

**In the name of God
The Most Gracious,
the Most Merciful**

TERRORISM

**Grand Ayatollah
Seyyed Mahmoud Hashemi Shahroudi**



سرشناسه	: هاشمی شاهرودی، سید محمود، ۱۳۲۷ Hashemi Shahroudi, Seyyed Mahmoud
عنوان قراردادی	: تروریسم، انگلیسی
عنوان و نام پدیدآور	: Terrorism / Grand Ayatollah Seyyed Mahmoud Hashemi Shahroudi
مشخصات نشر	: تهران، دانشگاه عدالت، ۱۳۹۶ = ۲۰۱۷ م.
مشخصات ظاهری	: ۵۶ص.
شابک	: 978-600-8420-08-8
وضعیت فهرست‌نویسی	: فیبا
یادداشت	: انگلیسی.
موضوع	: هاشمی شاهرودی، سید محمود، ۱۳۲۷ -- دیدگاه درباره تروریسم
موضوع	: Hashemi Shahroudi, Seyyed Mahmoud-Views on terrorism
موضوع	: هاشمی شاهرودی، سید محمود، ۱۳۲۷ -- پیام‌ها و سخنرانی‌ها
موضوع	: Hashemi Shahroudi, Seyyed Mahmoud-Messages and speeches
موضوع	: تروریسم
موضوع	: Terrorism
شناسه افزوده	: دانشگاه عدالت
رده‌بندی کنگره	: DSR ۱۶۷۰/۵۲ت۴۰۴۹۵۲ ۱۳۹۶
رده‌بندی دیویی	: ۹۵۵/۰۸۴۲۰۹۲
شماره کتابشناسی ملی	: ۴۹۰۸۷۰۵

عنوان: تروریسم

تألیف: آیت‌الله العظمی سید محمد هاشمی شاهرودی (دام‌ظله)

ناشر: انتشارات دانشگاه عدالت

نوبت و سال چاپ: اول، پاییز ۱۳۹۶

شمارگان: ۱۰۰۰ نسخه

قیمت: ۸۰,۰۰۰ ریال

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دفتر مرکزی انتشارات دانشگاه عدالت:

خیابان ولیعصر، بالاتر از میدان ولیعصر، کوچه شهید دانش کیان، پلاک ۲۶،

تلفن: ۸۸۴۹۷۸۳۲

www.edalat.ac.ir

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Terror and terrorism from the perspective of Islam¹

Given the incidents that have taken place in the world, and the emerging political and military flows and the unexpected changes, different topics arise in different perspectives. Here I argue three points and three axes on the issue of terror and terrorism from the perspective of Islam.

The first axis is the definition of terror and terrorism from the perspective of Islam. What are the legal principles of terror? What are the differences between legitimate defense and freedom movements with terror and terrorism in legal terms?

The second axis is based on the history of terrorist movements in contemporary history, where did this movement begin, and which areas have been the grounds of the emergence of terrorism in the world and what factors have been effective? In this discussion, it seems to me well to prove that the starting point for this horrible move was in the Western world, and in fact it is one of the souvenirs of the material culture of the West.

The third axis is to examine the status quo and the horrific performance of the United States and its supporters in the fight against terrorism. One cannot help but wonder whether what they do or have done is a fight against terrorism or simply an excuse to attack the countries of the region.

Definition of terror in jurisprudential (Fiqh) literature²

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1. Speech at Terrorism and Legitimate Defense Conference in view of Islam, at 2001-12-26
 2. Speech at Terrorism and Legitimate Defense Conference in view of Islam, at 2001-12-26

“Therefore, we have prescribed to the sons of Israel that anyone who kills anyone in the land except for retaliation of murder or [as the punishment] of corruption on earth, it is as if he has killed all people, and whoever saves one’s life, it is as if he has saved the life of all people. And surely our prophets have brought them clear signs, [after which] many of them are exceeding on earth.”

