



AL-QAEDA'S RELIGIOUS JUSTIFICATION OF NUCLEAR TERRORISM

“This vanguard constitutes the solid base [qaeda in Arabic] for the hoped-for society ... We shall continue the jihad no matter how long the way, until the last breath and the last beat of the pulse—or until we see the Islamic state established.”³⁹

Abdullah Azzam

When legendary jihadist Abdullah Azzam was assassinated under mysterious circumstances in November 1989, suspects in his murder included Osama bin Laden and Egyptian Islamic Jihad (EIJ) leader Ayman Zawahiri. After the Soviets were expelled from Afghanistan, Azzam sought to shift jihad to his homeland, Palestine. Zawahiri sought to focus the jihad on Egypt and the other secular Muslim states, in hopes of restoring the caliphate, the rule of Islamic clerics, which had ended after the dissolution of the Ottoman Empire in 1924. After Islamic rule had been re-established in the Islamic world, Zawahiri wrote, “then history would make a new turn, God willing, in the opposite direction against the empire of the United States and the world’s Jewish government.”⁴⁰

It is not clear who killed Azzam, but his departure from the scene played into Osama bin Laden’s hands, by shifting the target of the jihad not to Israel or to Egypt, but to the United States. When bin Laden formed al-Qaeda a year earlier, Zawahiri was convinced to throw in his lot with this “heaven-sent man,”⁴¹ as Azzam had characterized bin Laden, principally because Zawahiri felt stymied in fulfilling his lifelong dream of overthrowing the Egyptian regime.

Bin Laden would develop an idea that would breathe life back into Zawahiri’s dreams: the United States must become the target of the jihad. If the Americans could be provoked into war, they could be defeated like the Soviets, and expelled from Muslim lands for good. The fall of the US superpower would lead to the overthrow of secular Arab states. This insight led to successive al-Qaeda

strikes against the US, including the unsuccessful bombing of the World Trade Center (1993), bombings of two US Embassies in East Africa (1998), and the bombing of the USS Cole (2000). It was not evident at the time, but the road to 9/11 began on the day al-Qaeda was formed.

It was with a grim mood of impending confrontation with the United States that the two al-Qaeda leaders shared an interest in acquiring weapons of mass destruction. By 1992, al-Qaeda was already dabbling in the nuclear black market. Undaunted by a series of scams by hustlers and con men, Bin Laden and Zawahiri remained alert to opportunities to buy, steal, or build a bomb. After al-Qaeda was expelled from Sudan in 1994, Ayman Zawahiri mysteriously dropped out of sight. For two years, the Egyptian doctor and two of his top lieutenants traveled extensively to Russia, Yemen, Malaysia, Singapore and China. The purpose of their travels has never been established, but Zawahiri's associations during his travels, and own statements suggest that he and his cohorts may have been hunting for WMD.⁴²

It is no coincidence that 1998 was the year that Osama bin Laden openly declared war on the US, publicly stated that it was his Islamic duty to acquire WMD, and secretly launched the operational plan for the 9/11 attack. Bin Laden privately expressed frustration that two brazen assaults against US government interests abroad had failed to provoke the US into invading Afghanistan.⁴³ He formalized an agreement within al-Qaeda to attack the "far enemy," the US, before the "near enemy," the Muslim states. The al-Qaeda high command secretly initiated the operational planning that would culminate in the 9/11 attack. They began chemical, biological and nuclear programs under the direct supervision of Zawahiri and senior al-Qaeda members. At around this time, Zawahiri also began piecing together two separate Pakistani and Malaysian-based networks to develop an anthrax weapon for use in the United States.⁴⁴

OSAMA BIN LADEN 1998 "FATWA"

"All these crimes and sins committed by the Americans are a clear declaration of war on God, his messenger, and Muslims. And ulema have throughout Islamic history unanimously agreed that the jihad is an individual duty if the enemy destroys the Muslim countries. This was revealed by Imam Bin-Qadamah in "Al-Mughni," Imam al-Kisa'i in "Al-Bada'i," al-Qurtubi in his interpretation, and the shaykh of al-Islam in his books, where he said: "As for the fighting to repulse [an enemy], it is aimed at defending sanctity and religion, and it is a duty as agreed [by the ulema]. Nothing is more sacred than belief except repulsing an enemy who is attacking religion and life."

