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ABSTRACT

“Radical Discourse and the Killing of Civilians:
Al-Qaeda and ISIS as Case Studies”

By: Mohammad Hassan Khalil, Ph.D.
(Michigan State University, East Lansing, MI)

Although the Iraqi branch of al-Qaeda was the precursor to ISIS, the differences between ISIS and al-Qaeda Central are profound: al-Qaeda has in effect disowned ISIS, and ISIS has attempted to establish a state apparatus; al-Qaeda has generally eschewed publicized executions (instead opting for attention-attracting terrorist attacks), while ISIS - for some time at least - seemed to be using publicized executions as a vehicle for enticing potential recruits and projecting an aura of strength; and while the “face” of al-Qaeda Osama bin Laden recorded and published numerous statements before his death, the self-proclaimed caliph of the Islamic State, popularly known as Abu Bakr al-Baghdadi, has thus far been relatively “quiet,” making it somewhat challenging to assess his particular views. Yet despite the profound differences between al-Qaeda and ISIS, we have good reason to assume that both follow ostensibly similar lines of thinking when it comes to their religious-legal (Shar‘i) justifications for the killing of civilians. This paper examines how bin Laden attempted to justify the 9/11 attacks within an Islamic legal framework, and then draws comparisons to the July 1, 2014 audio message by the current leader of ISIS, Abu Bakr al-Baghdadi. I shall also highlight common responses offered by prominent jurists who regard the killing of civilians as a gross violation of Shari’a.