wa* and remained polytheists, are the biggest *taghuts* justifying ruthless treatment.<sup>275</sup> Accordingly, "Yazidi families [are] now sold by the Islamic State soldiers as the *mushrikin* (idolators) were sold by the Companions before them."<sup>276</sup> In compliance

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<sup>271</sup> *Dabiq*, "Foreward," *The Flood*, no. 2 (1435 Ramadan): 3-4.

<sup>272</sup> *Ibid.*, 4.

<sup>273</sup> *Dabiq*, "My Provision Was Placed For Me in the Shade of My Spear," *The Failed Crusade*, no. 4 (1435 Dhul-hijah): 10.

<sup>274</sup> *Ibid.*, 11.

<sup>275</sup> *Dabiq*, "The Revival of Slavery Before the Hour," *The Failed Crusade*, no. 4 (1435 Dhul-hijah): 14.

<sup>276</sup> *Ibid.*, 15.

with shari'ah law, they are divided into fifths and given to the soldiers as war booty.<sup>277</sup> Qur'anic *ayat* 23:1-7 is justification for sanctioning sexual relations with female slaves. The Islamic State in Iraq and Syria believes that this practice not only observes Islamic law but also indicates the end times.<sup>278</sup>

In sum, the Islamic State in Iraq and Syria employs sophisticated dissemination mechanisms to appeal to a wide audience across the Ummah and seeks to consolidate all Muslims into the Islamic State. However, unlike other Salafi organizations, the Islamic State in Iraq and Syria believes that the emergence of the caliphate precedes the Day of Judgment. As William McCants observed, there is a “tension” between state building and the end of the world.<sup>279</sup> However, similar to other Salafi organizations, the Islamic State in Iraq and Syria actualizes a breadth and depth of Islamic law, scripture, and history to articulate its ideology and justify its actions.

Finally, as presented in the section on Islamic Just War, *da'wa* and jihad are inextricably linked. Published in 1989, *Methodology of Dawah Ilallah in American Perspective* is an example.<sup>280</sup> Shamim A. Siddiqi, a US citizen and former member of the terror group Jamaat-e-Islami, wrote the book with valuable input from Muslims living in Western nations.<sup>281</sup> The book

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<sup>277</sup> Ibid.

<sup>278</sup> Ibid.

<sup>279</sup> Vox, “How ISIS Uses and Abuses Islam,” transcript, Jennifer Williams with William McCants on Vox, updated November 18, 2015, accessed December 31, 2016, <http://www.vox.com/2015/11/18/9755478/isis-islam>.

<sup>280</sup> Shamim A. Siddiqi, *Methodology of Dawah ... In American Perspective* (Brooklyn: Forum for Islamic Work, 1989).

<sup>281</sup> Shamim Siddiqi manages the Dawah in America website at <http://www.dawahinamericas.com/>.

describes a global strategy for penetrating Western society, specifically America, and paving “the way for the emergence of a global Islamic order for the deliverance of mankind.”<sup>282</sup>

The forcefulness in the book lays in not only its grand objective but also its actualization of the Qur’an, Sunnah, and Islamic history to build its case. Siddiqi argued, “American society resembles the society of ignorance (Jahiliyah) where Prophet Muhammad (S) was appointed as Messenger of Allah to call the people to the fold of their Creator.”<sup>283</sup> The book begins by describing Prophet Muhammad’s *da’wa* strategies and recalls the initial rebuff he received when he asked for the keys to the *ka’ba*, which he ultimately obtained following the Conquest of Mecca.<sup>284</sup> Likewise, Siddiqi discusses the Battles of Badr and Uhud, the Siege of Medina, Treaty of Hudaibiyah, Conquest of Makkah, and the Tabuk Expedition.<sup>285</sup> These examples argue that Muslims have an obligation to propagate Islam and that success requires an appreciation of the political landscape and the divisions that can be exploited within the targeted society.<sup>286</sup> Siddiqi acknowledged, “the peaceful resistance of 13 years at Makkah, the Hijrah and the armed struggle of 10 years at Madinah were the integrated part of Dawah Ilahhal from the beginning to the end.”<sup>287</sup> Sacrifice, both physical and material, are the examples provided by the Companions and

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<sup>282</sup> Siddiqi, ii.

<sup>283</sup> Ibid., 83.

<sup>284</sup> Ibid., 8.

<sup>285</sup> Ibid., 24-30.

<sup>286</sup> Ibid., 25.

<sup>287</sup> Siddiqi, 33.

what is required of contemporary Muslims. “*Jihad* in the way of Allah is the prime Idabah (worship, servitude) for a Muslim. He always desires for such a noble death.”<sup>288</sup>

Sidiqqi outlines a six-step process, which includes *da’wa*, organization or *jama’ah*, *tarbiyah* and *tazkiyah*, peaceful resistance against *batil* (falsehood), migration-*hijrah*, and final stage.<sup>289</sup> This process begins with basic *da’wa* (invitation) activities until the number of converts reaches a sufficient level after which time non-believers will presumably escalate opposition. At this point, it is imperative to engage in peaceful opposition until the American Ummah’s numerical quantity permits either *hijra* to an Islamic State or the changing of laws and establishment of an Islamic emirate within America.<sup>290</sup>

In sum, *Methodology of Dawah Ilallah in American Perspective* presents the case for *da’wa* in America. Arguably, it constitutes a Salafi Harakis (political) agenda. However, it acknowledges the importance of *jihad*, not just as striving but also physical violence as a component of *da’wa*. Sidiqqi recounts the process employed by the Prophet and his Companions as evidence supporting a deliberate campaign to transform American society into an Islamic state governed by shari’ah.

## Conclusion

The purpose of this essay was to triangulate the modern Salafist warrior to understand the ways Salafi Jihad organizations rely on mainstream Islamic thought to articulate their ideology and justify their actions. The modern Salafi warrior, along with Muslims worldwide, relies on an identical *usul al-fiqh* (canon of Islamic law) comprised of the Qur’an, Sunnah, and *ijtihad*

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<sup>288</sup> Ibid.

<sup>289</sup> Ibid., 35.

<sup>290</sup> Ibid., 40, 45.

(interpretation, new, independent judgment) from the four orthodox legal traditions. The Qur'an, forming the bedrock, represents the actual word of Allah and provides guidance on the organization of Muslim life. Allah created the human race in order to worship Him. This is why adopting the Islamic faith is understood as reverting as opposed to converting. Likewise, all human behavior is an act of worship. However, the Qur'an does not always provide explicit direction. This requires the *ulema* (religious scholars) to conduct a side-by-side study using the Qur'an and Sunnah to discern the proper way. The amalgamation of these rulings informs shari'ah.

This essay constructed a lens based on these key elements and applied it to three Salafi publications. This approach was selected because it allows Salafi works to speak for themselves. In other words, it establishes a conservative base using the same documents known and trusted by Muslims. Another organizing method was to start with Salafi materials and extract, piecemeal, the aspects deemed most important. This approach certainly has its merits, but in this instance, risks a tail wagging the dog analysis. Additionally, the selected approach encourages analytical replication based on epistemological concurrence or debate on points of disagreement.

This lens construction required contemplating the impact of pre-Islamic customary law during *jahiliya* (time of ignorance) on the development of shari'ah. Customary law on the Arabian Peninsula had a significant impact in areas such as murder, marriage, slavery, and business. Certain customs were adopted by and incorporated into Islamic law, while others, specifically in the realm of marriage and business, improved in favor of justice. The development of the Sunni Islam's four orthodox legal schools and subsequent refinement led to a fulfillment of *ijtihad* in exchange for *taqlid* (imitation). The importance of *taqlid* and subordination of independent judgment accentuates the predominance of previous rulings and sanctity of the Qur'an and Sunnah.

The Constitution of Medina and the establishment of the Ummah in 622 comprised Islam's most important development and continue to reverberate strongly in the present day. *Tawhid* (oneness of Allah) is the Islamic anchor around which Muslims approach all other beliefs. The concept of *tawhid* and the Ummah present a potent arrangement describing the oneness of Allah and the oneness of the Muslim community. Arguably, Muhammad perceptively envisioned the opportunities available through combining fanatical monotheism with group solidarity. Thus, a rejection of *tawhid* is as unforgivable as a rejection of the Ummah is illogical.