On that basis, and in compliance with God's order, we issue the following fatwa to all Muslims: The ruling to kill the Americans and their allies—civilians and military—is an individual duty for every Muslim who can do it in any country in which it is possible to do it, in order to liberate the al-Aqsa Mosque and the holy mosque [Mecca] from their grip, and in order for their armies to move out of all the lands of Islam, defeated and unable to threaten any Muslim. This is in accordance with the words of Almighty God, “and fight the pagans all together as they fight you all together,” and “fight them until there is no more tumult or oppression, and there prevail justice and faith in God.”⁴⁵

Issuing this fatwa served several objectives. First, Osama bin Laden became the unquestioned leader of a global jihad, and the mastermind behind the movement's decision to declare war on America. Although Osama bin Laden had no authority to issue a fatwa, he embraced an opportunity to seek “God's approval” for the decision to escalate the conflict to the next stage. By authoring the fatwa himself, bin Laden also assumed a role as chief cleric in charge of translating Islamist extremist theology and ideology into action. This positioned him to anticipate and preempt interference from Sunni clerics who were opposed to al-Qaeda.

By declaring it to be his “*Islamic duty*” to acquire WMD, the al-Qaeda leader envisioned the introduction of WMD (by either side) in the atmosphere of all out war that was sure to follow 9/11; he pre-justified their use on religious grounds. Finally, bin Laden made it a religious duty for his followers to pursue WMD. Henceforth, Ayman Zawahiri made it his mission to develop the religious case for using WMD, in parallel with his efforts to acquire operational capability for future attacks against the US.

ZAWAHIRI'S PROJECT

Ayman Zawahiri on video tape, commenting on the 9/11 attack, in presence of Osama bin Laden and unidentified Saudi cleric.

“This great victory was possible only by the grace of God,” he says with quiet pride.

“This was not just a human achievement—it *was a holy act*. (emphasis added)

These nineteen brave men who gave their lives for the cause of God will be well taken care of. God granted them the strength to do what they did. There's no

comparison between the power of these nineteen men and the power of America, and there's no comparison between the destruction these nineteen men caused and the destruction America caused.”⁴⁶

Not long after 9/11, the al-Qaeda core began taking steps to substantiate the use of WMD on religious grounds. In mid summer 2002, the group had begun making probes to quietly obtain a fatwa from clerics in Saudi Arabia to support what appeared to be a significant shift in tactics, based on intelligence that was available at the time. Al-Qaeda seniors in Saudi Arabia approached unnamed clerics who had endorsed the 9/11 attack, but were apparently rebuffed. At the time, there was a question as to whether senior clerics in the desert Kingdom were willing to accept the obvious implications of raising the stakes to such a scale.⁴⁷

In late fall 2002, a terrorist cell associated with al-Qaeda completed planning for a chemical attack on the New York City subway, utilizing a cyanide gas dispersal device called the ‘mob-taker.’ Operatives sought permission from the al-Qaeda core to carry out the attack. Ayman Zawahiri, who was unaware of the plan in its earlier planning stages, called off the attack because he had “*something better*” in mind.⁴⁸

Around the same time, Al-Qaeda’s chief in Saudi Arabia, Abu Bakr al-Azdi, was in communication with senior al-Qaeda in Iran regarding the potential purchase of “three Russian nuclear devices.” This small group, reportedly under house arrest in Iran at the time, included an assortment of key, WMD-associated seniors, including Sayf al Adl, Abd al Aziz al Masri, and Sulayman Abu Ghayth al Libi. Former Egyptian Army officer Sayf al Adl was in the very top tier of the al-Qaeda core leadership⁴⁹; Abd al Aziz al Masri, a dedicated nuclear operative, had conducted nuclear-related experiments in the Afghanistan desert in the late 1990’s; and Abu Ghyath, al-Qaeda’s press spokesman, had publicly stated in June 2002 that it was justifiable to kill four million Americans.⁵⁰

Based on a series of exchanges in a three way communication between Saudi operatives, al-Qaeda seniors in Iran, and Osama bin Laden and Ayman Zawahiri, Abu Bakr was directed by Sayf al Adl to purchase the three devices, provided that a Pakistan (nuclear) specialist was able to verify the goods.⁵¹ Al-Qaeda was cautiously and deliberately proceeding with their plans to purchase the three alleged “nuclear devices.”

At the same time, operational preparations were nearing completion for al-Qaeda bomb-

ings of US and Saudi targets in the Kingdom. Intelligence reporting produced growing signs of terrorist plotting that indicated al-Qaeda had decided to raise the stakes by undertaking attacks against the Saudi Royal family. There were also signs they were considering the use of some form of WMD against US and possibly UK targets, either inside or outside the Gulf region.

