



## ISLAMISM AND JIHAD: The Problem With Western Taxonomies

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**Abstract:** Explaining the confusing classification of 'political Islam' as Islamism/Jihad, I argue that this classification is epistemologically grounded in 1) Christian morality, 2) political secularism, and 3) modern ideology. I contrast this epistemology to an Islamic-friendly epistemology, framed by a specific theory of meaning, a priority of historical cases over abstract principles in determining the correct action, and a priority of the apparent action in deciding its rule legally over any internal intention or implied subjectivity. Following this discussion, I propose and introduce four legal concepts that traditionally articulate Muslims' political protest: 1) *jihad*, 2) *khurūj*, 3) *qitāl al-fitnah*, and 4) *naṣīḥah*. Contrasting this legal classification against the conventional Islamism/Jihad classification, I explain the advantages of using Islamic-friendly concepts to understand and frame Muslims' political protest. I also explain that these four concepts are essentially neither good nor evil, neither true nor false. They are rooted neither in ideology nor in morality. They are legal concepts where each one of them can be ruled, depending on a specific historical situation, as *wājib*, *mustahab*, *mubāh*, *makrūh*, or *ḥarām*.

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### Introduction: Conceptual Confusion

Is *ISLAMISM* INCLUSIVE of *Jihad*, or are these two different phenomena? If Islamism includes Jihad, then is it helpful to put a movement, such as Tunisian Nahḍah, which advances its goals by engaging in the democratic process in the same square as ISIS or al-Qā'idah? As an example of those who remove the barrier between Islamism and Jihad, there are several works by Bassam

Tibi (2005, 2007, 2008, 2012a, 2012b).<sup>1</sup> In his works, Tibi argues that Islamism is totalitarian, anti-democratic, and anti-Western Civilization, that Jihadism is not just a militant movement but includes social movements as well, that the Muslim Brothers Movement is the root of this totalitarianism, and that this totalitarianism includes what Charles Kurzman falsely presented as liberal Islam.<sup>2</sup>

Suppose we aim to separate Islamism and Jihad. In that case, however, we will have to separate two equally political movements. Though one of them uses military power in its action as Jihad, the other cannot delegitimize Jihad in principle since it is part and parcel of "Islam." There is no guarantee that it will not slide through the political spectrum in the future to practice it in reality. This continuity between Islamism and Jihadism and the possible sliding of the first toward the second is presented in several works. For instance, Daniel Brett argued that the call for restoring the Caliphate by the Brothers led the Movement to be increasingly militant in the post-war years, assassinating its opponents and directly engaging in the 1948 War. Later, they clashed with Nāṣir's regime and developed the radical ideology of *ḥākimiyah* by Sayyid Qutb.<sup>3</sup>

Redefining Jihad as *Jihad-al-Nafs*, making it a spiritual Jihad, is only a helpless, desperate strategy that is doomed to fail since it contradicts countless volumes that were written and read for long centuries to explain militant Jihad as presented in numerous Qur'anic and Ḥadīth texts. David Cook argued that

<sup>1</sup> Bassam Tibi, *Islam Between Culture and Politics* (London: Palgrave MacMillan, 2005), "The Totalitarianism of Jihadist Islamism and its Challenge to Europe and Islam," *Politics, Religion and Ideology*, 8, no. 1, (2007): 35-54. <http://doi.org/10.1080/14690760601121630> "Islamist Parties and Democracies: Why They Cannot Be Democratic", *Journal of Democracy*, 19, no. 3, (2008): 43-48. <http://doi.org/10.1353/jod.0.0002>, *Islamism and Islam* (New York: Yale University Press, 2012a) and *Islam in Global Politics* (New York: Routledge, 2012b).

<sup>2</sup> Bassam Tibi, "The Totalitarianism of Jihadist Islamism and its Challenge to Europe and Islam," *Politics, Religion and Ideology* 8, no. 1 (2007): 35-54.

<sup>3</sup> Daniel Brett, "Evolution and Rise of Contemporary Jihadism: From the Muslim Brotherhood to IS," in *Terrorism Revisited: Islamism, Political Violence and State Sponsorship*, ed. Paulo Casaca and Siegfried Wolf. (New York: Springer, 2017), 83-108.