The Ummah transcends tribal and nationalistic loyalties and provides the basis for an Islamic just war theory. In Islam, war is a tool to subjugate the world in the name of Allah and institute shari'ah governance. The purpose of war is strictly in defense of Islam. This theory requires *da'wa* (invitation) to precede hostiles. Additionally, Christians and Jews may assume *dhimmi* status and pay the *jizyah* (poll tax). However, polytheists must choose to convert or fight. A rejection of *da'wa* constitutes an impediment to the spread of Islam and thus constitutes *casus belli*. War and battles are described throughout the Qur'an. Several battles are mentioned repeatedly legitimating certain actions and informing an Islamic worldview. Included is a reminder to trust Allah for victory and follow the *imam's* (leader's) orders. Additionally, beware the enemy, which will employ treachery and seek to corrupt the *munifiqeen* (hypocrites). In addition, the Qur'an provides guidance on jihad as a communal obligation, the division of war spoils and treatment of slaves.

The modern Salafi warrior seeks to practice pure Islam according to the Prophet and his Companions up through the Four Rightly Guided Caliphs. This perspective informs how these individuals interact with the modern world and how they manifest their duty as Muslims. Groups like al-Qaeda and the Islamic State differ sharply over specific theological matters, but uniformly believe that fighting in the name of Allah and implementing shari'ah worldwide is an explicit duty of all Muslims. Consequently, their publications emphasize the division of the world along

Manichean lines, the existence of a clear right and wrong path, and the obligation of the Ummah to actively participate or contribute toward this end. Those who reject their call to *jihad* are characterized as *munifiqeen* (hypocrites), *kufirs* (non-believers), *murji'ites* (postpone), *taghut* (rebels, idolators), or *ridda* (apostates). The Qur'an and Sunnah clearly state that individuals in these categories will not be rewarded by Allah, thus making it the duty of believers to conduct *da'wa* and *jihad* activities until the House of Peace subsumes the House of War.

Likewise, other Salafi documents, like the *Methodology of Dawah*, reflecting a pseudo Quietist-Harakis approach, advocate restructuring American laws in favor of shari'ah. This document seeks to achieve this goal employing mostly non-violent means, however, relying on the battles in the Qur'an as examples, it explicitly promotes the importance of physical jihad as a real and obligatory requirement. As noted in Appendix E, Quietist and Harakis publications frequently extol the virtues of non-violence or non-partisan interference to describe their objectives but subsume their own arguments through a reliance on Qur'anic battles to articulate practical application.

In conclusion, the Qur'an, Sunnah, shari'ah reasoning, and Islamic history fuse to inform the construction of Salafi Jihad ideology and corresponding actions. A key question remains, does this, or should this, matter? The significance of each of these sources should not be discounted, however, the implications remain debatable. Perhaps Islam requires a reformation ignited from within as suggested by activist and former Muslim, Ayaan Hirsi Ali.<sup>291</sup> Another option is to simply disconnect Islam from the actions of Salafi Jihadis. This avoids polemic political entanglements but may also obfuscate key motivations.

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<sup>291</sup> Ayaan Hirsi Ali, *Heretic: Why Islam Needs a Reformation Now* (New York: Harper Collins, 2015).

Thus far, a viable and sustainable solution has eluded the West possibly indicating Western ineptness or an inability to frame the problem. However, it may also suggest that Salafism, especially its more violent branch, remains a problem principally only solvable by the Muslim community. If true, the West remains restricted to reacting to jihad violence and limited in the ways it can provide restrained assistance to moderate Muslims worldwide.

## Glossary

*abd.* Slave<sup>292</sup> The common name Abdullah, is a compound word (Abd + Allah) and translates to Allah's slave.

*al-wala' wal-bara'.* Loyalty to God and Muslims and disavowal of non-Muslims.<sup>293</sup>

*ahl al-sunna wal-jama'a.* Followers (partisans) of the tradition of the Prophet and of the community/group (congregation of believers).<sup>294</sup>

*aman.* Conditional guarantee of safe passage through Islamic lands. This is an agreement between a non-Muslim (see Habari) and a non-slave Muslim male. The agreement is for an established period (usually one year) and allows the protected person to travel freely without paying the Jizya. The agreement is voided if the protected individual violates any of the conditions.<sup>295</sup>

*ansaar.* Helpers of Medina. The term used to distinguish between the Muslims of Medina from Muhammad's original followers in Mecca. The Quran features the *ansaar* positively throughout.<sup>296</sup>

*'aqida.* Body of belief embodied in the Qur'an, hadith, and four schools of law by which Muslims live their lives.<sup>297</sup> Religious creed.<sup>298</sup>

*ayah.* A verse within a chapter of the Qur'an.<sup>299</sup> See also Surah.

*baghi.* Rebel, dissenter.<sup>300</sup>

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<sup>292</sup> Shaybānī and Khadduri, 298.

<sup>293</sup> Rabil, 249.

<sup>294</sup> Ibid.

<sup>295</sup> Shaybānī and Khadduri, 298.

<sup>296</sup> Ron Geaves, *Key Words in Islam* (New York: Continuum, 2006), 11.

<sup>297</sup> Ibid., 12.

<sup>298</sup> Rabil, 249.

<sup>299</sup> Geaves, 14.

<sup>300</sup> Shaybānī and Khadduri, 298.

*batil*: Falsehood.<sup>301</sup> Void, invalid.<sup>302</sup>

*bayān* (*bai'a/bai'at/bayah*). Traditional oath of allegiance made to a sheikh on commencing discipleship or joining a tariqa (inner path of purification that parallels the maintenance of shari'ah).<sup>303</sup> Pledge of allegiance.<sup>304</sup>

*bid'a*. Illegitimate or reprehensible innovation.<sup>305</sup>

*caliph* (*khalifa*). Successor to the Prophet Muhammad, chief of state.<sup>306</sup> They do not inherit the mantle of the Prophethood but lead the Muslim community. It is a God-given role of human beings to maintain Allah's rule over creation.<sup>307</sup>

counterterrorism. Activities and operations taken to neutralize terrorists and their organizations and networks in order to render them incapable of using violence to instill fear and coerce governments or societies to achieve their goals.<sup>308</sup>

*dar al-harb*. House of war. Enemy territory or territory of war.<sup>309</sup>

*dar al-islam*. House of peace. Territory of the Islamic state.<sup>310</sup>

*da'wa* (also *dawah*). Promotion of Islam, considered a communal obligation for all Muslims.<sup>311</sup> *Da'wa* is related but distinct from other propagation methods such as: *indhar* (warning), *tabshir* (bringing glad tidings), *tabligh* (communicating), *dhikr* (reminding), *ta'ilm* (teaching), *tilawah* (conveying and propagating), *amr bi 'l-ma-ruf wa nahl 'ani 'l-munkar* (enjoining and promoting what is good and right and forbidding and eradicating

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<sup>301</sup> Rizvi, 107.

<sup>302</sup> Shaybānī and Khadduri, 298.

<sup>303</sup> Geaves, 16.

<sup>304</sup> Kamali, 323.

<sup>305</sup> Rabil, 250.

<sup>306</sup> Khadduri, 297.

<sup>307</sup> Geaves, 58-59.

<sup>308</sup> JP 3-26, GL-3.

<sup>309</sup> Shaybānī and Khadduri, 298.

<sup>310</sup> Ibid.

<sup>311</sup> Geaves, 25.

what is wrong and bad), *iqamah* (establishing *din*), *qist* (establishing justice), *izhar* (making the divine guidance and *din* prevail), *shahadah* (witnessing).<sup>312</sup>

*dawla*. State or empire ruled by a caliph. Regime, state.<sup>313</sup> See also *imara*.

*deen/din*. Religion.<sup>314</sup> Example: Allah's *deen* (Aladdin) means Islam.

*dhimmi*. Non-Muslims belonging to one of the revealed religions, such as Christians and Jews who live in Muslim territory and therefore have protected status as People of the Book. They are subject to special tax in lieu of the *zakat*.<sup>315</sup> See also *jizya*.