In parallel to operational planning, Al-Qaeda continued to prepare to unveil a fatwa authorizing the use of weapons of mass destruction. Radical Saudi clerics Nasir Sheik al-Fahd, Ali al-Khudayr and Ahmed al-Khaldi had drawn up and co-signed a religious ruling (fatwa) authorizing the use of WMD against the US and the UK. Nasir al-Fahd, a senior Muslim cleric who is closely associated with al-Qaida, has written dozens of books and publications containing religious edicts against the US and anyone cooperating with it. Among his well-known pronouncements is that “anyone assisting the Americans is an infidel.” His treatises incite animosity towards the West, toward Christianity, and particularly towards Americans.

Following the terrorist attacks in Riyadh on May 12, 2003, Saudi security forces launched an extensive manhunt for the three radical clerics. In a panic, Nasir al Fahd posted the fatwa on May 21, 2003, just before he was captured by Saudi security forces in the city of Medina.⁵²

Al Fahd offered three central arguments for using WMD in his fatwa:⁵³

“One kills in a good manner only when one can. If those engaged in jihad cannot do so, for example when they are forced to bomb, destroy, burn or flood, it is permissible.”

“One avoids killing women and children only when one can distinguish them. If one cannot do so, as when infidels make a night attack or invade, they may be killed as collateral to the fighters.”

“Similarly, killing a Muslim is forbidden and not permitted; but if those engaged in jihad are forced to kill him because they cannot repel the infidels or fight them otherwise, it is permitted, as when the Muslim is being used as a living shield.”

The arrest of the three clerics created a backlash and led to rumors that two of the clerics—Al-Khudayr and al-Khaldi—were killed during an arrest attempt. The rumors of their death aroused an outcry and calls for revenge surfaced on many web sites associated with al-Qaeda.⁵⁴ Figures close to bin Laden reported that news that the two clerics had been killed greatly affected bin Laden, who pledged to avenge their death by harming the al-Saud family

*“in a way never before seen in the past.”*⁵⁵ Saudi Interior Minister Prince Bin Nayyif confirmed that the three clerics were in custody, but denied any of them had died.⁵⁶

Throughout the summer of 2003, Saudi security forces conducted a series of raids that decimated the al-Qaeda organization in Saudi Arabia. In June, senior al-Qaeda leader Yusef al-Ayeri was killed at a roadblock in a shootout with Saudi security forces.⁵⁷ Saudi security officials responded decisively to arrest and interrogate anyone having any connection to the WMD fatwa.

While under detention, Nasir al-Fahd recanted several of his fatwas on Saudi television—he referred to his previous views as being a “grave mistake.” It is unclear whether the WMD fatwa was among them.⁵⁸ In retrospect, the ambiguity of al Fahd’s recantation was purposeful. He subsequently wrote a letter from prison in which he asked his associates to spread the word that his recantation was coerced by Saudi authorities.

The text of Nasir al-Fahd’s letter from prison is as follows:

‘Shawwāl, 1425 H

In the name of Allah, the Beneficent, the Merciful

“Praise be to Allāh, and may peace and blessings be upon the Messenger of Allāh, to proceed:

Springing from Allāh’s saying:

“But they never lost heart for that which did befall them in Allah’s Way, nor did they weaken nor degrade themselves. And Allah loves As-Sabirin.

I write these words, and I declare before that, that I have dug a grave in my cell, and divorced this world thrice and have cut any link between it and me; and after this I say, and rely upon Allāh and seek His help...”

“And may Allah reward all those who help spread, print and publish this on the internet and media channels.”⁵⁹

The al-Qaeda fatwa story drifted into obscurity after al Fahd’s letter from prison. Did the fatwa continue to have the endorsement of the al-Qaeda leadership? Was Zawahiri’s involvement in commissioning a WMD fatwa related exclusively to the nuclear deal, or did it serve a broader purpose in al-Qaeda’s future plans? Would the fatwa be required to justify a future WMD attack? If so, it would be vital to clarify such questions to ensure there is a widely accepted understanding that the case has already been made to justify the use of WMD, explain that the fatwa remains valid.