"contemporary jihad is the lineal descendant of classical jihad theory as modified by contemporary radical Islam."<sup>4</sup> Two differences, however, Cook highlights between classic and contemporary Jihad: the emphasis on contemporary Jihad is on functionality, not legality, and the target of it is smaller groups and individuals rather than non-Muslim states.<sup>5</sup>

Another failing strategy is to isolate Jihad from Islamism by calling it terrorism. This strategy ignores the daily use of the term by its movements, on the one hand, and its favorable use by both Muslim states, such as the case of the 1973 Egyptian war against Israel, and Western states, such as the case of fighting the 1979 Soviet Union invasion of Afghanistan. Ironically, it is Islamism that can be more easily ignored as a recent and modern phenomenon, not Jihad, which has been rooted in long centuries of legal and political tradition. Nonetheless, calling jihad terrorism has been a widespread practice among researchers, for instance, Meghnad Desai.<sup>6</sup>

In this article, I will provide a conceptual approach to study the semantics and the philosophical foundations of the commonly used Western concepts of Jihad and Islamism and contrast them to the Islamic traditional concepts that were used to articulate political protest, namely, *Jihad*, *khurūj*, *qītāl al-fitnāh*, and *naṣīḥah*.

### Epistemologies of Classifications

In *The Archaeology of Knowledge*, Foucault explains how the power of discourse hides in classifications, specifically in what he calls *points of diffraction*. These are points of incompatibility: two contradictory concepts or objects. Those contradictory elements are formed on the same basis and by the same rules and are characterized as *equivalence* points. Instead of constituting a mere defect of coherence, they appear as alternatives in the form of 'either . . . or'. Lastly, they are characterized as link *points of*

<sup>4</sup> David Cook, "Islamism and Jihad: The Transformation of Classical Notions of Jihad into an Ideology of Terrorism," *Politics, Religion and Ideology*, no. 10.2 (2009): 177.

<sup>5</sup> David Cook, "Islamism and Jihad, 177-187.

<sup>6</sup> Meghan Desai, *Rethinking Islamism: The Ideology of the New Terror* (London: I.B. Tauris, 2007).

*systematization*. Based on each of these equivalent elements, a coherent series of objects, concepts, and statements is derived with new possible points of incompatibility within each of them.<sup>7</sup> The classification of Islamism and Jihad as two distinct categories reflects, I argue, three interconnected Western epistemologies, namely, Christian morality, political secularism, and modern ideologyism.

Foucault recognizes two different, if not exclusive, forms of morality: *forms of subjectivation* and *codes of behavior*. Where the moral action relates to the *self* in the form of subjectivation, it relates to *reality* in the codes of behavior.<sup>8</sup> Though these two forms cannot be entirely dissociated, they may develop relative independence from one another, and the emphasis on particular moralities is on one of them. When the emphasis is on the code,

The important thing is to focus on the instances of authority that enforce the code, that require it to be learned and observed, that penalize infractions; in these conditions, the subjectivation occurs basically in a quasi-juridical form, where the ethical subject refers his conduct to a law, or set of laws, to which he must submit at the risk of committing offenses that may make him liable to punishment.<sup>9</sup>

In contrast to this type of moralities, the emphasis could be on the forms of relations with the self, on the methods and techniques by which he works them out, on the exercises by which he makes of himself an object to be known, and on the practices that enable him to transform his mode of being.<sup>10</sup>

Foucault argues that in Christianity, the emphasis was on the forms of subjectivation, despite some proliferation of coding ethics in late Christianity, against which many spiritual movements reacted before the Reformation.<sup>11</sup> This is the sort of Christian morality that grounds the classification of political Islam into Islamism and Jihad, where Islamism is accepted as being *peaceful*. At the same time, Jihad is rejected for being *violent*.

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<sup>7</sup> Michel Foucault, *The Archeology of Knowledge* (New York: Pantheon Books, 1972), 65-66.

<sup>8</sup> Michel Foucault, *The Use of Pleasure* (New York: Vintage Books, 1990), 28.

<sup>9</sup> Michel Foucault, *The Use of Pleasure*, 28-29.

<sup>10</sup> Michel Foucault, *The Use of Pleasure*, 29.

<sup>11</sup> Michel Foucault, *The Use of Pleasure*, 30-31.

This connection between being and acting—via the concept of expression, in both Western philosophy and Christian theology is explained in Deleuze's interpretation of Spinoza and Leibniz. He writes,

The expression applies to Being determined as God insofar as God expresses Himself in the world. It applies to ideas determined as accurate insofar as actual ideas express God and the world. Finally, it applies to individuals determined as singular essences expressing themselves in ideas.<sup>12</sup>

This ontology lies in the justification of dividing political Islam into Islamism and Jihad, where Islamism is peaceful and thus expresses good essences and authentic ideas. In contrast, Jihad expresses violent, devious, and non-godly essences and false ideas. Epistemologically, the classification is foreign to the Islamic tradition, a legal tradition that emphasizes the *codes of behavior* as they connect and relate to reality, not mainly to any essence of being or substance of the self. There, violence, much like peace, is not inherently good or evil but is legitimate or illegitimate according to a context of reality. Ignoring bad feelings, such as hatred, and focusing on the practical point of justice, the Qur'ān says, "Do not let the hatred of a people prevent you from being just! Be just; that is nearer to righteousness."<sup>13</sup> In fact, and a direct articulation of violence, the Qur'ān says, "And if two factions among the believers should fight, then make settlement between the two."<sup>14</sup> Violence, according to this verse, though not prescribed, is expected even among the best of Muslims and cannot be an expression of truth or falsehood since two sides use it, and each of them is recognized as a believer.