*fatwa*. Legal verdict, legal opinion.<sup>316</sup>

*fath-e mubeen*. Grand victory.<sup>317</sup>

*fay*. War gains (booty) taken from non-Muslims without war or violence (i.e. abandoned equipment on the battlefield).<sup>318</sup> See also *ghanimah*.

*fiqh*. The personal understanding of a scholar organized into a disciplined body of knowledge achieved by deduction. *Fiqh* has traditionally been the preserve of the *ulama*.<sup>319</sup> See also *usul al-fiqh*.

*ghazw/ghazuh, razzia*. Raid.<sup>320</sup>

*ghanimah*: War spoils obtained through fighting. See also *fay*.

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<sup>312</sup> Yusuf al-Qaradawi, "Priorities of the Islamic Movement in the Coming Phase," Lahore, Pakistan, 1962, 83.

<sup>313</sup> Khadduri, 298.

<sup>314</sup> Rabil, 250.

<sup>315</sup> Geaves, 27.

<sup>316</sup> Kamali, 323.

<sup>317</sup> Rizvi, 108.

<sup>318</sup> Shaybānī and Khadduri, 299.

<sup>319</sup> Geaves, 32.

<sup>320</sup> Shaybānī and Khadduri, 299.

*harbi*: Enemy person; person from the territory of war.<sup>321</sup> See also *dar al-harb*.

*hadd*. The part of shari'ah dealing with criminal law; *hudud* offenses are those with prescribed punishments in the Qur'an such as theft, adultery and apostasy.<sup>322</sup>

*hadiths/ahadiths*. Extensive collection of sayings attributed to Muhammad that form the second most authoritative scriptural source for Muslim belief and practice after the Qur'an.<sup>323</sup> See also Sunnah. Categorized according to reliability. Reliability established according to the veracity of the line of transmission. See also *isnad*, *sahih* (sound), *hasan* (good), *da'if* (weak), *maudu'* (fabricated, forged).

*ahl al-hadith*: Conservative nineteenth century reform movement opposed to all forms of Muslim mysticism.<sup>324</sup>

*halal*. Permissible; allowed; lawful.<sup>325</sup>

*haram*. Prohibited; forbidden; unlawful.<sup>326</sup> See also *hudud*.

*hijra*. Muhammad's emigration from Mecca to Medina in 622. The Islamic calendar starts from this event (June 622). The concept of *hijra* is included in the shari'ah and describes fleeing a non-Muslim environment in favor of a more conducive place to practice the religion.<sup>327</sup>

*'iddat*. Waiting period for a woman after divorce or death of husband.<sup>328</sup> Three-month (three menstrual cycles) waiting period before a man can transfer custody of a woman (slave or marriage) to another man.

*ijma*. General consensus.<sup>329</sup>

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<sup>321</sup> Ibid.

<sup>322</sup> Geaves, 42.

<sup>323</sup> Ibid., 36.

<sup>324</sup> Ibid., 4.

<sup>325</sup> Rabil, 250.

<sup>326</sup> Ibid.

<sup>327</sup> Ibid., 41-42.

<sup>328</sup> Shaybānī and Khadduri, 299.

<sup>329</sup> Kamali, 324.

*ijtihad*. A qualified scholar developing a response to a new situation by going direct to the Qur'an and hadith rather than to the existent body of law or fiqh. The orthodox *ulama* declared the door of *ijtihad* be closed after the establishment of the body of law (*fiqh*) created largely on the authority of *ijma* and *qiyas*.<sup>330</sup> See also *qiyas*.

*ikhwan al-muslimin*. Muslim Brotherhood. This organization remains the prototype for all Islamist movements and the ideological wellspring for their activism. The movement works for the reform and revival of Islam following a conservative position based on a literalist interpretation of the foundational text and the application of Islamic law in the state.<sup>331</sup>

*ila'/talaq*. Husband divorcing his wife.<sup>332</sup>

*ilm*. Knowledge, science.

*'imara*. Emirate, government of a region. Subordinate to a *dawla*, or Islamic caliphate.

*irja*. Separation of belief and action. See also *murji'ites*.

*isnad*. The important chain of transmission that authenticates the hadith by tracing them back to the Prophet through a line of authorities that heard the saying until it arrives back at a Companion of the Prophet who would have heard it from Muhammad himself.<sup>333</sup> See also hadith.

*istihsan*. A category of *ijtihad* (independent reasoning) in which the *mujtahid* (someone versed in grammatical, legal and theological training) considered a certain course of action to be good and therefore permissible.<sup>334</sup> Juristic preference, to deem something good.<sup>335</sup>

*jahiliya*. The term used to describe pre-Islamic Arabia, especially the pagan culture of the tribes and the greed of the polytheistic merchants in Mecca.<sup>336</sup>

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<sup>330</sup> Geaves, 46.

<sup>331</sup> Ibid.

<sup>332</sup> Rahim, 8-10; al-Misri, 87, 556 (n1.0).

<sup>333</sup> Geaves, 51.

<sup>334</sup> Ibid.

<sup>335</sup> Kamali, 324.

<sup>336</sup> Geaves, 53.

*jihād*. The term refers to the duty imposed by the Qur'an upon every Muslim to struggle against evil whilst walking the path of Allah. It is both an inner struggle against sin and an outer struggle to promote Islam and protect the faith against its enemies.

*jizya*. Tax levied against the *dhimmi* or "People of the Book" within a Muslim nation.<sup>337</sup>

*ka'ba/ka'bah*. A cube-shaped structure that is the sacred shrine in Mecca. The *ka'ba* is twelve meters long, eleven meters wide and fifteen meters high. The cube itself is covered in a black cloth into which the *shahadah* is interwoven. The black stone, believed to be a meteorite, is set in the east corner of the *ka'ba*.<sup>338</sup>

*kharaj*. Agriculture (land) tax.<sup>339</sup>

*al-khalifa-ur-rashidun*. The first four successors to the leadership of the Muslim community after the death of Muhammad.<sup>340</sup> All were prominent Companions of Muhammad and belonged to the tribe of Quraysh. The period of their rule is considered a golden age, when the caliphs were consciously guided by Muhammad's practices.<sup>341</sup>

*kharijite*. A number of Muslim sectarian movements that developed during the third and fourth caliphs and opposed the wealth and irreligious lifestyles of the Umayyad rulers. They believed that a caliph should be selected based on piety and that he could be removed if inadequate. They argued that all true believers were obliged to wage jihad against nominal or self-styled Muslims.<sup>342</sup>

*kufir/kafir/kafir*. Infidel; unbeliever.<sup>343</sup> Someone who rejects salvation and has disbelief in God and his signs. It is the ultimate sign along with shirk (worshipping something other than God).<sup>344</sup>

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<sup>337</sup> Geaves, 55.

<sup>338</sup> Ibid., 57.

<sup>339</sup> Shaybānī and Khadduri, 299.

<sup>340</sup> Geaves, 10.

<sup>341</sup> Oxford Islamic Studies Online, "Usul al-Fiqh," Oxford University Press, accessed January 28, 2017, <http://www.oxfordislamicstudies.com/article/opr/t125/e2444>.

<sup>342</sup> Geaves, 60.

<sup>343</sup> Shaybānī and Khadduri, 299.

<sup>344</sup> Geaves, 62.

*kura*. Ungulate (hoofed) animals.<sup>345</sup>

*madhhab/madhahib*. The term given to the variety of movements that form various schools of Islamic thought. It also applies to the four different schools of law (ex: Hanafi, Maliki, Shafi'i, Hanbali).<sup>346</sup>

Mecca/Makkah. The foremost of the holy cities for all Muslims. It is the city where the *ka'ba* is situated and the direction in which all Muslims face when performing the obligatory prayers.<sup>347</sup>

al-Medina/Madinah. The name given to the city of Yathrib after the Prophet migrated there from Mecca in 622.<sup>348</sup>

*mihna*. Most commonly used in reference to the inquisition launched by the seventh Abbasid Caliph, al-Ma'mun (813-833) who sought to propogate the doctrine that the Qur'an was created.