In November, 2007, Sayid Imam Abdel-Aziz Al Sharif, also known as Doctor Fadl, issued from his prison cell in Cairo, with the approval and encouragement of Egyptian authorities, a 111-page document entitled “*Rationalizing Jihadist Action in Egypt and the World*.” This document rejected his influential jihadist manifestos from 1988. Al-Sharif showed the document he wrote to the imprisoned leaders of al-Jihad for approval. The Islamic Research Academy at al-Azhar approved it and recommended that it be published. According to al-Sharif, he wrote his searing condemnation of al-Qaeda in an effort to put a stop to an ideology of violence and terrorism. From his perspective, he believed al-Qaeda had distorted the true meaning of jihad.⁶⁰

AYMAN ZAWAHIRI’S BOOK “EXONERATION”

In March, 2008, Ayman Zawahiri responded directly to Dr Fadl with a book of his own that was posted on the internet, entitled “Exoneration.” Zawahiri goes to great lengths to refute, essentially thought by thought, Dr. Fadl’s text. And perhaps convincingly to any reader, he instills a canyon of doubt into the independence of the authorship, and whether or not it was written under duress. It looks as though he is genuinely dismayed by how critical the text was against him, al-Qaeda and their tactics, but understands the prisoner’s dilemma, and outlines a number of scenarios that may have occurred—leaning on one: the version of Dr. Fadl’s text is one which is both coerced and tailored to American and State Security interests as to clamp down on the “*disturbing of public order*.”⁶¹

Zawahiri devotes roughly the first half of the book to refute Dr. Fadl’s thoughts and assertions by targeting them line by line and citing scholar by scholar and cleric by cleric. In the middle, he apologizes for going off on a tangent, and plunges into an analysis of every one of al-Qaeda’s beliefs and tactics, celebrates his fallen and captured colleagues, and outlines why the ‘war’ has been fought a certain way and will continue to be fought a certain way, with America as the No. 1 enemy of Islam.

Refuting Dr Fadl’s text and justifying WMD has the ability to serve two purposes: address al-Qaeda’s past actions, and vigorously defend them, while at the same time, justify and explain the reasons and goals for the group’s future attacks. It therefore has the potential to be both looking backward and looking forward.

ZAWAHIRI'S WMD FATWA

“Shaykh Nasir Bin-Hamad al-Fahd....According to reports he is still in jail clinging firmly to righteousness. We know for certain that he has recanted what he said on a television show during which he was questioned by A'id al-Qarni. Regarding that show, the shaykh and his colleagues said that they were coerced and found interpretations of Shari'ah that they could say what the government wanted them to say because it promised to release them afterward. It did not release them. He said: If I had known what was going to happen, I would not have surrendered to the police detectives but would have fought until I was killed. He sent several messages out of his jail that show he is still firm on the path of righteousness. We pray to God to give him and all Muslims firmness in righteousness and a good end.”⁶²

With these words, Ayman Zawahiri resurrects Nasir al Fahd from the obscurity of prison, answers the questions surrounding al Fahd's recantation, breathes life back into the dormant fatwa, and gives it a contemporary purpose. In so doing, Zawahiri makes the fatwa his and al-Qaeda's own.

Nasir al-Fahd's 2003 fatwa is built in its entirety into *Exoneration*: the same ideas, thoughts, examples and scholars to justify equal retaliation—“repaying like for like”. The similarities between the two texts are nothing short of striking. Virtually every single cleric, scholar, and example used by al-Fahd to justify the use of WMD has been resurrected in near-symmetry throughout “*Exoneration*”. While a handful of the same individuals were cited by both al-Fahd and Zawahiri to justify different issues, nearly 30 authors were identically sourced with correlating content. Indeed, Zawahiri tended to expand on the thoughts and ideas of al-Fahd by diving into a more comprehensive justification with even further citations.

Zawahiri raises key Quranic themes to justify the use of WMD to include: the legality of killing women, children, and the elderly, the use of Muslim shields, the inevitability of environmental destruction, notions of retaliatory use and deterrence, attacking in the night and unintentionally harming noncombatants, among other such issues. Indeed, not only are the same scholars, clerics and quotations recounted in “*Exoneration*”, but many of the same examples are used nearly verbatim, including the Prophet's reported sayings in the context of night raids and the harming of noncombatants, as well as the Prophet's attack on the village of al-Ta'if using a catapult—thereby permitting the use of weapons of “general destruction” incapable of distinguishing between innocent civilians and combatants.⁶³

He offers a meticulously researched case to support the argument that using weapons of mass destruction should be judged on intent rather than on results. The same reasoning is applied in a detailed expository on such matters as loyalty to the State, contracts, obligations and treaties, the permissibility of espionage, and deception and trickery. For example, on the topic of Muslims killed in combat unintentionally, in the fight against infidels: “*When Muslims fight non-believers, any Muslim who is killed is a martyr.*”⁶⁴