The Christian and Western connection between essence and expression, or subjectivity and action, is ruptured or at least destabilized in Islam. In a report of Ḥadīth, the Prophet said,

So one of you may do the actions characteristic of the people of Paradise so much that there is but an arm-distance between him and Paradise, but then what has been written for him prevails that he starts doing the actions

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<sup>12</sup> Gilles Deleuze, *Expressionism in Philosophy: Spinoza* (New York: Zone Books, 1992), 321.

<sup>13</sup> The Qur'ān, Sūrah 5, Āyah 8.

<sup>14</sup> The Qur'ān, Sūrah 49, Āyah 9.

characteristic of the people of Hell, so he enters Hell; and one of you may do the actions characteristic of the people of Hell so much so that there is but an arm-distance between him and Hell, but then what has been written for him prevails. He starts doing the actions characteristic of the people of Paradise, so he enters Paradise.<sup>15</sup>

According to this report, a subject's actions are unnecessarily a direct expression of the essence of the actor. In Islam, sin is a legal mistake rather than a necessary reflection of character. Faced with a specific challenge, a member of political Islam would not ask if s/he is inclined to peace or violence. S/he would ask a different question: what is the *legitimate* response to this challenge? Differences among those whom we call Islamists and those whom we call Jihadists are not differences in morality or psychological inclination; they are differences in *legal* reasoning.

The connection between Christian morality and modern political secularism, one basis for isolating political Islam as a separate construction from Islam, could be found in the works of Talal Asad. Asad holds that "anthropologists who would study, say, Muslim beliefs and practices will need to understand how "religion" has come to be formed as a concept and practice in the modern West."<sup>16</sup> He argues that 20<sup>th</sup>-century anthropologists hold that "the essence of religion is not to be confused with, say, the essence of politics, although in many societies, the two may overlap."<sup>17</sup> Warning: Asad writes:

However, this separation of religion from power is a modern Western norm, the product of a unique post-Reformation history. The attempt to understand Muslim traditions by insisting that in them, religion and politics (two essences modern society tries to keep conceptually and practically apart) are coupled must, in my view, lead to failure.<sup>18</sup>

Asad explained that the medieval church was clear about the need to distinguish knowledge from falsehood and the sacred from the profane, distinctions that went on the same lines as

<sup>15</sup> Muhammad Ibn Ismā'īl al-Bukhārī, *Ṣaḥīḥ al-Bukhārī* (Damascus: Dār Ibn Kathīr, 2002), 1841.

<sup>16</sup> Talal Asad, *Genealogies of Religion: Discipline and Reasons of Power in Christianity and Islam* (Baltimore, The John Hopkins University Press, 1993), 1.

<sup>17</sup> Talal Asad, *Genealogies of Religion*, 27.

<sup>18</sup> Talal Asad, *Genealogies of Religion*, 28.

separating the secular from the religious. In later centuries, distinguishing the religious from the secular shifted the weight “more and more onto the moods and motivations of the individual believer.”<sup>19</sup> Here, I argue, we find the separation of the religious from the secular resting on the same ground of Christian morality—that is, on the *forms of subjectivation*. This separation is foreign to Islam.

In its turn, this European secularism is connected to another Western epistemology: modern idealism. Asad explains the 17<sup>th</sup>-century Christian European production of a universal definition of religion, where it is formulated in terms of beliefs, practices, and ethics.<sup>20</sup> He writes that this “emphasis on belief meant that henceforth religion could be conceived as a set of propositions to which believers gave assent.”<sup>21</sup> Ironically, he finds a connection between religious theory and practices in both Geertz and Marx that is recognized erroneously, Asad argues, as cognitive or ideology. There, religion is seen as *perspective*.<sup>22</sup> This articulation of religion as a mental state drives the framing of either Islamism or Jihad as an ideology. What makes and differentiates Islamism or Jihad, it is claimed, is eventually a set of ideas or beliefs that create their worldview and determine their actions. This approach frequently advocates for or against the tired question of the compatibility of Islam and democracy. John Esposito et al. acknowledge the helplessness of such an approach by writing:

The widely held views were that all these movements (a) share a utopian vision of an Islamic state, (b) seek to implement the Sharī'a to its fullest extent as the sole source of legislation, and (c) maintain that democracy and its corresponding set of political institutions, procedures, and principles have no place in their political lexicon. Their reliance on radical methods and violence to achieve political ends was thought to point to another contentious commonality. In truth, however, one would be hard-pressed to

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<sup>19</sup> Talal Asad, *Genealogies of Religion*, 39.

