



ICT
International Institute
for Counter-Terrorism
With the Support of Keren Daniel

ICT Jihadi Monitoring Group

JIHADIST FATWAS

Jihadist Fatwas

April-May 2015

Highlights

This review reports the main fatwas [religious-legal rulings] issued in April-May 2015 in response to readers' questions by Minbar Al-Tawhid wal-Jihad, the Web site of Salafist ideologue Abu Muhammad al-Maqdisi.¹



- A call on jihadist factions in Syria to unite under the banner of monotheism and not turn our weapons against one another. An expression of this ambition is evident in al-Maqdisi's efforts to reconcile the warring camps, though they proved unsuccessful.
- A call on the Islamic State (IS) to aim its sword at the enemies of Islam and not at the mujahideen.
- A ruling permitting one to listen to Friday prayers led by the imam (religious leader) of the Islamic State as long as it does not involve heresy.

¹ <https://www.tawhed.ws/FAQ>

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Questions Directed at Sheikh Abu al-Izz al-Najdi

Fatwa topic – Why do you remain silent over the spilled blood of Ansar al-Islam fighters?

- ❖ Question: Why do you remain silent over the spilled blood of Ansar al-Islam fighters? Why, when we turn to the Web site with a question concerning Al-Qaeda fighters, it is quick to publish a fatwa but it does not respond to questions concerning Ansar al-Islam? In our questions posed to the site from over a year ago, we asked for a legal answer to the battle between Ansar al-Islam and the Islamic State and did not receive a response. Therefore, it leads us to ask why you are silent about Ansar al-Islam blood? Despite the fact that Ansar al-Islam declared that the Islamic State had deviated from the correct path seven years ago, no one listened to them and it did not lead to the murder of IS members, but now members of the IS are the ones killing and spilling the blood of Ansar al-Islam fighters and jailing them under difficult conditions in prisons for Shi'ites and infidels. We inform you that the IS has begun to transfer Sunni areas to the Shi'ites because, as Ansar al-Islam previously claimed, they have deviated from the correct path.
- ❖ Answer: You have exaggerated in placing blame on your brother since you do not know our situation, but we are aware of the injustice being committed against Ansar al-Islam by the IS. However, you should not think that the reason for our lack of response indicates our support for a particular group or a lack of concern for our brothers in Ansar al-Islam. Nevertheless, members of this forum are facing difficult conditions in their lands and, therefore, their response to you was delayed and only once they were able to connect to the Minbar site did they reply. The following is the announcement published by Ansar al-Islam's main media institution that we received several days ago, which supports those who were wronged, warns the IS against turning its weapons on Muslims, and calls on the IS to turn its weapons only on enemies of Islam: "The Nation of Islam and Sunnis are facing a test set for them by an internal enemy, especially those who violate the correct path. Proof of this today can be found in the test posed to the Sunnis by Shi'ite infidels and Kharijites (a term for an ancient cult that left orthodox Islam, which has since become a derogatory name for separatist groups in Islam that rebel against the existing order, causing civil wars and creating a rift in the Muslim Nation). For instance, two of our brothers were killed by these groups: the first, Kak Sadiq, was killed in a

Shi'ite infidel jail in Tehran under unclear circumstances; and the second, Shamil Abu Ahmed, was kidnapped in Mosul over two months ago and killed in al-Baghdadi's prison. This proves that al-Baghdadi's supporters continue to aim their arrows at the necks of the mujahideen".

"When Muslims who did not swear allegiance to al-Baghdadi informed Sheikh Abu Muhammad al-Maqdisi of their situation – according to which they are pursued, they have no security and those who are arrested do not return – he wondered how such a thing came to be that those in infidel countries and under infidel rule do not go through what they mentioned".

"We want Sheikh Abu Muhammad al-Maqdisi to know that al-Baghdadi's group will not be satisfied with killing any Muslim who opposes it, but will also prevent the return of his body to his family".²

The Rift between Al-Qaeda and the Islamic State

Fatwa topic – Does Sheikh Turki al-Banali, a senior religious adjudicator in the Islamic State, accuse the Al-Nusra Front of heresy?