The above verse is a general Qur'anic principle that can be used in the context of terrorism. This verse, which is about the Sons of Israel, is also accepted by Islam, and in fact, it is a common order in all monotheist religions and expresses a general principle that in divine religions, including Islam, taking of one's life is exclusively permissible to one of these two reasons; otherwise it is not permissible, and killing one person is like killing all the people. The two permissible cases of killing are: 1- killing a person for retribution of another person killed, and 2: Killing a person due to corruption on earth. Corruption is in the general sense, not in the sense of a corruptor on earth. Paganism is corruption on earth. The religion may order in some cases to kill a polytheist. Some of the moral crimes that threaten the chastity of society are included in the category of corruption on earth, which is determined by the law. Except for these two cases, killing a person is condemned and it is a sin and a great crime, and is equal to killing all people. In this verse, which is the most explicit jurisprudential reason for the principle of the dignity and respect of all human beings, the terms one's ego (Nafs) and people (Nas) have come and does not include Muslim and believer adjective.

The term terror is Latin and, to the extent of my research, no specific, legal definition of the word was observed. The existing definitions seem to focus on the examples and instruments of terrorism. In our jurisprudence, we have two titles from which the subject of terror can be inferred, and what can be defined under the two titles can include a comprehensive definition of

terrorism. Undoubtedly, not all killing - even those that are considered crime and are punishable by law and jurisprudence - is considered terror. If one fights with another and kills him, this is not a terror and it is not deemed as such by the world. Some people interpret terror from an economic perspective, meaning that it is an act that causes fear by its very own nature, and not as a consequence; thus, a non-terrorist crime may induce fear, but it is not necessarily terror. There are two titles in fiqh known as "Moharebeh" and "Afsad fī al-Arz", which has been interpreted as creating fear, terror, insecurity and disturbance of the civil and social life of the people. In the traditions, it is also mentioned that *Akhafa An-Nās* (scaring people) which means causing fear and terror through assault and aggression and murder, is defined as Moharebeh. This title is thus consistent with terror. A crime that is in the form of armed aggression and creates insecurity, fear, and horror in the community is terror.

The other title, which is equivalent to terror in Fiqh, is *Fatak*¹. It has been in narratives: *Ya 'Aba Alssbbah 'Inn Al'iislam Qayad Alfatk* (Islam is against the killing of the helpless). In the interpretations of the Adab al-Jahad, it is interpreted as do not kill people cowardly, even in war. In the wars between two parties, combatants are forbidden from cowardly war techniques and deceit and unfairness. This issue is evident in the accounts of the Imams and the conduct of Prophet (PBUH) and Imam Ali in all the wars they have fought. They were committed to ban fighters from cowardly methods in war. The case of Hazrat Muslem with Obaidullah Ibn Ziad is the same. Some people decided to invite Ibn Ziad to Hani's house, so that Muslem

1. The conference on Terrorism and Legitimate Defense in the View of Islam, 2001-12-26

could kill him there at the right time. But Muslem did not go through with this plan. When asked why he refrained from carrying out the killing, he quoted the Prophet Muhammad (PBUH), saying “*Al'iislam Qayad Al Fatak*” (transl. “Islam has forbidden Fatak”). Fatak is the unfair and surprise killing of the helpless and is a kind of terrorism.

Therefore, in Islamic jurisprudence under these two titles, we can study the issue of terror, which is nowadays common in the legal literature of the world and in some of our laws. If we want to give a definition of the crime of terror - when the title of terror was classified as a criminal offense passed by the parliament, it should have been defined; but unfortunately, this is one of our legislative shortcomings that we use the titles without bringing their definition into law. We can use the two cases mentioned i.e. Moharebeh and Afsad Fi al-arz and Fatak. These two titles may differ from each other in terms of punishment under different conditions and qualifications, and a single punishment for both titles is not obligatory.

The Border between terror and legitimate Defense¹

What is important in the first axis is the distinction between terror and legitimate defense and liberation movements. Do they have an essential difference? It is possible that someone who has been attacked for murder would have to kill someone surprisingly which is not a terror, or where, for example, a tyrannical government usurps the land of a nation and expulse them out of their land, now if their main owners wanted the land they have to recapture it and they may have to attack the enemy, this attack is not Moharebeh, but it is defense.