<sup>20</sup> Talal Asad, *Genealogies of Religion*, 40.

<sup>21</sup> Talal Asad, *Genealogies of Religion*, 40-41.

<sup>22</sup> Talal Asad, *Genealogies of Religion*, 44-49.

find two contemporary Islamic movements that share these precepts today.<sup>23</sup>

To understand these Islamisms, the book's authors had to focus on their diverse actions, statements, and positions. That is a full circle to return to the traditional Islamic legal approach of prioritizing the question of actions and their *hukm* over the ideological basis of these actions. Here, I will explain this prioritizing by briefly discussing 1) *meaning*, 2) the priority of real cases over absolute principles, and 3) the priority of the apparent action over the implied intention.

In my article, "Fitna," exploring *fitna*—an Arabic and Islamic concept that is reflected in both social reality and linguistic structures, I argued that the essence of *fitna* is a normative merging of truth and falsehood that renders signs seductive and removes truth from the field of reason. Accordingly, *meaning* is neither true nor false, absent nor present; it is incomplete since it partially operates within the sphere of *ghayb* or the invisible reality. Ideological statements cannot have a stable and defined meaning reflecting some truth behind them.<sup>24</sup> During his fieldwork in Morocco, Lawrence Rosen had a similar observation: Moroccan statements are neither true nor false. They can be considered severe proposals aiming to establish a relationship of negotiation.<sup>25</sup> In "Jam'," I argued that the ambiguous meaning is not to be found in any rational grammar structures or articulated in a single word. I wrote that it is articulated in the *naṣm*—a Deleuzian *assemblage* of the sentence.<sup>26</sup> To analyze an Islamic movement is not to analyze its ideology that assumedly produces its daily utterances and actions. It is the other way around: to explore a variety of *assemblages* made of its utterances and actions. This conclusion

<sup>23</sup> John Esposito, Lily Rahim, and Naser Ghobadzadeh, *The Politics of Islamism* (New York, Springer, 2018), 268-269.

<sup>24</sup> Mohamed Mosaad Abdelaziz Mohamed, "Fitna," *SIWO' Revista de Teología/Revisa de Estudios Socioreligiosos*, no. 11.1 (2017), 25-43.

<sup>25</sup> Lawrence Rosen, *Bargaining for Reality* (Chicago: University of Chicago Press, 1984), 117-119.

<sup>26</sup> Mohamed Mosaad Abdelaziz Mohamed, "The Linguistic and Sociological Dimensions of the Concept of Jam': A Deleuzian Approach," *Islamology*, no. 10.2 (2020), 117-141.

leads us to the next point: the priority of real cases over absolute principles.

Whether in language or *fiqh*, confirmed cases are prioritized over absolute and ideal logical principles. For instance, in his famous debate with Matta the logician, the grammarian al-Sīrāfī (284-368 H./897-978 CE) argued that rules and laws (of language) can be known by induction, not deduction.<sup>27</sup> In *Al-Khaṣā'is*, Ibn Jinnī (941-1002 CE/322-392 H) prioritizes conventional meaning over the rules of grammar. He writes,

In much of poetry and prose, you find conflicts between grammar and meaning. One of them invites you to something, while the other prohibits it. It would help if you held on to the meaning when they both encountered certain speech and comfortably justified the grammar.<sup>28</sup>

Clifford Geertz has a similar observation when it comes to the law. Geertz argues that the is/ought problem seems reversed when Muslim societies are concerned. He writes, "Muslim adjudication is not a matter of joining an empirical situation to a jural principle; they come already joined. ... Facts are normative: it is no more possible for them to diverge from the good than for God to lie."<sup>29</sup> Whether in Islam or the Arabic language, epistemologically, the meanings of statements, rules of language, and rulings of legal cases emerge empirically from real cases rather than following predefined ideals or principles. To classify movements, a Muslim would ask what they *did*, not why they did it, what ideas motivated them to do it, or what they were thinking. From the perspective of a particular activist in this or that movement, action is a matter of *fatwa*. No matter the ideology motivating the action, the action must emerge from and find legitimacy in legal discourses.

One might protest that actions are produced subjectively and, therefore, they cannot be separated from the *actors' intentions*.

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<sup>27</sup> Abū Ḥayān al-Tawhīdī, *Al-Imtā' wa Al-Mu'ānasah* (Beirut: Al-Maktabah al-Asriyyah, 2011) 89-101.

<sup>28</sup> Abū al-Faṭḥ ‘Uthmān Ibn Jinnī, *Al-Khaṣā'is* (Cairo: Dār al-Kutub al-Miṣriyyah, 1952), vol. 3, 255.

<sup>29</sup> Clifford Geertz, *Local Knowledge: Further Essays in Interpretive Anthropology* (New York, Basic Books, 1983), 189.