- ❖ Question: According to your conversation with Sheikh Turki al-Banali, does he accuse the Al-Nusra Front of heresy as he does Islamic State fighters? What position does shari'a take on the matter? We ask that Sheikh al-Banali indicate to us the reasons for accusing the Al-Nusra Front of heresy since it is known that the Al-Nusra Front fights defensively against the IS and does not initiate attacks. In addition, it is known that the Islamic State is fighting a heretical war against the Al-Nusra Front so why don't Sheikh Turki al-Banali or Othman Al-Nazih (the mufti of the IS) remove the accusation of heresy against the Al-Nusra Front from the shari'a declaration or prove that they support it? We would appreciate if you would address these issues to Sheikh al-Banali.
- ❖ Answer: We wish to inform you that Sheikh Turki al-Banali ended his relationship with us due to differences of opinion between him and the IS in light of the announcement published by al-Maqdisi, according to which the IS rejects the rulings issued by Sheikh al-Banali. In light of this, Sheikh al-Banali is no longer taking part in the fatwas of the Shari'a Council. Therefore, we

²April 3, 2015. https://www.tawhed.ws/FAQ/display_question?qid=8490&pageqa=1&i=

cannot respond to your question regarding his position. Nevertheless, we can confirm that we have not seen any denial from Sheikh al-Binali regarding these things and, therefore, we recognize the importance of your question. Since there is no connection between us, we are giving you this answer and we hope that he will see it and publish his position. We, along with many others, called for the IS to publish the official conditions for repentance by various factions, including the Al-Nusra Front. In addition, Sheikh al-Maqdisi informed us that Abu Muhammad al-Musali (the contact person and mediator between al-Maqdisi and al-Adnani, the spokesman for the IS), who was in touch with him during the negotiations for the release of the (Jordanian) pilot from Islamic prisons, had said to him: “Sa’ad al-Hunayti (today a senior IS operative), who asked you to converse with the Islamic State, has sworn allegiance to the organization and accused the Al-Nusra Front of heresy”.³

Fatwa topic – Why does Sheikh Abu Muhammad al-Maqdisi support Salafist jihad?

- ❖ Question: Why does Sheikh Abu Muhammad al-Maqdisi support Salafist jihad? Why does he work for reconciliation between the Al-Nusra Front and al-Baghdadi’s group, which he refers to as “the State that raises the banner of monotheism”? Is it not more befitting for the sheikh to advocate for the unification of factions in Syria rather than demand reconciliation with al-Baghdadi’s group?
- ❖ Answer: Sheikh Abu Muhammad al-Maqdisi does not support the use of the term “Salafist jihad” and only uses it in order to differentiate between Salafist impersonators and members of “al-Irjaa’” (the principle that only on the Day of Judgement will Allah seal the fate of every Muslim – if he is a believer or a heretic). He adheres to and supports the correct path of our ancestors and those who support the mercy of the clerics. Regarding his effort to resolve the conflict between the Al-Nusra Front and al-Baghdadi’s group, he did act to make peace between the two warring camps. He clarified his position regarding the IS and after they refused the arbitration that he offered them, he criticized their extremism and bloodshed in a manifesto that was published. Therefore, they hated him and accused him of rivalry, lies and betrayal.

³ April 1, 2015. <https://goo.gl/uKsMEc>

Regarding a call on factions in Syria and on all mujahideen to unite, the sheikh spared no effort, he advocated for it, and he called for unity under the banner of monotheism and for weapons to be aimed at enemies of Islam and not at the ranks of the mujahideen.⁴

Iraq

Fatwa topic – Are members of the Islamic State considered Kharijites?

- ❖ Question: Are members of the Islamic State considered Kharijites (a term for an ancient sect that left orthodox Islam, which has since become a derogatory name for separatist groups in Islam that rebel against the existing order, causing civil wars and creating a rift in the Muslim Nation), as it is claimed?
- ❖ Answer: Sheikhs have discussed this issue several times. Therefore, we do not wish to discuss this issue at the present time, especially in light of the cruel attack by Al-Hashd al-Sha‘bi forces (a Shi’ite militia established by the Iraqi regime in order to fight against the Islamic State) on Sunnis in Iraq, with the support of Iran, America and infidel armies. Even the sheikhs and religious scholars who described them this way said that they were not in Iraq under these conditions, and that there was no one else to fight against the Shi’ites and defend the Sunnis other than the Islamic State, which is fighting against them. It is known that Sheikh Abu Muhammad al-Maqdisi published an announcement regarding the alliance that attacked the mujahideen in Syria and Iraq in which he clarified that he was not joining this “Crusader” alliance, and that he supports all Muslims even if they are radical Shi’ites or “Kharijites” but he does not support infidel armies. Despite the fact that he had previously expressed his opinion of the IS and the extremism that it spreads in previous statements, they admitted to him in their letters that there is a “Khawārij” in their ranks. Therefore, we will be satisfied with this and with what was written in the sheikhs’ answer to your questions, and we will call on the IS to follow the way of Allah in its treatment of Muslims in general, and the mujahideen in particular, and to raise its sword only at those who fight against Islam.⁵