1. The conference on Terrorism and Legitimate Defense in the View of Islam, 2001-12-26

These points should be discussed where the title of defense applies and where the title of Moharebeh and corruption on earth. The Qur'anic and jurisprudential titles are very precise, as Qur'an did not use the title of murder, but used the titles of *Corruption on earth* and Moharebeh, or in the narrations, the concept of Fatak had been used not murder. Legitimate defense has nothing to do with these two issues; the rejection of oppression is not cruelty, but it is justice. These should be explained and legally defined so one cannot mislead international legal community that Islam has prescribed for terror.

Liberation struggles are of the same category; and in fact they are at the front of the war; the enemy has declared war and freedom combatants are fighting with them. One of the methods of the war is the very irregular wars, a nation is fighting against enemy and has to use guerrilla war methods; it is a war and jihad, not a Moharebeh and Corruption on earth¹.

The need for a precise definition of the concept of terror and terrorist in the international community from a legal perspective²

One of the key issues is that the terrorism and fight against terrorism campaign that has been started by the United States and supported by Europe should be legally defined in the international community, and the concept of terrorism and terrorist should be precisely identified; and abusing this concept should definitely be countered. Terrorism is an excuse that the United States resorts to condemn every libertarian, righteous and militant movement; and calls any group who seeks fundamental questions regarding the rights of their nation and

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1. The conference on Terrorism and Legitimate Defense in the View of Islam, at2001-12-26
 2. The conference on Terrorism and Legitimate Defense in the View of Islam, at2001-12-26

their country as terrorist. By this excuse, it wants to deploy its troops in the region and to expand its economic and political domination on this pretext. This is the most important issue that the Muslim world should pay attention to.¹

The Muslim world has a heavy and bitter experience with Europe and the West. In all these two past centuries, when we look at the history of arrogance and colonialism, from England, which is the father of colonialism to the United States and other colonial countries, it was their trick to use glamorous slogans and human rights or making industrial advances to enter the Islamic world and apply the slogans in the exactly opposite direction, captivating the nations, keeping them backward, and stealing their wealth. Now the United States has entered with justice slogan, but today the shape of the tricks has changed.²

What is the ugliness of terrorism?

The ugliness of the terror is that it is oppression and destroys innocent people. These military expeditions that displaced millions of women, children and men in mountains and plains are not oppression? The cruelty that has been committed in these expeditions is worse than the damage done by terrorism. These children, who have been displaced in this cold weather in mountains and deserts, who are struggling with hunger and illness, and God knows how many of them will die; what is their guilt? If the United States seeks to eliminate the cruelty of the terrorists, is not this oppression? The rights of European and American citizens must be preserved; what about the people of

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1. The conference on Terrorism and Legitimate Defense in the View of Islam, at2001-12-26
 2. Speech among the ambassadors and representatives of Iran in other countries 2003-08-16

Afghanistan and Palestine? Aren't they human beings, they have no rights? Human rights are dual to them, they say human rights, but which human rights, they only accept their rights and do not know others as human beings.

This is where the bright face of our revolution brightens up the clean consciences of the world. Where it (west) is able to exploit an economic or political benefit, it will do it even if contrary to its values. However, our regime does not prescribe such actions at all; it does not sacrifice values for the material economic and political benefits.¹

School of terrorism

According to historical sources, the history of the emergence of organized terrorism has been in the West principally. World War I began with a terror. The origin of the emergence of terrorism in the contemporary world and the last two or three centuries as a school of thought has been the material culture, and seeking supremacy and absolute power by West; while the culture of religious and moral values definitely is drawn here. Of course, in the Muslim world, there has been terror as well; many of our imams are martyred by terror. Amir al-Mu'minin (AS) was assassinated in altar, but these terrors were individual and not in the form of advanced and organized terror and terrorism. In the Muslim world, there were powerful oppressors who also used assassination and terror to save their government, but because the culture of society was Islamic and unlawful looting and killing are prohibited in Islam, and these teachings were propagated in the community, there was not any opportunity for the spread of terrorism and only those

1. Speech at the gatherings of Mazandaran people

who are deprived of education and are caught by their ego and tend to terror. Therefore, the scope of assassination and terror was limited in Islamic civilization, and terrorism as a school of thought does not exist at all in the literature of Islam. Terrorism is contrary to Islamic culture and unequivocally against the teachings of Qur'an and the narrations and prophet's (PBUH) conduct and his family. In the shadow of such a culture and such leaders, terror can certainly not be formulated as a school of thought.