However, in his discussion of contractual liability, Nabil Saleh explained,

The four Sunni schools of law perceive contractual liability as an objective criterion, which may occur regardless of whether there is a fault and whether the act that brought the alleged damage was intentional. In their view, the Shari'a is not concerned with whether a party intended to breach a contract but rather whether the contract was breached. Therefore, whether the breach was "wrongful" or in "bad faith" is not relevant to whether a party breaches the contract. Accordingly, intention is dismissed as an irrelevant factor when assessing a breach-of-contract case as it is a subjective criterion and difficult to ascertain.<sup>30</sup>

Here, the legitimacy of action—this world legitimacy, is anchored not in subjectivity or intention but in the objective formality of the action itself. Whether this action is good or evil is neither a question of intention nor reason. It is a question of the law. Rather than automatically taking the good as legal and the bad as illegal, it is the other way around: the legally prescribed is assumed to be good, and the prohibited is assumed to be wrong. The argument that wars are necessarily bad, while peace is expectedly good, is not readily acceptable. Al-Šuhrustānī wrote,

The school of thought (madhab) of the people of the truth is that reason does not signify something to be good (hasan) or bad (qabīh) in terms of being legally prescribed by God. In other words, people's actions are not qualified as being good or bad according to any subjective attributes (ṣifāt niyyah,) so they are rewarded or punished by God for doing or not doing them. ... The definition of being good is that which the law praised its doer; the definition of being bad is that which the law vilified its doer.<sup>31</sup>

This is the theological and epistemological foundation of actions, including political actions, in mainstream Sunni Islam.

### **Traditional Legal Classification of Political Protest**

By political protest, at this moment, I mean an observable action by an individual Muslim or a group of Muslims to create a change in the political system, to change the political ruler, to

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<sup>30</sup> Nabil Saleh, "The Role of Intention (Niyyah) Under Saudi Arabian Hanbali Law," *Arab Law Quarterly*, no. 23.3 (2009), 347-348.

<sup>31</sup> 'Abd al-Karīm al-Šuhrustānī, *Nihāyat al-Aqdām fi 'Ilm al-Kalām* (Cairo: Maktabat al-Thaqāfah al-Dīniyyah, 2009), 362.

protest a political action or a pattern of ruling of the ruler, or to fight against a Muslim or non-Muslim army. Traditionally, there are four political protest actions: *jihād*, *khurūj*, *qitāl-al-fitnah*, and *naṣīḥah*. I will explain them in the following lines.

*Jihād:*

Avoiding lexical semantics, *jihād*, as fighting, seems to have two essential and constant features. First, *jihād* refers to fighting non-Muslims. In *fiqh*, there is no *jihād* against Muslims. Fighting Muslims could be *khurūj* or *qitāl al-fitnah*, as I will explain later, but it cannot be considered *Jihad*. Al-‘Izz Ibn ‘Abd al-Salām (1181-1262 CE/577-660 H.) wrote,

The best action, next to believing in God, is *jihād* for the sake of God. It crushes the enemies of God and rid the land of them. It rescues the hostages of Muslims from amongst the blasphemers and protects Muslims' lives, properties, women, and children. Moreover, it allows Muslims to make use of the blasphemers' land, properties, women, and children.<sup>32</sup>

Ibn ‘Abd al-Salām quotes a report of Ḥadīth, where the Prophet says, “Fight (*jāhidū*) the polytheists with your wealth, lives and tongues.”<sup>33</sup>

The second essential feature of *jihād* is that it has to be issued by the legitimate ruler. Al-Māwardī (974-1058 CE/364-450 H.), in his famous book, *Al-Aḥkām Al-Sultāniyyah*, starts writing on the legal regulations of political life and structures with a chapter on appointing the ruler. Once legitimately appointed, the ruler, only him, has the right to *delegate* specific authorities to specific leaders. Al-Māwardī devotes the fourth chapter to the war authority. He writes,

The authority (*imārah*) over *jihād* is specific in fighting the polytheists. It could come in two types. First, it could be limited to the management of the army and the planning of wars. Here, it would be a particular authority (*imārah khāṣṣah*). Second, the delegated authority could include all the military-related authorities, such as distributing the spoils, signing peace

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<sup>32</sup> Al-‘Izz Ibn ‘Abd al-Salām, *Aḥkām al-Jihād wa Faḍā’iluh* (Cairo: Maktabat Dār al-Wafā’ li-al-Našr wa al-Tawzī’, 1986), 53.

<sup>33</sup> Al-‘Izz Ibn ‘Abd al-Salām, *Aḥkām al-Jihād*, *ibid.*, 54.

agreements, etc. Here, it would be regulated with the regulations of the general authority (*imārah ‘āmmah*).<sup>34</sup>

In addition to stating the purpose of this authority—fighting the polytheists, al-Māwardī explains that the authority to declare war or to hold peace is a delegated authority that the *Imām*, or the legitimate ruler, must issue.