⁴ April 5, 2015. https://www.tawhed.ws/FAQ/display_question?qid=8335&pageqa=1&i=

⁵ April 3, 2015. <https://goo.gl/6214tB>

The Arabian Peninsula

Fatwa topic – Is it permissible to work in civil government departments?

- ❖ Question: Is it permissible to work in civil government departments that provide direct services to civilians, such as the electric company in Saudi Arabia, public hospitals and other sectors that do not serve the infidels in their battle against Muslims in Saudi Arabia?
- ❖ Answer: Working in such jobs is permissible under every regime as long as the work is not related to anything prohibited. Some religious sages despise working for Pagans in general due to concern that a Muslim will humiliate himself or enable them to have power over him and his property. All of these details can be found in al-Maqdisi's published book titled, "Removing the Veil from Hidden Shari'a".⁶

North Africa

Fatwa topic – A question regarding the mujahideen in Algiers.

- ❖ Question: What is your opinion about someone who slanders the mujahideen in the jihad states of Algiers or Mali?
- ❖ Answer: We refer you to what was written by one of the mujahideen in that country, titled: "Against Injustice and Aggression: A Defense of the Mujahideen in Morocco" by Abd Al-Rahman al-Jazairi, a jihad fighter in Morocco.⁷

⁶ April 1, 2015. <https://goo.gl/L2IIRI>

⁷ April 25, 2015. https://www.tawhed.ws/FAQ/display_question?qid=6272&pageqa=1&i=

Syria

Fatwa topic – Should residents of remote areas take part in the fight against the Islamic State before the organization reaches their region?

- ❖ Question: The Islamic State is currently advancing to the Syrian cities of Suran and Azaz, and there are additional populated areas just several kilometers away from there. Do the more remote town surrounding Suran need to take part in the battle that will be waged in Suran against the organization in order to repel IS fighters before they reach their area, or should they wait until IS fighters reach their area and then push them back?
- ❖ Answer: I have already discussed that it is legitimate to repel an attacker even when the attacker is a Muslim, but if he is not an extremist then there is no need to rush to accuse the criminal of heresy and to spill Muslim blood due to doubt and suspicion. In addition, if residents of remote areas suspect that the areas under attack today are indeed being attacked, then there is no doubt that we are talking about extremists who should not be spared the accusation of heresy and murder when they reach their areas. In light of this, they should not wait until they reach them but rather they should repel them together with their Muslim brothers who are under attack today and without the help of those who made a pact with the heretics. In the past, the IS spread lies about me (referring to al-Maqdisi) according to which I had issued a fatwa to fight against the organization and kill its members. This false accusation was published during the period when I was in prison and was made against the backdrop of an announcement in which I accused all Muslims who help the Christian alliance of heresy.⁸

Libya

Fatwa topic – The prayer led by the Islamic State *imam* (religious leader).

- ❖ Question: I am from the city of Daher in Libya, which is under the control of the Islamic State. Most of the city's residents do not agree with the organization's rule but they have no power to

⁸ May 31, 2015. <http://goo.gl/U4Sn4w>

oppose it. Members of the organization took control of the mosques and the imams who belong to the organization are the only ones there. They banished every imam who did not belong to them and turned Friday prayers into a tool to promote the Islamic State. In light of this, there are those who left the Friday prayer claiming that they do not believe in them. What can I do during the prayer led by the Islamic State's imam?

- ❖ Answer: The Friday prayer led by the Islamic State's imam is legal as long as it does not involve heresy against Islam. One may not leave the Friday prayer due to the Islamic State's control over the imams leading the prayers.⁹

General Islamic

Fatwa topic – Is a soldier recruited for conscription into an infidel army considered to be an infidel?