*mudabbar*. A slave promised manumission upon the owner's death.<sup>349</sup>

*muhadana/muwada'a*. Temporary peace with non-Muslim.<sup>350</sup>

Muhammad/Mohammad. The name of the final Prophet who was born in Mecca around 570. All Muslims acknowledge Muhammad as the final Prophet of Allah and the exemplar of Muslim belief and practice.<sup>351</sup>

*muharjihun*. The original Muslims who elected to leave Mecca and depart with the Prophet to Medina.<sup>352</sup> See also *hijra*.

*mujahiddin*. Muslims engaged in jihad or armed struggle to defend Islam.<sup>353</sup> See also *jihad*.

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<sup>345</sup> Shaybānī and Khadduri, 300.

<sup>346</sup> Geaves, 65.

<sup>347</sup> Ibid., 67.

<sup>348</sup> Ibid., 10.

<sup>349</sup> Shaybānī and Khadduri, 300.

<sup>350</sup> Ibid.

<sup>351</sup> Geaves, 75.

<sup>352</sup> Ibid.

<sup>353</sup> Ibid.

*mukatab*. Contract between a master and slave that allows the slave to pay for their freedom.<sup>354</sup>

*munafiqun/munafiqeen*. Hypocrites. Muslim revivalists sometimes use it to describe nominal Muslims who claim membership of the Ummah but do not practice their religion and its obligatory duties.<sup>355</sup>

*muqallid*. Imitator.

*murji'ite*. An early group of Muslim theologians who believe in “postponement” or leaving punishment or rewards to Allah at the Last Day; they are opposed to the more extreme of the Kharijites who considered that it was their right to proclaim jihad against unjust rulers.<sup>356</sup>

*murtadd*. Apostate.<sup>357</sup>

*mushrik*. Polytheists; unbeliever.

*musta'min*. Person who enjoys temporary safe-conduct.<sup>358</sup>

*mushriq/mushrikin*. The worst offense in Islam. This term applies to someone who worships other gods alongside Allah. Christians are sometimes referred to in this way for their maintenance of the doctrine of the Trinity.<sup>359</sup>

*muta'awwili*. Person who enjoys temporary safe-conduct.

*mut'a*. Temporary marriage.

*nikayah*. Violence.

*pillars of islam*. (1) *shahadah* (proclamation of faith); (2) *salat* (five daily prayers); (3) *zakat* (annual obligatory charity); (4) *Sawm* (fasting during Ramadan); (5) *hajj* (pilgrimage to Mecca).

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<sup>354</sup> Shaybānī and Khadduri, 300.

<sup>355</sup> Geaves, 77.

<sup>356</sup> Ibid.

<sup>357</sup> Shaybānī and Khadduri, 300.

<sup>358</sup> Ibid.

<sup>359</sup> Geaves, 78.

*qiyas*. A legal principle introduced by Hanifa (699-767) to deduce the correct interpretation of Islamic law by the process of applying the Qur'an and the hadith to new situations by the use of analogical deduction.<sup>360</sup>

Qur'an. The final Revelation of Allah to humanity and believed to be God's speech or the Word of God.

*quraysh/quraish/koraish*. The ruling clan or tribe in Mecca at the time of the Prophet who had benefited from the newfound merchant wealth and derived considerable income from the pilgrims who came to worship the idols installed in the *ka'ba*. Muhammad was a lesser member of the tribe.<sup>361</sup>

*al-ra'y*. Utilizing expert private opinion in interpreting the Qur'an and Sunnah to form jurisprudence.<sup>362</sup>

*riddah*. Session or apostasy. One who apostatizes is *murtadd*.<sup>363</sup>

*sahaba*. The Companions of the Prophet Muhammad who became the first Muslims and his loyal and devoted followers.<sup>364</sup>

*saifullah*. Sword of Allah. Honorary title. The Prophet bestowed this title upon his outstanding general, and former adversary, Khalid bin Walid.

*salaf*. Prophet Muhammad's virtuous/pious companions.<sup>365</sup>

Salafism. A school of Islam whose adherents advocate the emulation of the first three generations of Muslims (*al-salaf al-salih*), the pious ancestors.<sup>366</sup>

Salafists. Adherents of Salafism.

*saubhanahu wa ta'ala* (SWT). Glory to Him, the exalted.

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<sup>360</sup> Ibid., 88.

<sup>361</sup> Geaves, 89.

<sup>362</sup> Ibid., 92.

<sup>363</sup> Khadduri, 299.

<sup>364</sup> Geaves, 95.

<sup>365</sup> Rabil, 253.

<sup>366</sup> Ibid.

*shahadah*. The proclamation that ‘there is no god but God; and Muhammad is His Prophet’ (*la illaha illa’llah, Muhammadun rasulu’llah*) which forms the basis of the Muslim confession of faith.<sup>367</sup>

*shari’ah*. Islamic law as based upon the Revelation laid out in the Qur’an and Sunna of Muhammad and interpreted by the founders of the four Muslim schools of law (Hanafi, Maliki, Shafi’i, Hanbali).<sup>368</sup>

*sayyid*. Chief of a tribe in pre-Islamic Arabia; a descendant of the family of the Prophet Muhammad; in recent usage it equates with Mr.<sup>369</sup>

*shirk*. The sin of idolatry or regarding anything as equal to or partner to Allah. This is a serious cardinal sin in Islam and used for any serious deviation from the worship of on God.<sup>370</sup>

*sunna/sunnah*. The practices, customs and traditions of the Prophet as recorded in the hadith and *sira* (biographical works on Muhammad) and used as the model for Muslim behavior and custom. The Sunna is the second authoritative source after the Qur’an.<sup>371</sup>

*sulh or hudna*. Legal provision allowing temporary peace with non-Muslims.<sup>372</sup>

*surah/sura*. Chapters of the Qur’an.

*taghut*. Rebellious to Islam, idolatry, or the worship of anything except Allah. Also applied to tyrannical rulers.<sup>373</sup>

*tamkin*. To consolidate gains on the battlefield.

*taqlid*. Imitation. The principle of strict adherence to the established doctrines of the four schools of Islamic law.<sup>374</sup>

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<sup>367</sup> Geaves, 99.

<sup>368</sup> Geaves, 101.

<sup>369</sup> Khadduri, 299.

<sup>370</sup> Geaves, 102.

<sup>371</sup> Ibid., 104.

<sup>372</sup> Shaybānī and Khadduri, 301.

<sup>373</sup> Rabil, 254.

<sup>374</sup> Geaves, 108.

*taqiyya*. Lying and deception.

*tawhid/tauhid*. The belief in the oneness and uniqueness of God. This is the central doctrine of Islam and leads to its assertion of uncompromising monotheism.<sup>375</sup>

transnational threat. Any activity, individual, or group not tied to a particular country or region that operates across international boundaries and threatens United States national security or interests.<sup>376</sup>

*ulama*. Muslim religious scholar.<sup>377</sup>

Ummah/Umma. Universal community or Muslims that incorporates the totality of all who profess the faith regardless of nationality, ethnicity, class, or gender. It is the only community to which a Muslim belongs simply by virtue of being a Muslim. Officially established by the Prophet Mohammad in the Constitution of Medina.<sup>378</sup>

*umm walad*. Slave woman who has borne a child to her owner.<sup>379</sup>

*usul al-fiqh*. Principles of Islamic jurisprudence. Roots of law. The body of principles and investigative methodologies through which practical legal rules evolve from the foundational sources. Primary is the Qur'an; second is the Sunnah.; third is consensus (*ijma*); and fourth is *qiyas* (deductive analogy).<sup>380</sup>

*'ushr land*. Tithe on land and produce.<sup>381</sup>

*zakat/zakah*. Annual obligatory alms giving.<sup>382</sup> One of the five pillars of Islam.

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<sup>375</sup> Ibid., 109.

<sup>376</sup> JP 3-26, GL-3.

<sup>377</sup> Rabil, 254.

<sup>378</sup> Geaves, 113.

<sup>379</sup> Shaybānī and Khadduri, 301.

