

the lands of Islam, punished according to the law, broken and unable to threaten any Muslim. This is in accordance with the Word of Allah: “Fight them until there is no sedition [temptation] and the religion becomes that of Allah” [2:193]; and His Word: “And why don’t you fight for the cause of Allah and for the down-trodden, men, women and children, who say: ‘Lord, bring us out of this city whose inhabitants are unjust and grant us, from You, a protector, and grant us, from You, a supporter’” [4:75].

So, with Allah’s permission, we call every Muslim who believes in Allah and desires a reward to take as his example the order of Allah to kill Americans and to steal their possessions in everyplace they are to be found, and during every time possible. We also call upon the religious leadership of the Muslims, their leaders, their youth, and their armies to initiate attacks upon the American devil, and upon those allies of Satan who have allied themselves with them, in order to frighten them away from behind them [the Americans], so that they may [re]consider.

“O believers, respond to Allah and to the Apostle if He calls you to that which will give you life; and know that Allah stands between a man and his heart, and that unto Him you shall be gathered” [8:24]; and His Word: “O believers, what is the matter with you? If you are told: ‘March forth in the way of Allah,’ you simply cling heavily to the ground. Are you satisfied with the present life rather than the Hereafter? Yet the pleasures of the present life are very small compared with those of the Hereafter. If you do not march forth, He will inflict a very painful punishment on you and replace you by another people, and you will not harm Him in the least; for Allah has power over everything” [9:38–39]; and also “Do not be faint-hearted and do not grieve; you will have the upper hand, if you are believers” [3:139].

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### 3

#### **A COMMUNIQUÉ FROM QA‘IDAT AL-JIHAD CONCERNING THE TESTAMENTS OF THE HEROES AND THE LEGALITY OF THE WASHINGTON AND NEW YORK OPERATIONS**

*April 24, 2002*

In the Name of God, the Merciful, the Compassionate.

Praise be to the Lord of Worlds, who stated in His Book, “Fight those among the People of the Book who do not believe in Allah and the Last Day, do not forbid what Allah and His Apostle have forbidden, and do not profess the true religion, till they pay the poll-tax out of hand and submissively” [9:29], and prayers and peace upon the Imam of the *Mujahidin*, the Commander of the best of the best, Muhammad b. ‘Abdallah, who stated to those who were infidels “I have come to you in order to slaughter you.”<sup>9</sup>

Allah granted to a troop of youths of Islam by His favor and generosity—and the purity of His success and grace—to give back to the community some of its rightful due, and to cause the Crusader enemy to drink from the cup from which we have drunk for a long time. The heroes who put themselves forward in order to demolish the fortresses of the enemy did not put themselves forward because of an earthly reward that they would receive or an ephemeral position or a fleeting lust, but they put forth their spirits as a ransom for the religion of Allah, in order to protect the Muslims, who taught the American hands a lesson through them—by different types of torment and different kinds of supremacy and domination in every place. Thus, in order to support the way of jihad, self-sacrifice, and martyrdom in this community, we bring forth the first of the testaments of the heroes of the Washington and New York raids as part of a series of all of their testaments that they recorded previous to their journey to the land of the enemy beginning with the hero Ahmad al-Ghamidi, may Allah’s mercy be upon him.

We are not presenting this series for any reason other than to clarify to the community that the sole motivating factor for these youths was to protect the religion of Allah, and their honor and their sanctities. This was not as a service to any human or taking sides with any philosophy—either East or West—but in service to Islam, and as protection of its people by the purity of their desire—obedient, uncompelled. We also present this as a message to all the enemies of the community [as an example of] that which can be learned from this, that we will strike with an iron hand the heads of our enemies despite their strength and despite our weakness. Our presentation of [the testaments] at this particular time is a confirmation to the community that is living in [a time of] troubles in every place that the only way to salvation from this humiliation is through the sword, as the enemy does not know any other language than it. [The document then discusses whether it is wise to publish the statement because the material contained in it might be used against al-Qa‘ida.]

Through this document we are sending a message to America and to the entire world that we—despite what America is doing—are coming and that it will never be safe from the wrath of the Muslims, since [the United States] has started the war and will eventually lose it. Because of the awesomeness of these events [September 11] that have changed the face of history and the enormity of what was accomplished in the community, there have appeared—to our great sorrow—those who accuse those who perpetrated the September Operation. But those who disapprove have not spoken on the basis of [Islamic] legal proofs, or in accordance with logic, but with the tongues of their masters and the concepts of the enemy of this community. Everyone should know that those who carried out these operations and gave themselves up were heroes, and we should never despise those who give themselves up, especially the Muslims among them. For this reason we are compelled to present the issue according to the legal proofs from all sides, without preferring one side over the other, and without ignoring the matter. After research and mutual consultation, we have found that these types of operations are those that will return glory to the community and persuade the unjust enemy of the rights of the Muslim community.