SYMMETRY BETWEEN 2003 WMD FATWA AND 2008 “EXONERATION”

There is no compelling need for Zawahiri to duplicate and expand on, albeit under the cloak of another purpose, the very same ideas of al-Fahd in vivid detail and similarity, often expanding on the issues to provide further legitimacy. While it appears these issues can be bifurcated throughout his text into different themes without any reference to the 2003 WMD fatwa, a large portion of the text is indeed not only similar in many respects, but provides more ‘proof’ of its validity. Only four months had elapsed from Dr Fadl’s book to completing “Exoneration,” raising the distinct possibility Zawahiri was focused on the subject of WMD for reasons unrelated to the publication of Dr Fadl’s critique.

Nasir Al-Fahd (2003)	Ayman Zawahiri (2008)
Justifying the Unintentional Killing of Noncombatants during Night Raids and General Destruction—including Women, Children and the Elderly	
Al-Sa’b ibn Jaththamah	Al-Sa’b Bin-Jaththamah
Ibn Qudamah	Ibn Qudamah
Ahmad ibn Hanbal	Ahmad ibn Hanbal
Al-Tahawi	Al-Tahawi
Salamah ibn al-Akwa	Salamah ibn al-Akwa
Al-Rahibani	Al-Nawawi
Al-Tabari	Al-Bukhari
Al-Bayhaqi	Imam al-Shirazi
Abu Dawud	Malik
	Al-Shafi’I
	Abu Hanifa
	Ibn Abd al-Birr
	Abu Bakr al-Jassas

Justifying Environmental Destruction, Burning, Flooding, and Agricultural Harm	
Ahmad ibn Hanbal Abu Dawud Usamah ibn Zayd Malik Ibn al-Qasim Al-Sahfi'I Ishaq Al-Thawri Al-Tirmidhi Al-San'ani Al-Mawwaq Ashhab Ibn Majah Al-Bukhari Al-'Ayni Ibn 'Umar	Ahmad ibn Hanbal Abu Dawud Usama Ibn Zayd Malik Ibn al-Qasim Al-Shafi'i Ishaq Al-Thawri Nafi' Abu Hanifa Ibn Taymiyyah Al-Zuhari Yahya Ibn Yahya Muhammad Ibn Rumh Al-Layth Qutaybah Ibn Sa'id Imam al-Kasani
Justifying the Unintentional Killing of Muslims used as Human Shields—under the Principle of Necessity—to Defeat an Enemy	
Ibn Taymiyah Al-Shafi'I Al-Sarakhsi Abu Bakr al-Jassas Al-Mawwaq Ashhab Al-Shaybani	Ibn-Taymiyyah Al-Shafi'I Al-Sarakhsi Ibn Qudamah Al-Awza'I Abu Hanifah Al-Thawri Ibn-Qasim Abu al-Layth Al-San'ani Imam al-Kasani

ZAWAHIRI'S THREE OPERATIONAL MESSAGES

For al-Qaeda, procuring a fatwa is part of a ritual process for an impending attack. The 1998 fatwa was issued in support of 9/11. The 2003 fatwa was published to accompany concrete operational planning that was underway at that time. In 2008, Zawahiri's purpose is to issue a warning of an impending attack.

In "Exoneration," Zawahiri's words soar beyond the scale of Dr Fadl's critique of al-Qaeda. The al-Qaeda leader is not simply addressing alleged past mistakes in course of rebutting an argument made by an imprisoned former associate: he is pre-justifying a future, unprecedented attack capable of producing mass casualties. He takes pains to ensure he cannot be seen to be approaching this task lightly. His tone is somber and weighty; he acknowledges that causing mass casualties requires special justification—to his evident satisfaction, he provides it.

Zawahiri's effort to strengthen al Fahd's WMD fatwa is much more concrete than the theological orientation with which the 2003 fatwa was written. As a cleric, al Fahd likely did not know the operational intent that rested behind his legal argument. However, like bin Laden's 1998 fatwa, Zawahiri serves as both cleric and operational planner—he knows the specific purpose for which the fatwa is being issued. Zawahiri is making his case on both religious and operational levels.

