

## **FATWA AND JIHADIST ISLAMIST GROUPS**

### **Abstract**

The article analyzes the role of Fatwas or Islamic religious decrees in the ideological and tactical strategies of the radical Islamic Jihadist organizations. It is focused on two significant fatwas of the Al-Qaeda leader Usama Bin Laden which are known as the "Ladenese Epistles". These decrees, issued in 1996 and 1998, became the central documents regulating Al-Qaeda's ideology and operations. The comparative analysis of these decrees, or Fatwas is based on research of the key concepts, terminologies, and theological underpinning of the texts. The article shows the connection of the texts to the broader narrative of radical Islamist Jihadist organizations which use these decrees to justify their violent activity and shape the worldview of Jihadist movements and their followers.

**Keywords:** *Fatwa, Jihad, Mufti, Crusaders, Mujahed*

Radical Islam and Islamic Jihadist organizations captured religious doctrines and ideological narratives from Islam and made them the most important part of their tactics.

In the religious practice of Islam, Fatwas or religious decrees issued by various Muslim clerics throughout history are often used. The content of Fatwas was different and related to diverse issues. Therefore, the history of Islam is full of diverse fatwas.

The article analyzes fatwas issued by the Islamic jihadist organization Al-Qaeda leader Osama bin Laden, which are named as "Ladenese Epistles". The research is based on analyzing the texts of two Fatwas issued by Bin Laden in 1996 and 1998 by the method of comparing these two decrees. The article analyzes concepts and terms used in these fatwas and their connections to Islamic religious ideology.

The modern world is familiar with several of the most popular fatwas issued by the highest spiritual leaders or members of jihadist groups. In 1989, Iran's spiritual leader Ayatollah Khomeini sentenced Salman Rushdie, the author of "The Satanic Verses" to death for insulting the Prophet Muhammad and Muslims. In 2004, Yusuf Al-Qaradawi issued a fatwa calling Muslims to boycott American and Israeli goods. Osama bin Laden, Al-Qaeda leader also issued anti-American fatwas, although he was not authorized to issue any fatwas. And some Muslims do not consider his fatwas as legal decrees for following.

The concept of fatwa has been founded since the period of the Prophet Muhammad and his followers. During that time, fatwas had the style of question-answer. In the Arabic Caliphate, the author of the fatwa became a group of Muslim scholars and not a person individually. The fatwas issued during that period were related to religious rituals such as Zakat, Hajj, wudu', pray. Also, some fatwas were related to social issues connected to

family or marriage relations. Even today, we meet fatwas issued about regulating the social issues. For example, in 1980 and 2010 fatwas let Muslims sing and listen to the music, as Islam does not ban music. Although, there is a fatwa issued in 2013 by Kashmir Mufti, which banned music and the only girls' rock band had to stop their activity.

According to Sharia, the right to issue a fatwa is given to a senior cleric or a person with Islamic theological education. According to this principle, if a person with the appropriate authority does not issue a fatwa, that fatwa is not considered valid and Muslims are not required to obey that fatwa. If we look at the leaders of Islamist jihadist groups, it turns out that not all of them are authorized to issue fatwas. But the leaders of radical groups issued and have been issuing fatwas and their members accept the calls of these fatwas without a word. According to this principle, the fatwas issued by Al-Qaeda leader Osama bin Laden are not considered as legitimate fatwas under Islam because bin Laden had no religious education and was not a cleric.

In contrary to Bin Laden, Abu Bakr Al-Baghdadi, IS leader had the right to issue fatwas as he studied Islamic education at the University of Baghdad and got his PhD in Islamic theology.

So, Bin Laden is the author of two main fatwas issued in 1996 titled "The Declaration of War against Americans Occupying the Land of the Two Holy Places" and in 1998 titled "The Declaration of the World Islamic Front". Both fatwas are anti-American and call to fight against Americans. It is interesting to mention, that Ladenese fatwas are not the only fatwas against the West or Western countries. In the XIX century several fatwas were issued against the European colonialism, the authors opposed European domination and called the local population in India and West Africa to fight. Also, in the XX century, we meet fatwas against French influence in Morocco.

For Osama bin Laden, the main place to be freed from American occupation was Saudi Arabia and two main cities, Mecca and Medina. Of course, he mentions almost all conflicts in the Middle East and outside, where he blamed the USA and Israel. But the main interest he showed to the Holy places for Islam. He named the presence of US military armies in Saudi Arabia as "Crusaders" occupation of the Holy Land. Therefore, he called all Muslims to wage jihad against their enemies. If in the 1996 fatwa, he called to fight only against military Americans, in the 1998 fatwa, he writes that it is the obligation for every Muslim to fight against Americans, civilian or military, in any country where it is possible.

America has become the crusader for Osama bin Laden since the 1991 Gulf War when Saddam Hussein, the president of Iraq, attacked Kuwait. Bin Laden offered his help to Saudi Arabia's royal Family, but the king ignored him and accepted the US military army to his country.

Muslims' fight against Crusaders is related to Jerusalem in the history of Islam. Muslims considered Crusaders enemies as other attackers such as Fatimid or Turks. In 1187, the date when Saladin defeated Crusaders and took Jerusalem makes Arabs very proud even today. Although, Saladin's declaration of jihad against Crusaders was preceded by several events which culminated in the capture of Jerusalem. The Lord of Kerak, Renaud de Chatillion, attacked Muslim caravans, including a mecca-bound Caravan and violated the agreement between him and Saladin. So, Saladin declared jihad in response to this violation and occupied Jerusalem.

To declare jihad against Crusader is also related to Muslim theologian Ibn Taymyyah, who fought against Crusaders and Moguls. He declared jihad against Moguls as they violated Islamic laws.

There are also two main scholars who impacted on Bin Laden's concept of Jihad. They are Sayyid Qutb, the leader of the Muslim Brothers organization in Egypt, and Muhammad Faraj, the leader of the Al-Jihad group in Egypt. In his fatwas, he mentioned several Muslim scholars who were killed or arrested by American advice. He named two of them as Mujahid, which means a person who is engaged in jihad. They were Abd Ar-Rahman or "the blind Sheikh" of Al-Gamaa'a Al-Islamyyah in Egypt and Abdulla Azzam, the founder of Maktab Al-khadamat in Afghanistan.

Osama bin Laden's radical interpretation of Islamic law, justified violence against Americans and later to all non-Muslims. As he saw the USA and its allies as enemies of Islam, he justified jihad against them, which mobilized the ground for the global jihadist movement. So, his fatwas became a successful tool for the recruitment of new followers to defend Islam against "infidels".