<sup>380</sup> Oxford Islamic Studies Online.

<sup>381</sup> Shaybānī and Khadduri, 301.

<sup>382</sup> Ibid.

## Appendix A

### Timeline

c. 570: Muhammad Born

c. 610: First revelation of Qur'an

615: First Ethiopian hijra

- Muslims flee the Arabian Peninsula because of Quraysh persecution

622: Migration to Medina (Hijra) and start of Muslim calendar

- Constitution of Medina

o Establishment of the Ummah

624: Battle of Badr

625: Battle of Uhud

627: Siege of Medina/Battle of the Trench/Battle of Khandaq

628: Treaty of Hudaibiyya

- Treaty with Koraish (Hudaibiyya Agreement)

630: Conquest of Mecca, Battle of Hunayn

631: Expedition to Tabuk

632: Mohammad's First *hajj*

- 8 June: Death of Muhammad in Medina

767: Hanafi School established; Kufa, Iraq

795: Maliki School established; Medina

820: Shafi'i School established

855: Hanbali School established

## Appendix B

### The Four Rightly Guided Caliphs

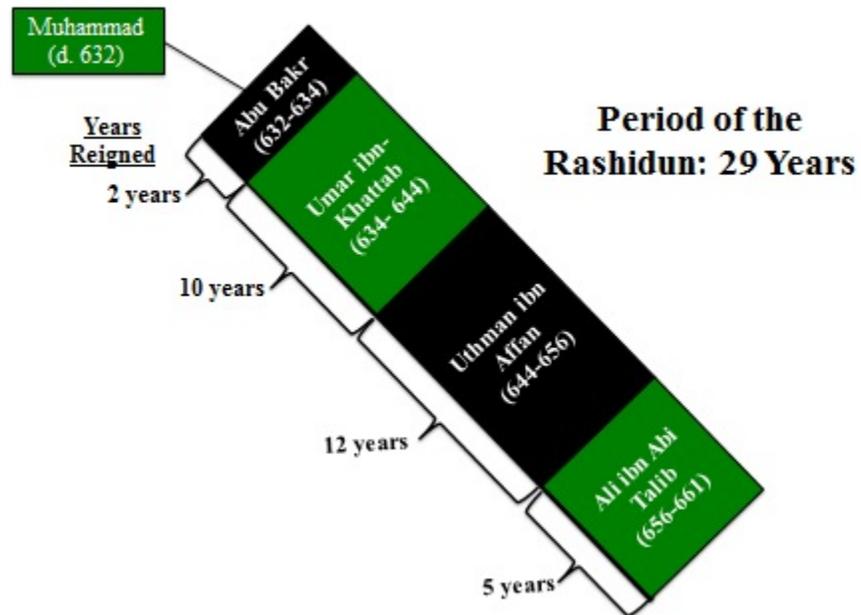


Figure 1. The Four Rightly Guided Caliphs. Created by author.

## Appendix C

### Timeline of the Key Individuals in Islamic Jurisprudence

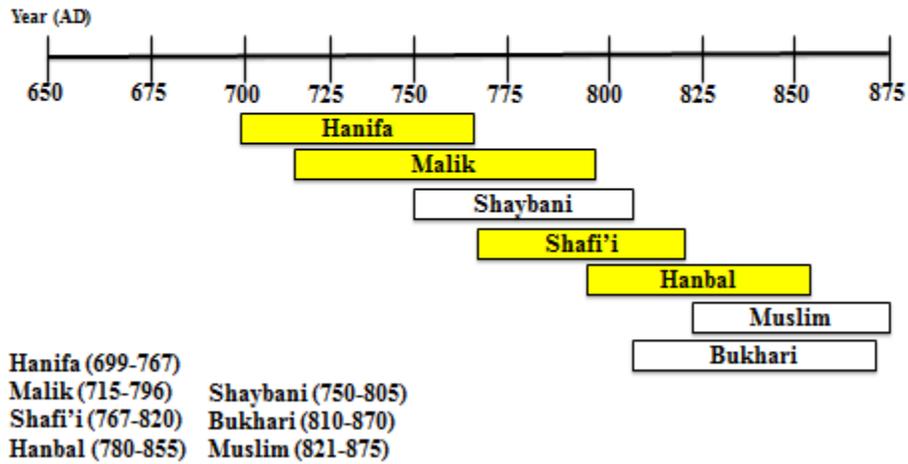


Figure 2. The Timeline of the Key Individuals in Islamic Jurisprudence. Created by author.



## Appendix E

### Selected Salafi Annotated Bibliography

This appendix is a compilation of various Sunni Salafist publications. It covers a range of sources across the Salafist spectrum. Likewise, it is possible to apply the lens constructed in the preceding sections to any combination of the material. The first section includes foundational texts selected precisely because of their enduring authoritative qualities. Additionally, they may assist in further lens construction. The remaining material is divided into two Salafist groups, *Jihad* and Harakis. However, a close reading of the sources reveals significant overlap. In other words, political and violent Salafism forms a multi-pronged approach oriented on the same desired end state. As such, the sources below present a line of continuity and point of departure.

The materials included are by no means comprehensive, but they do illuminate several prevailing themes such as establishing a global caliphate, *da'wa* and *jihad*, the centrality of the Ummah, and the importance of *shari'ah* governance. Of particular interest is the incorporation of the Qur'an, Sunnah, and legitimated legal writings, all of which serve as key sources informing Salafist inspiration.

#### Foundational Texts

##### *Sahih al-Bukhari*

Bukhari's (810-870) work is "the most authentic of all the other works in *hadith* literature put together."<sup>383</sup> The *ulema* (religious scholars) consider this hadith collection, "The most authentic book after the Book of Allah (i.e. Al-Qur'an)."<sup>384</sup> Bukhari undertakes the monumental task of compiling hadiths at a time when rulers and scholars generated and propagated fraudulent

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<sup>383</sup> Muhammad Bukhari, *Sahih al-Bukhari*, trans. Muhammad Muhsin Khan (New York: Maktaba Dar-us-Salam, 1994), 19.

<sup>384</sup> Ibid.

hadiths to sanction their un-Islamic behavior. Bukhari seeks to return Islam to the days of the Prophet and his Companions and collects 300,000 hadiths of which he chooses 7,275 “with repetition and about 2,230 without repetition of which there is no doubt about their authenticity.”<sup>385</sup> The *Sahih* comprises nine volumes and includes hadiths related to the practice of Islam, hygiene, *da’wa*, and jihad. Salafist publications frequently cite *Sahih Bukhari* and *Sahih Muslim* to justify their ideology, objectives, and actions.

#### *Sahih Muslim*

Muslim (821-875), known as the “compiler of the second most authoritative collection of hadiths \*in Sunni Islam,” methodically distills 300,000 hadiths down to 4,000.<sup>386</sup> Like *Sahih Bukhari*, the hadiths cover all aspects of the Islamic faith, hygiene, and the communal obligation of *da’wa* and jihad. “Each report in his collection was checked and the veracity of the chain of reporters (*isnad*) was painstakingly established.”<sup>387</sup> His objective is to collect the hadiths that all Muslims agree are accurate. This is a significant achievement and continues to serve as a legitimate source of guidance and inspiration for Sunni Muslims. Salafists refer to this publication and *Sahih Bukhari*, for ideological formation. Additionally, because this *Sahih* is foundational, it resonates across the Ummah as a trusted source.

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<sup>385</sup> Bukhari, 20.

<sup>386</sup> Raymond Ibrahim, *The Al-Qaeda Reader* (New York: Doubleday, 2007), xxv.

<sup>387</sup> Muslim ibn al-Hajjai, *Sahih Muslim*, trans. Abd al-Hamid Siddiqui, ed. Mika’il al-Almany (October 2, 2009), 1.