FIRST MESSAGE: AMERICA IS THE TARGET

In making a meticulous religious justification for using WMD, Zawahiri explicitly names the US as the intended target of a mass casualty attack. He quotes al-Fahd with respect to the legitimacy of waging jihad outside of Iraq: "*There is no doubt that the greatest enemy of Islam and Muslims at this time is the Americans.*"⁶⁵

Zawahiri goes on to explain why he considers the United States to be a "*single juridical entity*" under Islam.⁶⁶ The implications are chilling: it means all Americans are valid targets, whether they are men, women, or children. His careful word choice reflects a seriousness of purpose; he takes the responsibility for justifying mass casualties very seriously. In quoting the Quran and Hadiths on this matter, he cites various view points, some of which support his judgments, some of which do not. At times, he dramatically prefaces his conclusion with "*I say...*" to signify his judgments that digress from the views held by some Islamic scholars.⁶⁷ His use of the first person also signifies the authority he seeks for himself as an arbiter on Islamic law.

First quoting that "*artillery bombardment is permissible when the jihad needs or requires it*,"⁶⁸ Zawahiri quotes Nasir al Fahd's fatwa:

“If a bomb were dropped on them, destroying 10 million of them and burning as much of their land as they have burned of Muslim land that would be permissible without any need to mention any other proof. We might need other proofs if we wanted to destroy more than this number of them!”⁶⁹

Harkening to the use of the term “artillery” from Truman to justify the bombing of Hiroshima, it certainly is an interesting coincidence that Zawahiri’s text uses the phrase “*artillery bombardments*” in the context of general destruction. It very well could be, for him, just another weapon that cannot distinguish, such as the often-mentioned catapult, and thus justifies the use of such a weapon identically in the modern era.

That said, Zawahiri’s argument leads to his view that the introduction of the means of mass destruction has become a necessary means of confronting a stubborn superpower.

SECOND MESSAGE: THE USE OF WMD IS NECESSARY

Zawahiri’s complex reasons for redefining the rules of waging war as the West understands them include a strong ideological component, perhaps best expressed by his mentor, Sayyid Qutb, in his book “Milestones.”

“The Islamic Jihad has no relationship to modern warfare, either in its causes or in the way it is conducted.”

“(Islam) is a practical movement which progresses stage by stage, and at every stage it provides resources according to the practical needs of the situation and prepares the ground for the next one. It does not face practical problems with abstract theories, nor does it confront various stages with unchangeable means. Those who talk about Jihad in Islam and quote Quranic verses do not take into account this aspect, nor do they understand the nature of the various stages through which this movement develops, or the relationship of the verses revealed at various occasions with each stage. Thus, when they speak about Jihad, they speak clumsily and mix up the various stages distorting the whole concept of Jihad and deriving from the Quranic verses final principles and generalities for which there is no justification. This is because they regard every verse in the Quran as it were a final principle in this religion.”

“This group of thinkers, who are a product of the present Muslim generation, have nothing but the label of Islam and have laid down their spiritual and rational arms in defeat. They say, “Islam has prescribed a defensive war!” And think that

they have done good for their religion by depriving it of their method, which is to abolish all injustice from the earth, to bring people to the worship of God alone, and to bring them out of servitude to others to into the servants of the Lord. Islam does not force people to accept its belief, but it wants to provide a free environment in which they will have choice of beliefs. What it wants is to abolish those oppressive political systems under which people are prevented from expressing their freedom to choose whatever beliefs they want, and after that it gives them complete freedom to decide whether they will accept Islam or not.”⁷⁰

In the terms of examining al-Qaeda’s many declarations over the years, each stage of the “global jihad” serves to take the movement one step further on the path to its ultimate objective—to challenge world order and create conditions more conducive to the spread of the ideology of Islamist extremism. The 9/11 attack against the US heralded a new stage in the struggle.

Zawahiri explains why the next stage in this conflict is at hand, historically, ideologically, and practically speaking; this next stage may require al-Qaeda to kill not merely thousands of people, but millions of people.

But the Egyptian Doctor extends his argument—al-Qaeda must choose a means of attack commensurate with their goals. His argument flows between making the case for causing general destruction, on the one hand, to reaffirming the continuing importance of the US as the central target of jihad, on the other hand.

To drive home the connection between using WMD and al-Qaeda’s concrete objectives and current plans, Zawahiri once again quotes Nasir al Fahd to unambiguously associate al-Qaeda’s “success” in the past with its prospects for the future.

“Someone might say: Where is the victory that this attack (9/11) brought? The answer is: If the attack only turned upside down their history, power balances, strategic and military doctrines, and global order, that is enough of a victory. The raid was a momentous historical junction that caused many ideas and studies to be reconsidered.”

“The event’s greatness is evident in five aspects.”