- ❖ Question: Is a soldier recruited for conscription into an infidel army considered to be an infidel even without looking into the charge of heresy attributed to him?
- ❖ Answer: The Shari'a Council has already answered this question and, therefore, we refer you to Sheikh al-Maqdisi's explanation titled, "Divine Enlightenment in Answers to Questions in Swaqa (a prison in Jordan)", in which the sheikh differentiated between an accusation of heresy against a soldier in regular service who enlisted out of his own will and a conscripted soldier.¹⁰

Fatwa topic – Sheikh al-Maqdisi's official Twitter page.

- ❖ Question: Is Sheikh al-Maqdisi's official Twitter account @almaqdes0?
- ❖ Answer: Yes, that is the sheikh's official account.¹¹

⁹ April 9, 2015. https://www.tawhed.ws/FAQ/display_question?qid=8484&pageqa=1&i=

¹⁰ April 1, 2015. <https://goo.gl/sE9tFY>

¹¹ May 6, 2015. https://www.tawhed.ws/FAQ/display_question?qid=2&pageqa=1&i=

On May 3, 2014 the Al-Ghuraba jihadist media institution published a collection of 64 questions that were answered by Sheikh Nasser al-Fahd.

The Al-Ghuraba media institution publishes materials regarding global jihad, especially in Syria. The institution is affiliated with the Islamic State (IS) and mainly publishes materials expressing support for the IS. In addition, the institution translates much of its material into German and, therefore, it is reasonable to assume that it is directed at Muslims in Germany.

Sheikh Nasser al-Fahd is a Saudi sheikh affiliated with the jihadist movement who is currently imprisoned as a political prisoner in a Saudi jail in Riyadh. Al-Fahd was born in 1968 in Riyadh, where he was raised. After finishing high school, he began to study engineering at Al-Malik Saud University. In his third year there he changed direction and went to study shari'a at the Imam Muhammad Ibn Saud Islamic University where he met several prominent sheikhs. Al-Fahd preached to his followers to rise up against the infidels and he was imprisoned in 2003. Since then he is imprisoned in isolation, and for the last six years he has been prevented from seeing or making any contact with his family.

Abu Muhannad al-Jazrawi, an active member of the Al-Ghuraba media institution, managed to pass questions along to al-Fahd and to take his answers outside of the prison. Al-Jazwari emphasizes that al-Fahd answered the questions to the best of his ability since he does not have access to Islamic sources and books in prison.

Al-Fahd's fatwas deal with a range of subjects, from daily legal inquiries (laws regarding the commandment to perform Hajj, learning the Quran by heart and other Islamic issues) to topics dealing with the world of jihad. The following are the most notable fatwas from the collection. The fatwas demonstrate the conservative approach taken by al-Fahd, who adheres to ancient principles and opposes change. In addition, his rulings tend to be relatively stringent and his writings demonstrate his affinity for the mujahideen.

Fatwas

Question: Is it permitted to bow to the grave of Ataturk (the leader of the secular revolution in Turkey) for the sake of the interest of the nation since it is a required clause in its constitution?

Answer: It is forbidden to perform heretical acts even for the sake of a greater interest. To sin in the service of Islamic action is a slippery slope and must be avoided.

Question: Is it permitted to wear the clothing of Christians and partake in their customs in order to assimilate among them and cause them not to be suspicious?

Answer: It is permitted to wear their clothing since, in the situation that the Muslim Nation currently finds itself, this would help Muslims to achieve their goals. Nevertheless, it is forbidden to raise the cross and to partake in Christian customs since this is only allowed under very extreme circumstances.

Question: Is it permitted to resolve issues in the courts of the infidels in the absence of another option?

Answer: It is forbidden to turn to the courts of the infidels, except in the case of coercion.

Question: What is the law regarding the Center for Interfaith Dialogue?¹²

Answer: It is a cursed center that is opposed to the principles of Islam and the path of jihad. Anyone who participates in the center's activities and supports it is an infidel. The infidels use places like the center in order to strengthen their rule.

¹² The goal of the Doha International Center for Interfaith Dialogue, which is located in Doha, in Qatar, and was opened in May 2008, is to promote the message of dialogue and peaceful means in interfaith discussions, as well as mutual acceptance. The Web site of the center: <http://www.dicid.org/english/index.php>

Question: What is the meaning of democracy, and what is the difference between democracy and shura? What is the law regarding joining parliaments?