*‘Umdat al-Salik: Reliance of the Traveller: A Classic Manual of Islamic Sacred Law*

*‘Umdat al-Salik: Reliance of the Traveller: A Classic Manual of Islamic Sacred Law*<sup>388</sup> is a perennial work of Shafi’i Islamic jurisprudence originally published in the fourteenth century. It remains authoritative because of its uncompromising devotion to the Qur’an, incorporation of *sahih* (strong) hadith evidence, and reliance on the writings of other prominent Shafi’i scholars such as Salafists Bukahri, Muslim, Nasa’I, Kathir, and Nawawi. The opening pages of the English translation include official endorsements from prominent Islamic scholars from Al-Azhar University, the International Institute of Islamic Thought (linked to the Muslim Brotherhood), a Syrian Iman and Jordanian Mufti. Additionally, these endorsements, in English and Arabic, include each scholar’s personal seal. This is indicative of the book’s authority and trustworthiness.

*The Islamic Law of Nations: Shaybani’s Siyar*

Shaybani (750-805), was a Hanafi scholar, an eminent eighth century Muslim jurist, and was the “father of Muslim law.”<sup>389</sup> His *Siyar* (Law of Nations) uses the Qur’an and Sunnah to guide interaction with “non-Islamic states as well as with the tolerated religious communities within its own territory.”<sup>390</sup> The *Siyar* acknowledges that the world is divided into the *dar al-islam* (house of peace) and the *dar al-harb* (house of war). Additionally, this work describes Islamic Just War Theory, the treatment of prisoners, and explains the importance of *da’wa* and *jihad*. *Shaybani’s Siyar* remains a legitimate source for understanding the Islamic Manichean worldview used by Salafists to support their ideological formation and justify violence against non-believers.

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<sup>388</sup> al-Misri.

<sup>389</sup> Shaybānī and Khadduri, xix.

<sup>390</sup> Ibid., 3.

## Salafi Jihad

### “Declaration of Jihad”

The “Declaration of Jihad,”<sup>391</sup> first published in a Muslim newsletter in London, addresses the American presence in Saudi Arabia following the first Gulf War and the West’s support for Israel. Both situations are characterized as gross humiliations for the Ummah. The declaration calls on Muslims to forsake their petty differences and expel the *kufir* from Muslim lands. Bin Laden refers to Ibn Taymiyyah’s struggle against the Mongols as historical evidence justifying violence. Bin Laden writes, “Since the sons of the land of the two Holy Places feel and strongly believe that jihad against the *kufir* in every part of the world is absolutely essential, then they would be even more enthusiastic, more powerful, and larger in number fighting on their own land.”<sup>392</sup> Recalling Khalid Ibn Walid’s communiqué to his Persian enemies, Bin Laden writes, “These youths love death as you love life.”<sup>393</sup> The declaration aims to correlate Muslim impotence to American intrusion into Muslim lands. Accordingly, this situation requires all Muslims to wage jihad. Also included is a rudimentary operational approach, similar to *The Management of Savagery*, describing the ways to achieve the desired end state.<sup>394</sup>

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<sup>391</sup> Osama bin Laden, “Declaration of Jihad,” August 23, 1996, in Robert O. Marlin IV, *What Does Al-Qaeda Want?* (Berkeley: North Atlantic Books, 2004), 1-17.

<sup>392</sup> *Ibid.*, 14.

<sup>393</sup> *Ibid.*

<sup>394</sup> *Ibid.*, 1-17.

### “Jihad Against Jews and Crusaders”

“Jihad Against Jews and Crusaders,”<sup>395</sup> a joint statement from the World Islamic Front, a coalition of al-Qaeda and several smaller Islamist organizations in Europe, first appeared in an Iraqi newspaper published in London. The proclamation includes the usual verbiage accusing America of supporting Israel and perpetuating Muslim humiliation. Also imbedded is a *fatwa* ordering, “The ruling to kill the Americans and their allies—civilians and military—is an individual duty for every Muslim who can do it in any country in which it is possible to do it, in order to liberate the al-Aqsa Mosque and the holy mosque [Mecca] from their grip, and in order for their armies to move out of all the lands of Islam, defeated and unable to threaten any Muslim.”<sup>396</sup>

### “Osama Bin Laden’s Oath to America”

“Osama Bin Laden’s Oath to America,”<sup>397</sup> characterizes the 9/11 attacks as retaliation for America’s past actions in Muslim lands. He calls on the Ummah to join the jihad and labels those who do not as hypocrites and apostates. Likewise, America is a modern Hubal, which is a reference to one of the prominent idols at the *ka’ba* before Mohammad’s conquest of Mecca.

### “‘Why We Are Fighting You’: Osama Bin Laden’s Letter to Americans”

Originally published online in reaction to a series of letters written by prominent American and Saudi thinkers, “‘Why We Are Fighting You’: Osama Bin Laden’s Letter to

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<sup>395</sup> World Islamic Front, “Jihad Against the Jews and Crusaders,” February 23, 1998, in Robert O. Marlin IV, *What Does Al-Qaeda Want?* (Berkeley: North Atlantic Books, 2004), 18-21.

<sup>396</sup> *Ibid.*, 20.

<sup>397</sup> Osama bin Laden, “Osama Bin Laden’s Oath to America,” October 2001, in Raymond Ibrahim, *The Al-Qaeda Reader* (New York: Doubleday, 2007), 192-195.

Americans”<sup>398</sup> begins with Qur’anic verses sanctioning war against unbelievers. The first issue deals with the illegitimacy of Israel and the need to wipe it off the map. Second, is the oppression of Muslims, which according to bin Laden, suffocates the Ummah and prevents the establishment/practice of shari’ah. Likewise, he calls on America to accept Islam, “the religion of tawhid,” and of “jihad in the way of Allah.”<sup>399</sup> The letter lists a series of grievances paired with expected action (i.e. leave Muslim lands and stop supporting Israel). Bin Laden concludes the letter by extolling the virtues and strength of the Ummah and renewed calls for jihad and martyrdom in pursuit of victory.

“Knights Under the Prophets Banner: The Al-Qaeda Manifesto”

“Knights Under the Prophets Banner: The Al-Qaeda Manifesto”<sup>400</sup> is characterized as al-Zawahiri’s memoirs. The “Knights” refers not just to al-Qaeda soldiers but also to all members of Islamist groups.<sup>401</sup> The book comprises eleven parts and moves through the history of al-Qaeda and a series of biographical sketches of key personnel. Also included are Zawahiri’s perspective on the progress of the struggle and continued emphasis on the communal importance of jihad.

*The Management of Savagery: The Most Critical Stage through Which the Umma Will Pass*

Written by a well-known al-Qaeda strategist, *The Management of Savagery: The Most Critical Stage through Which the Umma Will Pass*<sup>402</sup> provides an operational approach for

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<sup>398</sup> Osama bin Laden, “‘Why We Are Fighting You’: Osama Bin Laden’s Letter to Americans,” October 2002, in Raymond Ibrahim, *The Al-Qaeda Reader* (New York: Doubleday, 2007), 196-208.

<sup>399</sup> Ibid., 201-202.

<sup>400</sup> Ayman al-Zawahiri, “Knights Under the Prophets Banner: The Al-Qaeda Manifesto,” *Asharq al-Awsat*, December 3, 2001.

<sup>401</sup> Ibid., 3.

<sup>402</sup> Naji.

transforming the current international order, characterized by Western domination, into the desired end state, a global Islamic State. As noted by the author, “If we succeed in the management of this savagery, that stage will be a bridge to the Islamic State which has been awaited since the fall of the caliphate. If we fail . . . it does not mean end of the matter, rather, this failure will lead to an increase in savagery!!”<sup>403</sup> In other words, savagery formed a key line of effort in the struggle to achieve the desired end state. Salafist jihad groups (including the Islamic State in Iraq and Syria) embraced this operational approach and guiding strategy.

#### *Inspire Magazine*

Al-Qaeda’s online English language periodical was first published in 2010. It preceded the first issue by the Islamic State in Iraq and Syria by a number of years and when first released was groundbreaking in terms of its stylish presentation and rich photos. Each issue contains a number of articles and uses the Qur’an and Sunnah to promote the organization’s ideology and justify its actions. Additionally, the magazine provides practical instructions on bomb making and other ways to engage in indiscriminate violence (i.e. using vehicles as a weapon, knife attacks, etc.). Counter-terror experts consider it a potent vehicle for radicalization.