We find this rule further explained in contemporary literature. In his encyclopedic work, *Fiqh al-Jihād*, al-Qaraḍāwī presents a traditional classification in new formats. Religious actions, according to him, are either *ibādāt* or *mu‘āmalāt*. *Ibādāt* are the rituals, such as the daily prayers and the fasting of Ramaḍān. *Mu‘āmalāt* are actions that concern the daily life. *Mu‘āmalāt* are further classified into five groups according to the ground of responsibility: the individual, the family, the society, the state, or the *Ummah* in its entirety. Quickly and decisively, Qaraḍāwī grounds *jihād* in the state and the *Ummah*. In other words, *jihād* is neither an individual nor a communal responsibility. It is a function of the operating state. Only the state's political authority can make correct decisions about peace and war; only the state can invoke *jihād*.<sup>35</sup>

### *Khurūj:*

*Khurūj* refers to armed resistance against a Muslim political regime and its leader. Literally, *khurūj* means to go out, exit, walk out, leave, or depart. Conceptually, it is an armed rebellion against a legitimate political authority. For this reason, the group of Muslims that rebelled against Caliph ‘Alī (599-661 CE/23 BH-40 H.) was called al-Khawārij. Though internal fighting is strictly prohibited, Muslims have had a long history of armed rebellions. Sometimes, *khurūj* is called *baghyi* or transgression. Muḥammad ‘Imārah (1931-2020 CE) used the contemporary concept of *thawraw*

<sup>34</sup> Abū al-Ḥasan ‘Alī al-Māwardī, *Al-Aḥkām al-Sultāniyyah* (Cairo: Dār al-Ḥadīth, 2006), 69.

<sup>35</sup> Yūsuf al-Qaraḍāwī, *Fiqh al-Jihād:Dirāsah Muqāranah li-Aḥkāmih wa Falsafatih fī Ḥaw’ al-Qur’ān wa al-Sunnah* (Cairo, Maktabat Wahbah, 2009), 74-76.

or revolution to describe historical *khurūj* and argued that *thawraw* as a concept was known traditionally.<sup>36</sup>

*Qitāl al-Fitnah:*

*Qitāl* is fighting. *Fitnah* indicates deception, seduction, anarchy, and turmoil. As I wrote above, the essence of *fitnah* is “a merging of truth and falsehood that renders signs seductive and removes truth from the field of reason.”<sup>37</sup> *Qitāl al-fitnah* refers to internal armed conflicts among different groups of Muslims. These confrontations could be inter or intrastate conflicts. There were numerous such conflicts in Muslim history, but the first was called the Great Fitnah, or *al-Fitnah al-Kubrā*. It is distinguished from *khurūj* since it is not, in essence, a challenge to an established legitimate authority but rather a dispute over a religious or political issue when it is an intra-state *fitnah* or a territorial dispute when it is an interstate conflict.

*Naṣīḥah:*

*Naṣīḥah* means advice or giving a sincere consultation. The concept was used in both the Qur’ān and Ḥadīth. In Ṣahīḥ Muslim, there is a report of Ḥadīth that the Prophet said, “‘Religion is *naṣīḥah!*’ We said, ‘To whom?’ He said, ‘To Allah, His Book, His Messenger, and to the leaders of Muslims, and their public.’”<sup>38</sup> *Naṣīḥah* to the public was traditionally understood along the same lines as another commandment: *al-’amr bi-al-ma’rūf wa al-nahy i ‘an al-munkar*, or enjoining the good, and forbidding the evil. As such, *naṣīḥah* includes what we may call today political participation and civic engagement.

Hayām ‘Azab argues that *naṣīḥah* includes the three political concepts of *mu’āradah*, or protest, *hisbah*, and *’amr bi-al-ma’rūf wa al-nahy i ‘an al-munkar*.<sup>39</sup> *Hisbah* is a function of the state, and it is

<sup>36</sup> Muḥammad ‘Imārah, *Al-Islām wa al-Thawrah* (Cairo, Dār al-Šurūq, 1988), 10-15.

<sup>37</sup> Mohamed Mosaad Abdelaziz Mohamed, “Fitna,” 25.

<sup>38</sup> Abū al-Ḥusayn Muslim, *Ṣahīḥ Muslim* (Riyadh, Dār Ṭibah, 2006), vol. 1, 44.

<sup>39</sup> Hayām ‘Azab, “Ta’ṣīl Mafhūm al-Naṣīḥah fi al-Fikr al-Siyāsīal-Islāmī,” *Al-Naṣīḥah: Al-Munṭalaqāt wa al-Ab’ād*, Conference, organized by al-Da’wah wa al-I’lām College, Islamic University of Muḥammad Ibn Sa’ūd, 2012.

more like law enforcement, where state employees observe the public to be sure that the legal and moral codes of the society are followed. The *'amr bi-al-ma'rūf wa al-Nahyan 'an al-munkar*, however, is not only a right but indeed a duty of every individual Muslim. Unlike *jihād*, *khurūj*, and *qītāl al-fitnāh*, *naṣīḥah* is not an armed confrontation.