“One: It restored Islam to the forefront in the wars against the infidels whereas formerly nationalist and ethnic factors and interests were the primary factors in provoking wars and conflicts. It thus brought out the crusader hostile spirit from its concealment and forced it into action.”

“Two: It gave prominence to the great role of jihad in overturning global balances.”

“Third: It ended the idea that “national states” control “politics” and declare “peace” or “war.” The management of the conflict is not in the hands of persons of a particular national affiliation but is in the hands of people spread—as the Americans say—over more than 60 countries who are joined by nothing else except salafi jihadist Islam or what they call “Wahabi” Islam. Indeed the four brigades that struck America were commanded by four men of four different nationalities. One was from Egypt, the second from the Gulf, the third from Syria, and the fourth from Al-Hijaz.”

“Four: It irreversibly ended the era when the United States could attack the Muslims with impunity, God Willing.”

“Five: It was the beginning of the collapse of the “New World Order,” which the Americans enjoyed for a few years only and it marked the beginning of America’s total collapse, God willing.”

“The cycle of terror continues. We believe that this is in fulfillment of the oath made by Abu-Abdallah [bin Laden], may God give him victory, that the Americans would never know security.”⁷¹

THIRD MESSAGE: AL-QAEDA’S BEST IS YET TO COME

“...one hour in the path of jihad is worth more than 70 years of praying at home”⁷²

Abdullah Azzam

Zawahiri is a man of action, not of contemplation. His tone leaves little question that he believes the notion of exoneration is premature. He is confident that the final chapter has not been written in terms of judging al-Qaeda’s actions, and in assessing their impact on history. This feeling of incompleteness is palpable; he reflects his own doubts, acknowledges mistakes, and reminisces about the past. He exudes a reflective, expectant mood as he pays tribute to al-Qaeda’s past successes and conducts a nostalgic roll call of prominent jihadists and clerics—at times, it reads like his personal martyr document.

Moreover, Zawahiri appears to have used his book as a means of engaging in a bit of deception and misdirection; he has not repeated Nasir al Fahd’s mistake in openly declaring his 2003 WMD fatwa as such, lest it betray al-Qaeda’s attack planning that may be underway. Instead, Zawahiri has hidden his fatwa and operational messages in plain sight of writing a rebuttal to Dr Fadl.

Because the document was written to respond to Dr. Fadl personally, one might imagine Zawahiri's apology to Dr. Fadl along the lines of this imaginary tribute—"this is the hardest thing I've ever had to write, using you Dr. Fadl, as a ploy, and degrading your thoughts and ideas despite their release under clear duress, but I am doing so to cloak an even larger strike, and for that you must forgive me, and understand my true intentions. In the same spirit, we, al-Qaeda have cut jihadists loose to plan attacks like the Christmas day flight and Times Square bombing—in the hope they will distract the infidels from a main event that is something altogether different."

The aging jihadist provides a hint of what he has in mind, when he refers to the need to correct the "people's mood."

"Chiefly, that they spoiled the Muslim people's mood because they were so great and powerful causing people to stop showing interest in lesser jihadist actions. For example if what happened in Indonesia had happened before the jihadist acts in America, they would have had a greater effect on the people, who would have rejoiced more. The people showed less attention to them because the image of the collapse of the two New York towers was something like a dream causing many other actions to appear smaller for a long time. This is the bad aspect, that it spoiled our mood and the people's mood. Our mood will not be corrected until the United States vanishes and is followed by the Jewish state."⁷³

Near the end of "Exoneration," Zawahiri outlines a prediction:

"Read the history books well and use them to forecast the future. America has been broken in Iraq and Afghanistan and it is now gathering her belongings and picking up the pieces of what is left to her before departing. The Muslim nation and her jihadist pathfinders, on the other hand, are increasing in capabilities and power as time passes. This is the historical timeline which is clear to any comprehending mind."⁷⁴

Making good on this wistful vision of the future is the exoneration that Zawahiri seeks. By noting that jihadist capabilities and power are increasing, he hints at the notion of future strikes. Just as Osama bin Laden issued a fatwa to declare war on the United States in 1998, Ayman Zawahiri issued a fatwa a decade later to announce the impending transition to the next stage of conflict. The 9/11 attack transformed Osama bin Laden into a figure of mythi-

cal proportions. After lifelong humiliation, disappointment, and questions concerning his effectiveness as a leader and operational planner, Zawahiri is desperately seeking an opportunity to become the architect of his movement's future, and the master of his own destiny.