Therefore, we will review the proofs for allowing these types of operations without detail or explanation so that this will be a legal message toward those who have clothed their political attentions in the misery of the legal opinion, and for this also to be a call to fear Allah, to repent and return to the legal proof for those who opposed and accused [us] because of these operations. Even if they are too cowardly to help the fighters (*mujahidin*) they should at least be quiet. So we will summarize the proofs according to what follows:

America is exactly the same as the Jews in the Muslims' view, and both of them are "people of war." What is permitted with regard to the one who occupies the land of Palestine is permitted with regard to its likeness [the United States] that helps and aids it [Israel]. If this is astonishing, then one should be astonished by those who permitted (legally) the martyrdom operations, in which civilians fall victim in Palestine, as one of the highest forms of jihad; then they say that martyrdom operations in America are forbidden because they kill civilians. This contradiction is astonishing; how is it possible to permit the killing of the branch and not the killing of the root and the support? Everyone who has permitted martyrdom operations in Palestine against the Jews must permit them in America, unless this contradiction is some type of game-playing with legal opinions.

America has never been a land that is protected by a covenant [with Muslims] and never will be; even if we were to grant to the opponent that it is a land protected by a covenant, we would have to say that it has become a nation at war [with the Muslims] because of its breaking of the covenant, its support of the Jews for more than fifty years in occupying Palestine, the expulsion of its people and killing of them. Thus it is a nation of war, that has broken its covenant from the day that it bombed and besieged Iraq, bombed and besieged the Sudan, and bombed and besieged Afghanistan, and it has attacked the Muslims in every place for the past decades. Some who do not know the meaning of legal proofs have disapproved, saying that the operations in America claimed women, elderly people and children as victims, and those are people whose blood is forbidden in Islam, so how can the operations be permitted from a legal standpoint?

We say: the sanctity of the blood of women, young children, and elderly infidels is not absolute. There are cases under which it is permitted to kill them, if they are part of a nation of war. Those situations are during the course of special circumstances, and we believe that a number of those innocents fell victim in the September operations, but they are not placed completely outside the boundaries under certain circumstances during the course of which killing them is permitted, and we will describe them in summary. The opponent may suffice by affirming that if only one of these circumstances holds true, then he must permit the operations because the circumstances are not conditional upon fulfilling all of them, but only one will suffice. These are the circumstances:

- a) Muslims are permitted to kill infidel innocents reciprocally; if the infidels are targeting the women, the young children and the elderly Muslims, then it is permissible for the Muslims to act reciprocally, and kill just as they were killed. Allah said: "Thus, whoever commits aggression against you, retaliate against him in the same way" [2:194] and other proofs. An operation of extermination is under way today against the Muslim peoples under the blessing of America, and even with its active participation, even with its actions. The best witness of this is what happened before the eyes and ears of the world in Palestine, in Jenin, Nablus, Ramallah, and other places. Everyone every day followed cruel massacres with American support during the course of which children, women, and the elderly were the targets. Is it not permitted for the Muslims to treat them reciprocally?

cally, and kill them in the same way as the Muslims were killed? Indeed, by Allah, it is the *right* of the Muslims.

- b) Muslims are permitted to kill innocent infidels in the event of the former being attacked because it is impossible to separate the innocent infidels from the fighters, or in fortresses it is permitted to kill them if they were following but not intentionally. This is in accordance with the word of the Messenger when he was asked about the families of the polytheists who were sleeping, whether they could target women and families. He said, "They are the same." This proves that it is permitted to kill women and young children who are following their fathers when there is no possibility of telling them apart.
- c) Muslims are permitted to kill innocent infidels if the innocents aid in the fighting whether by action, word, opinion, or in any form of aid, according to the order of the Prophet to kill Durayd b. al-Simma who joined Hawazin, even though he was 120 years old. He joined them to advise them, and they [the Muslims] treated him just as they treated the fighters. He moved from being protected to being permitted [to kill him] because of his advice against them [the Muslims] in that he advised fighting Islam. How much more then, with regard to one who supported with his vote the election of an unjust criminal government with regard to Islam and the Muslims, would he not deserve killing so that he be denied the possibility of voting for such a government? Judgment is according to probability.
- d) Muslims are permitted to kill innocent infidels if it is necessary to burn the fortresses or fields of the enemy in order to weaken his strength with the objective of taking the fortress or causing the state to fall even if innocents fall victim to this, as the Prophet did with Banu al-Nadir.
- e) Muslims are permitted to kill innocent infidels if it is necessary to cast heavy projectiles against them which are unable to differentiate between fighter and innocent, just as the Prophet did when he bombarded al-Ta'if with mangonels.
- f) Muslims are permitted to kill innocent infidels if the enemy uses their own women and children as shields and it is not possible to kill the fighters and stop their evil from the lands of Islam without killing the "shield"; this is permitted by general consensus.