Muslims' history includes countless stories of political protest against the rulers and their representatives, whether by individuals, groups, or representatives of groups. Against the common claim that traditionally Muslim jurists warned the masses against political protest, Jamāl Abū-Farḥah sums up three principles of political protest in Islam: 1) the *'amr bi-al-ma'rūf wa al-nahyi 'an al-munkar*, 2) disobedience against the ruler's orders of doing the evil, and 3) the prohibition of armed confrontations against the ruler as long as he does not explicitly denounce Islam in public.<sup>40</sup> These three principles are supported by textual evidence. For instance, there is a report of Ḥadīth, where the Prophet says, "Whoever amongst you sees wrongdoing should change it by his hand. If he could not do it, he should change it with his tongue. Otherwise, he should change it by his heart, and this is the least of faith."<sup>41</sup> Muslim narrated another report of Ḥadīth, where the Prophet says, "No obedience (to a leader) in disobeying God. Obedience (to the leaders) is only in doing the *ma'rūf*, good (Muslim, vol. 2, 893).<sup>42</sup> Muslim, in his Ḥadīth collection, wrote a chapter titled, "The obligation, *wujūb*, to protest, *inkār*, the leaders' disobedience of the law, *šar'*, but without fighting them, as long as they maintain the prayer."<sup>43</sup>

## Contrasting Two Classifications

I argued above that the Islamism/Jihad classification is Western, grounded in Christian morality, political secularism, and modern ideologism—a classification that is foreign to Muslims' consciousness and reality. I proposed an alternative political

<sup>40</sup> Jamāl al-Ḥusaynī Abū Farḥah, *Al-Khurūj 'Ala al-Ḥākim fī Al-Fikr Al-Siyāsī al-Islāmī* (Cairo: Markaz al-Ḥadārah al-‘Arabiyyah, 2004).

<sup>41</sup> Abū al-Ḥusayn Muslim, *Ṣaḥīḥ Muslim*, vol. 1, 41-42.

<sup>42</sup> Abū al-Ḥusayn Muslim, *Ṣaḥīḥ Muslim*, vol. 2, 893.

<sup>43</sup> Abū al-Ḥusayn Muslim, *Ṣaḥīḥ Muslim*, vol. 2, 899.

protest classification grounded in traditional Islamic law. Four legal concepts were found to articulate political protest: *Jihad*, *khurūj*, *qitāl al-fitnah*, and *naṣīḥah*. From an Islamic perspective, none of these concepts is ontologically good or evil. None of them creates an ideology. Muslims do not *believe* in these concepts as moral or ideological principles; they *practice* them as *fatwas*.

In addition, *jihād*, *khurūj*, and *naṣīḥah* are not essentially *halāl*, permissible, or *harām*, prohibited. The five possible rulings of any action, namely, *wājib* (compulsory or obligatory,) *mustaḥab* (recommended,) *mubāh* (allowed as neutral,) *makrūh* (disliked or reprehensible,) and *harām* (prohibited or forbidden) can be true for each one of them. *Qitāl al-fitnah* is prohibited. However, those engaged in it are not readily ruled as sinful. Moreover, articulating a *fatwa* of any of these practices is to conduct numerous debates, historical and contemporary, around the authenticity and meaning of the text and the conceptualization of reality.

Is it necessary for Muslims to fight non-Muslims? Expectedly, there is no one answer to this question. Traditional answers can be valid or invalid in contemporary reality. Is it *wājib* that each Muslim participates in *jihād*? The consensus is that everyone must participate in *jihād al-daf'*, or the defensive *jihād*, to protect one's homeland. There is no agreement about *jihād al-ṭalab*, or the war that Muslims initiate. Could practices of *jihād* be *harām* or prohibited? Certainly! Fighting unarmed people who are not engaged in the war, burning houses of worship, uprooting trees, etc., are all prohibited acts of war.

Though *khurūj* seems to be prohibited, it can indeed be obligatory as well. The traditional countless *fatwas* against *khurūj* are conditioned: it is prohibited if changing the evil ruler would shed so much blood that the damage of changing the ruler is more significant than the damage of having him. It is, in fact, obligatory to remove a ruler with no integrity if this could be done peacefully or with slight damage, and it is obligatory at all costs if the ruler denounced Islam publicly.