#### *Dabiq Magazine (Rumiyah Magazine)*

This is the online English language magazine of the Islamic State in Iraq and Syria. The periodical is known for its glossy cover, high resolution, and gruesome pictures. The articles cite heavily from the Qur’an and Sunnah to justify its ideology and actions. The target audience is English speaking Muslims living in Western nations. It is a powerful platform for promoting and encouraging violence against non-Muslims, the communal obligation of jihad, and the importance of conducting *hijra* to the Islamic State (or remaining in the West and conducting attacks in the name of the Islamic State in Iraq and Syria).

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<sup>403</sup> Najj, 11.

*Al-Wala' Wa'l-Bara': According to the 'Aqeedah of the Salaf*

Al-Qahtani is a member of al-Qaeda and Saudi citizen. Captured after the Battle of Tora Bora in 2002, he remains a detainee at Guantanamo Bay. He tried to infiltrate the United States shortly before 9/11 to take part as the twentieth hijacker. *Al-Wala' Wa'l-Bara': According to the 'Aqeedah of the Salaf'*<sup>404</sup> begins with a foreword by Shaykh Abdar-Razaq, then Deputy-President of the Departments of Guidance and member of the Board of the Great Ulama' of Saudi Arabia. The phrase '*afifi al-wala' wa'l-bara* (loyalty and disavowal) represents a doctrinal cornerstone within Salafist thought. It relates closely to the concept of *tawhid*. Qahtani described the term *wala'* as Allah allied with the believers and *al-bara'* meaning severance, or a disassociation, with unbelievers and their worldly culture. From this perspective Qahtani seeks to demonstrate that friendships and alliances, and even unnecessary familiarity with non-believers, constitutes an inversion and distortion of *al-wala' wa'l-bara*. Relying on examples provided by the Prophet and his Companions, Qahtani describes the evolutionary processes of alliance and disassociation initiated during the Meccan period through the *hijra*. He supports the historical examples with substantial Qur'anic verses and hadiths. Qahtani concludes that Sunni Islam, as practiced by the Salaf, is the only acceptable version of Islam, and characterized by a return to the jihad in the path of Allah.

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<sup>404</sup> Muhammad Saeed al-Qahtani, *Al-Wala' Wa'l-Bara': According to the 'Aqeedah of the Salaf* (London: Al-Firdous Ltd., 1999).

## Salafi Harakis

### *Methodology of Dawah Ilallah in American Perspective*

Largely conforming to a Salafi Harakis perspective, *Methodology of Dawah Ilallah in American Perspective*<sup>405</sup> describes the process for conducting *da'wa* activities in America. Like *The Management of Savagery*, the book's purpose is to exploit the American legal system to transform American culture into an Islamic emirate leading towards an inevitable global Islamic State. The author is an American citizen, a former member of the Pakistani terror group Jamaat-e-Islami and current member of the Islamic Circle of North America (a group promoting the establishment of a global caliphate and enforcement of shari'ah in America).

### *Islamic Circle of North America (ICNA) Members Handbook*

The purpose of the *Islamic Circle of North America (ICNA) Members Handbook*<sup>406</sup> is to describe the Islamic Circle of North America's overall objective and the ways to achieve it. The Islamic Circle of North America categorizes itself as an Islamic Movement focused on *da'wa* activities in North America. The term Islamic Movement is doctrinal and indicates a specific purpose. The handbook notes, "Islamic movement is the term used for that organized and collective effort waged to establish Al-Islam in its complete form in all aspects of life."<sup>407</sup> The stated goal is the establishment of Islam and institution of shari'ah governance. This occurs through *iqamat-al-deen*, which refers to the process of preaching, practicing, and struggling to

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<sup>405</sup> Siddiqi.

<sup>406</sup> Islamic Circle of North America, *Islamic Circle of North America (ICNA) Members Handbook* (Jamica: ICNA Sister's Wing, March 2010).

<sup>407</sup> Ibid., 6.

“establish a society and state based on true obedience of Allah.”<sup>408</sup> The handbook outlines an operational approach, which includes five stages that will lead to the establishment of a global caliphate. The Islamic Circle of North America incorporates various Qur’anic verses and hadiths to demonstrate the obligation of all North American Muslims, as a member of the Ummah, to carry out the Islamic Circle of North America’s mission. Additionally, the manual describes the ways to safeguard against becoming too assimilated into Western culture.<sup>409</sup> The manual recalls the attitudes of the Companions writing, “Their services to Islam were not limited to the Suffah and whenever the call for Jihad was made they were ready to sacrifice their lives on the battlefield despite being hungry, without proper provisions and with insufficient armor.”<sup>410</sup> This group is connected to Pakistan’s Jaamat-e-Islami.

### *Milestones*

Qutb (1906-1966), a prolific writer and Islamist wrote many books promoting the importance jihad in the path of Allah. First published in 1964, *Milestones*<sup>411</sup> continues to inspire Salafist groups the world over including the Muslim Brotherhood, Al-Qaeda, and others. Qutb cites numerous examples from the Prophet and the Companions to demonstrate the coherence of religion and politics and the centrality of the Qur’an and Sunnah to illuminate proper living. *Jahiliyyah* (ignorance) is an obstacle to the practice of pure Islam and jihad is the way to overcome this obstacle. Another good source for background information on the Muslim Brotherhood, especially Hassan al-Banna (1906-1949) and Sayyid Qutb, is Richard P. Mitchell’s,

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<sup>408</sup> Ibid., 5.

<sup>409</sup> Islamic Circle of North America, 7-8.

<sup>410</sup> Ibid., 33.

<sup>411</sup> Sayyid Qutb, *Milestones* (New Delhi: Islamic Book Services, 2015).

*The Society of The Muslim Brothers, and The Sayyid Qutb Reader: Selected Writings on Politics, Religion, and Society*, edited by Albert J. Bergesen.

#### “Toward a Worldwide Strategy for Islamic Policy”

“Toward a Worldwide Strategy for Islamic Policy”<sup>412</sup> presents “a global vision of a worldwide strategy for Islamic policy.” It includes eleven “points of departure” for consideration.<sup>413</sup> The objective is to provide a blueprint for the establishment of a global Islamic State. It advocates uniting with other Islamic movements and cooperating with nationalist movements wherever the goals of these groups converge (i.e. rejection of Israel). Additionally, cooperation with certain leaders is permissible as long as contact does not violate shari’ah law. One line of effort calls for establishing a “permanent force of the Islamic *dawa* and support movements engaged in jihad across the Muslim world, to varying degrees and insofar as possible.”<sup>414</sup> The unity of the Ummah against a common enemy is emphasized throughout.

#### “Muslim Brotherhood: Structure and Spread”

“Muslim Brotherhood: Structure and Spread”<sup>415</sup> describes the general organization and purpose of the Muslim Brotherhood. Self-described as “one of the most important Islamic movements in the Arab world and Muslim world,” the Muslim Brotherhood has emerged as the “reference authority for most of Islamic movements.”<sup>416</sup> The Muslim Brotherhood’s *da’wa*

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<sup>412</sup> Patrick Poole, “Toward a Worldwide Strategy for Islamic Policy,” *FrontPageMagazine*, December 1, 1982, accessed January 19, 2017, <http://archive.frontpagemag.com/readArticle.aspx?ARTID=4475>, The Muslim Brotherhood “Project,” Thursday, May 11, 2006, trans. Scott Burgess, *The Daily Ablution*, December 2005 (Parts I, II, III, IV, V, Conclusion), from Sylvian Besson, *La conquête de l’Occident: Le projet secret des Islamistes* (Paris: Le Seuil, 2005), 193-205.

<sup>413</sup> Ibid.

<sup>414</sup> Ibid.

<sup>415</sup> Ikwhanweb, “Muslim Brotherhood: Structure and Spread,” The Muslim Brotherhood, June 13, 2007, accessed January 19, 2017, <http://www.ikhwanweb.com/article.php?id=817>.