- g) Muslims are permitted to kill innocent infidels when the people with whom there is a covenant break the covenant, so the imam must kill innocents in order to teach the others a lesson, as the Prophet did with Banu Qurayza.

Many will say: but what about the proofs of the permissibility of killing Muslims who were in the World Trade Center, if there really were [any]? We will grant that innocent infidels fit into one of the categories above, but what about the Muslims who died in these operations from what was done there? The answer to this question is in seven aspects, of which the opponent only has to affirm that one of them is true in order to be compelled to permit [the operation].

- a) The justifications of the perpetrator if he is a Muslim must be known, and if the justifications are equivalent to that of an emergency then this action is permitted; if there is no emergency to the justifications, then we will answer following.
- b) The probability is that in the targets that were hit there were only infidels, and action according to probability in the matter of *shari'* is what binds the legally culpable.
- c) Al-Shafi'i [d. 820] and al-Jassas [d. 982] of the Hanafi [school] permit the burning, drowning, or destruction of the lands of hostile foes, even if there are Muslims in these lands who will die because of these actions. Cessation [of conducting warfare] in the lands of war because of the Muslims who live in them would bring about the obstruction of jihad, so al-Jassas answered with the verse "Had it not been for some believing men [and some believing women], whom you did not know, lest you should trample them and earn thereby the guilt unwittingly, that Allah might thereby admit into His mercy whomever He wishes. Had they stood apart, We would have inflicted on those of them who disbelieved a painful punishment]" [48:25] that it does not indicate a complete ban, but in these cases the initiator of the operation is permitted to complete this action.
- d) Use of the previous verse and generalizing legal rulings from it would lead to the obstruction of the focus<sup>10</sup> of jihad from all the warring nations, because there is no nation today which does not have large numbers of Muslims in it. Wars today kill large numbers of people; thus use of the law of the verse is null,

because it would obstruct the focus of jihad or block it without reason.

- e) The most that can be imposed upon the one who mistakenly kills Muslims intermixed with hostile foes as in this case is that they pay one half of the blood price of the one who was killed as Muhammad judged with regard to the Muslims of Khath‘am who were living among the warring people of their tribe and were killed. The Prophet paid half of their blood money from the central treasury but did not declare their killer infidel, nor punish him, curse him, or disassociate himself from his action, but disassociated himself from those who lived among [infidels].
- f) It is permitted to treat a Muslim who helps the infidels and strengthens them so that he is to be numbered among them according to earthly law. In heavenly terms, he will be raised according to his intention, just as Allah caused the army that was attacking the Ka‘ba to be swallowed up by the earth when there were among them those who were not [guilty]. . . .

The previous traditions permitting the martyrdom operations in attacking New York and Washington are derived from the book *Haqiqat al-harb al-Salibiyya al-jadida* [*The Truth of the New Crusader War*]; whoever wants an extended version of the proofs and discussion of the issue should consult this complete book.

#### 4

#### ‘ALI AL-‘ALIYANI, “THE IMPORTANCE OF JIHAD, ON THE GOALS OF JIHAD”

*From www.alneda.com (May 1, 2002)*<sup>11</sup>

The primary goal is to make certain that people worship Allah and to remove them from the worship of creatures to the worship of the Lord of the creatures, to remove all unjust rulers from the entire world, and to make the world free from corruption. This is because the primary cause for corruption from the generations following Noah until the present day has been the submission of humanity to humans who are like them, and the dedication of types of service to them, whether in prayer, oath-taking, slaughter, glorification, law-making, or ruling. This is a deviation from the natural disposition as Allah created it to monotheism, as “I [God] created my servants pure (*hunafa*’), all of