*Naṣīḥah*, or *al-’amr bi-al-ma’rūf wa al-nahy i ‘an al-munkar* are not unproblematic as well. Numerous questions and discussions are raised to determine if enjoining the good or forbidding the evil are

obligatory, recommended, neutral, disliked, or prohibited. In terms of power, knowledge, or authority, what is the capacity that the individual or the group must perform this commandment? What is it to be enjoined or forbidden? Is it controversial? Is it good or bad in all legal schools or just some of them? Has this commandment to be performed now or later? Should it be done by the hand, the tongue, or the heart? Would it create more damage; what about the question of cost/benefit? As we see, none of these questions is mainly ideological or moral. It is a legal question that must be grounded in a specific real case.

*Qitāl al-fitnah*, as bad and prohibited as it is, is still a matter of legal evaluation. As I quoted the Qur'ān earlier, it says, "And if two factions among the believers should fight, then make settlement between the two."<sup>44</sup> *Fitnah* itself, the mixing of truth and falsehood as the basic nature of this world, makes it possible and expected for two groups of *believers* to fight each other. Each of these groups is expected to have a good legal reason to fight, likely as *'amr bi-al-ma'rūf wa nahiyyi 'an al-munkar*. The Qur'ān then says, "If one of them transgresses against the other, then fight against the transgressing faction until they are willing to submit to the rule of Allāh."<sup>45</sup> Here, one group is considered a transgressor, not for any ideological or moral reason, but for the simple, formal, and legal fact that they started a fight *after* a settlement had been made.

## Conclusion

In this article, I argued that the Jihad/Islamism classification needs to be clarified and clarified in our Western scholarship and foreign to the Islamic tradition that we study. Not only that the two concepts are overlapping, but they are also grounded in Western epistemology. From one angle, being an Islamist or a Jihadist goes along the same lines of being a good, peaceful person or a bad, violent one—a morality that Foucault called "forms of subjectivation." Deleuze saw being and acting as connected in Christianity and Western traditions, as they manifest in *expression*. On his part, Talal Asad argued for a continuity between Christian

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<sup>44</sup> The Qur'ān, Sūrah 49, Āyah 9.

<sup>45</sup> The Qur'ān, Sūrah 49, Āyah 9.

theology and modern secularity in conceptualizing politics and religion as separate entities with distinct essences.

Furthermore, he argued that conceptualizing "religion" as beliefs, practices, and ethics is equally Western. The emphasis on beliefs, Asad argued, can be seen in Marx and Weber. Religion, again, is seen as ideology, and hence the basic question of the Jihad/Islamism classification: What do those activists believe in war or peace? That is an assumption of a set of coherent ideas that control the behavior in prior.

In contrast to this epistemology, I argued a different epistemology based on a theory of meaning, where meaning is neither true nor false, absent nor present; it is incomplete since it partially operates within the sphere of *ghayb* or the invisible reality. Ideological statements of truth are not possible, for they are preceded in significance by real historical cases. Actions are classified according to formalities and appearance rather than subjective content or intention. Actions are mainly not morally classified into good and evil, but according to their legality as *wājib*, *mustahab*, *mubāh*, *makrūh*, or *harām*.

As an alternative classification of Muslims' political protest, I proposed the traditional classification: *Jihad*, *khurūj*, *qitāl al-fitnah*, and *naṣīḥah*. These four legal concepts of political protest are classified based on the use of arms, against whom the protest or fighting is waged, and for which political purpose. None of these concepts or practices is essentially good or evil. These four practices are subject to the entire spectrum of five legal rules—from *wājib* to *harām*. Facing a political situation, a Muslim would expectedly ask: What is the correct action that I must take in this situation? S/he would not ask: do I support violence or peace? Should I include Islam in politics or not? What does the ideology of my organization say here? A Muslim's response is framed mainly as a *fatwa* grounded in a specific historical situation.

Ramy Aziz argued that President Sisi of Egypt is Salafi, an Islamist who rejects Western democracy and aspires to apply Islamic law.<sup>46</sup> In a different article in the same journal issue,

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<sup>46</sup> Ramy Aziz, "Who is Sisi of Egypt? A Salafi," *Middle East Quarterly*, no.26.2, (2019).

Cynthia Farahat argued that he is a reformer bent on suppressing jihadists.<sup>47</sup> One wonders if the problem is placing Sisi on the classification square or if the classification square itself is problematic. Was President Sadat an Islamist when he wrote in 1954 that he and the Free Officers embrace the noble principles of the Muslim Brothers, a Jihadist in 1973 when he and his army propagandists framed the war between Egypt and Israel as a war against the Jews, or a liberal reformer when he in 1977 sought peace with Israel? Was it meaningful for Western media after September 11<sup>th</sup> to urge Muslims to issue statements that they, unlike the Jihadists of them, actually seek peace, for, after all, Islam and Salam have the same root?

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<sup>47</sup> Cynthia Farahat, "Who is Sisi of Egypt? A Reformer," *Middle East Quarterly*, no. 26.2, (2019).

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