Terrorism has become a school of thought today. What America today falsely claims as terror in the Islamic world is not really terror; it calls the Palestinian Intifada a terror, while this is a legitimate defense against Israeli state's terrorism. The disposal of terror is not terror; otherwise America's own work is also terrorism. These are very important discussions that show that in our contemporary world the culture of terrorism is a Western culture, and if it exists in the Muslim world, it is used by groups that are influenced by the Western culture and learned from them. The hypocrites used terror to fight against our religious regime, because they were trained in Western schools.

It is also important to explain that terror and terrorism as a school of thought is essentially a Western cultural data, and the Islamic culture has strongly opposed it. Historically, terrorism was born as a school in the West, and it has never had a history as a flow or school in the Muslim world and the Islamic literature. It is very important to clarify this issue and put it into the public opinion around the world, because one of the tricks that US is using today is to blame the Islamic world for terrorism.

Assassination/terror is condemned and forbidden in Islam¹

Terrorism is condemned. According to one of our famous narrations, which has come from the Prophet of Islam (pbuh) (*Ya 'Aba Alssbbah 'Inn Al'iislam Qayad Al Fatak*): .error is forbidden in Islam. The method that Imam (Khomeini) used for leading the movement and achieved this result was derived from Islam in its purest form. The late supreme leader of the Islamic Revolution was very sensitive to the fact that the movement would not use non-Islamic methods and ideas at all in its challenges, and would never act contrary to the text of the Qur'an and Islamic tradition. In the course of the movement, the Imam was called upon to carry out guerrilla operations and assassinations, but Imam did not allow to fight as such and wanted to continue with public practices, which would sometimes had heavy charges for the fighters, he did not want any act that would lead to guilt and oppression. This is the logic of the infallible Imams (AS) and the logic of Ashura. Muslim the messenger of Imam Hussein (AS), could have killed Ibn Ziad at Hani's home, but he knew this is a devil act, a terror and Fatak; and Fatak and terror is forbidden in Islam. Imam Hussein (AS), in Karbala and all the scenes of Ashura, was careful that all behaviors would be according to Islam. Imam (PBUH) was also obliged to apply the same method.

In this way, this movement was formed with a hundred percent Islamic pattern that the nature of every rightful human being likes it. This is the pattern of pure Islam, either during the course of the movement or during the founding period of the Islamic regime, wrong methods based on oppression and

1. Speech at the gatherings of Mazandaran people 2001-10-04

treachery and assassination had never been used. This is the inheritance of the righteous on earth, which we all have to boast. Clearly, the light that started to shine from this point of the earth will envelope the world.

The Imams did not act violently and did not remove

If Amir al-Mu'menin had not made that important statements in the Battle of Nehravan, it was likely that many youth at that time would be absorbed by the Kharijites, and they would change Islam to what they intended: a rigid, violent and irrational Islam, but Imam Ali managed repel Kharijites and stop them from spreading their dangerous doctrine.

The Imams did not behave with their opponents and those who were deceived by the worldly men in a violent manner, but behaved with kindness and and sought to show them the truth because they knew that those people were deceived. Today's ISIS is the Kharajites of our time. At the moment, Kharajites' thought is still alive, but it has not yet been established, and Sunni scholars have ruled that they are false as well.

Insult to the Prophet's Companions (PBUH) – Commonalities between Takfiri terrorists and Kharijites.

Insult to the Prophet's Companions (PBUH) by Takfiri terrorists is in line with the survival and extension of the shameful line of Kharijites' thought in the history of Islam.

The crime and insult that has been inflicted on the holy shrine of Hajar bin Adi, and the similar cases to this terrible crime by which the human forehead sits in a shameful sweat are condemned and indubitable and condemned by the laws of all heavenly and humanly legal systems.