Answer: According to democracy, the power is in the hands of the people. Therefore, democracy is heresy by definition: power belongs to Allah alone and is not shared with human beings. Democracy is completely different than shura – Islamic consultation: In democracy, everything is subject to change and consultation, while shura takes place only when there is no clear, unequivocal law regarding an issue; in democracy, everyone can vote while shura can only be carried out by a few scholars. Joining parliaments is a serious act of heresy since it involves recognition of the authority of a non-Islamic lawmaking body and since it is not conducted according to shari'a. In addition, participation in parliament requires a commitment to its constitution, which is a heretical document.

Question: What is the law concerning someone who says "I am a democrat" or "I am interested in democracy" if he does not know its true significance but rather mistakenly thinks that it refers to shura?

Answer: If he does not know what the word "democracy" means and is referring to the act of shura, or if he does not what democracy means but means to say shura, then he is not an infidel but you must correct him and explain to him that there is a significant difference between the two terms. If he knows what democracy means and that was his intension, then he is an infidel.

Question: Is someone who does not declare an infidel to be an infidel, himself considered an infidel?

Answer: Infidels are divided into four groups: (1) infidels by nature such as Jews and Christians – whoever does not declare them to be infidels is himself surely an infidel; (2) those who left Islam and declared themselves to be Jewish or atheist – the law is the same as for the first group; (3) those who took clear action against Islam but still call themselves Muslims: it must be confirmed if their actions were indeed acts of heresy, but in general whoever does not declare them to be infidels is not considered an infidel himself; (4) those who were partly in defiance of Islam, for example by not fulfilling the commandment to pray: whoever does not declare them to be infidels is not considered an infidel himself.

Question: What is the law regarding use of the word “terrorism” to describe the mujahideen?

Answer: In this matter, one must make a distinction between two cases. There are those who do not recognize the legitimacy of jihad, including heads of state and journalists, who use the word “terrorism” to describe all mujahideen – these people are undoubtedly infidels. On the other hand, sometimes people refer to some mujahideen as terrorists but not others; for example, sometimes they criticize certain actions taken by certain mujahideen such as strikes on residential buildings or against Muslims, and does not include all mujahideen under the term “terrorists”. If one criticizes the mujahideen but recognizes the principle of jihad in Allah’s path – then it is not heresy.

Question: What is the law regarding those who say “Our brothers, the Jews, the Christians and the Shi’ites” as part of dawah – in an attempt to appeal to them?

Answer: It is only permitted to use the term “brothers” in two cases: religious brotherhood (all believers are brothers) and family kinship. This is not the case regarding Jews, Christians and Shi’ites and, therefore, this expression should not be used in relation to them.

Question: Is it permitted to take part in local councils? And what is the reason for boycotting the elections of local councils?

Answer: It is forbidden to take part in local councils since they are subject to the laws of the regime and not to the laws of Allah. Elections for local councils are essentially an act of heresy since both criminals and the corrupt are able to vote in them, and since candidates without religious knowledge can also be elected.

Question: Is leaving the Syrian army considered an act of repentance?

Answer: It is not enough just to leave the Syrian army - in order to repent one must believe in Allah and declare the regime heretical.

ABOUT THE ICT

Founded in 1996, the International Institute for Counter-Terrorism (ICT) is one of the leading academic institutes for counter-terrorism in the world, facilitating international cooperation in the global struggle against terrorism. ICT is an independent think tank providing expertise in terrorism, counter-terrorism, homeland security, threat vulnerability and risk assessment, intelligence analysis and national security and defense policy. ICT is a non-profit organization located at the Interdisciplinary Center (IDC), Herzliya, Israel which relies exclusively on private donations and revenue from events, projects and programs.

ABOUT THE JIHADI MONITORING GROUP

The Jihadi Websites Monitoring Group (JWMG) is a specialized research and analysis team at the International Institute for Counter-Terrorism (ICT). Composed of researchers fluent in Arabic, the JWMG monitors websites that support and serve the Global Jihad organizations. The unique characteristic of JWMG publications is the team's integration of diverse materials from a wide variety of Arabic sources. JWMG connects each source to larger trends, providing a complete understanding of events on both a local and a global scale.

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