<sup>416</sup> Ibid.

activities are organized under the categories of training and jihad. The mosque serves as the initial target for recruitment and disseminating knowledge. This leads to formalized training. The levels of training include a beginning stage focused on increasing knowledge and confidence. The second category, called *munaffidh* or *mujahid*, is the Muslim Brotherhood's front line soldier. The third level is for those with a willingness and aptitude to train others.

“Charter of the Organization of the Islamic Conference”

“The Charter of the Organization of the Islamic Conference,”<sup>417</sup> based out of Saudi Arabia, “is the second largest inter-governmental organization after the United Nations with a membership of 57 states spread over four continents.” The stated purpose of the Organization of the Islamic Conference is to function as the collective Muslim voice and promote the “true values of Islam and the Muslims.” The Organization of the Islamic Conference’s charter sketches various policy positions. Included is support for the struggle of the Palestinian people, “who are presently under foreign occupation.” The goal is to establish a sovereign state with “Al-Quds Al-Sharif (Jerusalem) as its capital.” This point is addressed in point 8 of chapter 1 and emphasized through the establishment of a standing committee labeled “al-Quds.” Additionally, the charter emphasizes the importance of establishing global shari’ah finance and combating defamation of Islam. Likewise, “The Organization has the singular honor to galvanize the Ummah into a unified body and have actively represented the Muslims by espousing all causes close to the hearts of over 1.5 billion Muslims of the world.”<sup>418</sup>

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<sup>417</sup> Organisation of Islamic Cooperation, “Charter of the Organization of the Islamic Conference,” accessed January 18, 2017, [http://www.oic-oci.org/page/?p\\_id=53&p\\_ref=27&lan=en](http://www.oic-oci.org/page/?p_id=53&p_ref=27&lan=en).

<sup>418</sup> Ibid.

*The Strategy for Islamic Cultural Action Outside Islamic States*

*The Strategy for Islamic Cultural Action Outside Islamic States*<sup>419</sup> was devised and coordinated with the Organization of Islamic Cooperation. The strategic objective is to subvert Western culture and to “immunize the second, third and even fourth generations of those communities, who settle outside the Islamic world, against cultural assimilation and loss of their Islamic identity.”<sup>420</sup> By leveraging the global Ummah, especially the diaspora living in Western nations, this strategy seeks to engage in culture jihad, by replacing indigenous cultures with an Islamic one. This is accomplished through a variety of ways including, Islamic education, building a robust Islamic network, countering Western media, safeguarding Muslim identity against disintegration and promoting cultural specificity. The strategy identifies various areas of action including, social, educational, cultural, *da’wa*, and media. The strategy includes a plan to finance initiatives across these various areas of action with donations, grants, and *waqf* (establishing an endowment) funds. *Waqf* funds are allocated towards long-term ownership and functioning of property (land, buildings, etc.). In this case, *waqf* funds are dedicated toward the establishment of Islamic Centers and Mosques throughout the country. *Reliance of the Traveller* describes these funds as “an act of worship.”<sup>421</sup>

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<sup>419</sup> Islamic Educational, Scientific and Cultural Organization (ISESCO), *The Strategy for Islamic Cultural Action Outside Islamic States* (Rabat, Morocco: ISESCO, 2009), adopted by the 9th Islamic Summit Conference, Doha, State of Qatar, November 2000.

<sup>420</sup> *Ibid.*, 5.

<sup>421</sup> al-Misri, 454 (k30.1).

## *The Fundamentals of Takfir*

*The Fundamentals of Takfir*<sup>422</sup> sets out the various categories of *takfir* (apostasy) and the conditions for leveling this charge against other Muslims. It also describes the attributes of the *kafr* (non-believer) and the legality of waging violence against such a person. ‘Anbari relies on the Qur’an and Sunnah to present the case that declaring someone a *kafr* or *takfiri* is a serious charge and not to be taken lightly. He uses various hadiths as evidence to support his claim that only Allah can know someone’s heart. This requires Muslims to correct one another gently. However, if a Muslim fails to change their behavior after being made aware of digressions the consequence of *kafr* or *takfiri* is a death sentence. Salafists, especially the Islamic State in Iraq and Syria, use ‘Anbari’s reasoning to justify killing Muslims of different sects and rebelling against Muslim leaders who do not rule according to shari’ah. Arguably, this is an overreach of ‘Anbari’s argument. Another good article is Maulana Maudoodi’s, “The Mischief of Calling Muslims Kufr.”<sup>423</sup>

### “Jihad is Imperative to Muslims”

Written by an American Muslim, “Jihad is Imperative to Muslims”<sup>424</sup> attempts to educate fellow American Muslims about the importance of jihad. First is a description of the different types of jihad (greater and lesser), which is followed by a distinction between jihad of the heart, tongue and sword. While at first extolling the virtues of the greater jihad (the internal struggle

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<sup>422</sup> Khalid al-‘Anbari, *The Fundamentals of Takfir* (Detroit: al-Qur’an was-Sunnah Society of North America, 1999), accessed January 19, 2017, [https://archive.org/stream/TheFundamentalsOfTakfeer1999ByKhalidAlAnbari/The%20Fundamentals%20of%20Takfeer%20\(1999\)%20by%20Khalid%20al-Anbari\\_djvu.txt](https://archive.org/stream/TheFundamentalsOfTakfeer1999ByKhalidAlAnbari/The%20Fundamentals%20of%20Takfeer%20(1999)%20by%20Khalid%20al-Anbari_djvu.txt).

<sup>423</sup> Maulana Maoudoodi, “The Mischief of Calling Muslims Kufr,” *Tarjuman al-Quran* (May 1935), in *Tafhimat*, Part II, 11th ed. (Lahore, Pakistan: Islamic Publications, March 1984), trans. Dr. Zahid Aziz, *The Light & Islamic Review* (November-December 1996), The Lahore Ahmadiyya Movement, accessed January 19, 2017. <http://www.muslim.org/movement/maudoodi/art-takfir.htm>.

<sup>424</sup> Mohammad Fadel, “Jihad is Imperative to Muslims,” *Islamic Horizons* (December 1986): 20, accessed January 19, 2017, <http://www.investigativeproject.org/documents/misc/741.pdf>.

against sin), the author concluded that Muslims have a duty to wage jihad of the tongue and sword in defense of Islam in general, and in support of Palestine in particular. The reason for including this piece is to point out that publications, especially Salafist material, seeking to divorce jihad from physical holy war fall apart quickly when applied to practical situations, especially when discussing Israel and Palestine.

“Judicial Work Outside the Lands of Islam –What Is Permitted and What is Forbidden”

Originally published in Arabic, the 47-page document, “Judicial Work Outside the Lands of Islam – What Is Permitted and What is Forbidden,”<sup>425</sup> directs Muslims to subvert the American legal system and replace it with shari’ah. This stems from the belief that shari’ah, as a divinely ordained system of government, is the only acceptable form of rule. Conversely, democracy and man-made laws are infused with corruption. The document incorporates substantial Qur’anic verses and hadiths as evidence. Additionally, Islamic history and the *fatwas* from various Sunni legal schools are presented as case law. Al-Maneese concludes that Muslims should not serve as judges or legislators in foreign legal systems that do not recognize shari’ah (Allah’s law). However, a Muslim is justified in participating in the legal system if they legislate according to shari’ah as much as possible and work to establish laws promoting shari’ah. The Assembly of Muslim Jurists of America is a mainstream Muslim organization and describes itself as non-partisan and non-extremist. The Assembly of Muslim Jurists of America has the authority to issue *fatwas* and conducts studies (like the one just described). Additionally, all its members hold doctorate degrees in shari’ah governance.

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<sup>425</sup> Center for Security Policy, “Assembly of Muslim Jurists of America Cautions Muslims Against Participating in American Legal System; Urges Them to Hate It in Their Hearts,” translation of “Judicial Work Outside the Lands of Islam – What Is Permitted and What is Forbidden,” paper presented by the Assembly of Muslim Jurists of American at Careers Conference, Houston, TX, 2008, accessed February 5, 2017, <http://www.centerforsecuritypolicy.org/2012/03/14/assembly-of-muslim-jurists-of-america-cautions-muslims-against-participating-in-american-legal-system-urges-them-to-hate-it-in-their-hearts-2>.



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