RADICAL CLERICS IN SUPPORT OF AL-QAEDA (SOURCE: EXONERATION)

Atiyatallah	Mujahid Scholar
Nasir Bin-Hamad al-Fahd	Saudi Cleric*
Abu-al-Walid al-Filastini	Mujahid, battlefront fighter, mufti and judge of mujahidin
Abd-al-Hakim Hassan	
Abu-Yahya al-Libi	Libyan Teacher**
Husayn Umar Bin-Mahfuz	Yemeni scholar
Abu-al-Hasan al Masri	
Abu-Abdallah al-Muhajir	Teacher
Abu-Hafs al-Muritani (a.k.a. Dr. Mahfouz Oued el Oued)	Scholar, poet, mujahid, author and educator
Abu-al-Hasan al-Qari	Mujahidin's Quranic reciter and imam
Abu-al-Mundhir al-Sa'idi	Notable of the Libyan Fighting Group
Abu Musab al-Suri	Syrian Mujahid Preacher
Abdullah Zakiri	No official position

*Last report, in Saudi custody

** Currently in US custody

Note: Only two passing references are made to Osama bin Laden in "Exoneration." Zawahiri invokes Nasir al Fahd repeatedly. In the book, Zawahiri also names 14 clerics who reputedly support al-Qaeda, offering a brief description of each one. In the event questions arise in the future concerning Zawahiri's authority to issue a fatwa, this list of clerics is likely intended to demonstrate al-Qaeda's support from Islamic clerics and scholars. As always, Zawahiri has thought through his case to the last detail.

A vertical decorative border on the left side of the page, featuring intricate Islamic geometric and floral patterns in shades of blue, green, and gold on a dark background.

SUNNI VOICES

REJECTION OF TERRORIST VIOLENCE

It is widely recognized in the Islamic community that nuclear weapons are not just super-bombs used by armies as a weapon of war, but that they pose unique and fundamental religious and moral issues that must be resolved by religious authorities. Fortunately, this consciousness introduces an additional level of scrutiny over the wisdom of the use of WMD in the Islamic world that does not exist in secular states that are under no obligation to seek any form of religious or moral authorization for their use.

Thousands of Islamic clerics and scholars have repudiated al-Qaeda's justification of terrorism, in some cases explicitly extending their prohibitions on resorting to violence to the use of weapons of mass destruction. Their voices are growing louder over time. Most notably, Pakistani Shaykh Muhammad Tahir-ul-Qadri recently issued a fatwa that arguably represents the most comprehensive Islamic ruling against terrorism, in all its forms, in the Sunni world.

A number of prominent clerics and scholars have renounced the use of nuclear weapons as being un-Islamic. Grand Mufti of Egypt Ali Gomaa has written a comprehensive anti-WMD fatwa that dismantles, point by point, the arguments made by al-Qaeda in its WMD fatwa. Sunni authorities such as the Grand Mufti vastly exceed, in the weight of their authority and reach, the radical clerics who support al-Qaeda today. Indeed the number of al-Qaeda associated clerics appears to have dwindled since 9/11.

While they strongly support prohibitions of terrorism under Islam, many clerics and scholars continue to harshly criticize US presence in Muslim lands. Many support, or are ambivalent, on attacks against US forces in Iraq. Many condone terrorist violence in Israel, including attacks that may kill innocent women and children.

Controversial Egyptian scholar Yusuf al-Qaradawi has explicitly stated on numerous occasions that all Israeli civilians are legitimate targets for suicide attacks. At the same time, he has criticized al-Qaeda's 9/11 attack and sharply rejected the group's definition of jihad.⁷⁵

Al-Qaradawi has specifically warned about the perils of the extreme adaptation of ideas. He describes four symptoms in this regard: bigotry & intolerance, leading to lack of concern for others; a pattern of stubborn and coercive behavior; religious excessiveness and overburdening of others, i.e. when applying Islamic principles to people in non-Muslim countries or to people who have only recently converted to Islam, as well as to newly committed Muslims; and treating people harshly, roughness in the manner of approach, and crudeness in calling people to Islam, all which are contrary to the teachings of the Quran.⁷⁶

The counter weight to ever-escalating levels of terrorist violence also comes from the ranks of disillusioned radicals. Prominent Saudi militant Salman Al-Odeh and imprisoned Egyptian extremist Sayid Imam Abdel-Aziz Al Sharif have recently condemned al-Qaeda for having corrupted the concept of jihad and sown great destruction on the Islamic community.⁷⁷

On the other end of the spectrum, liberal scholars offer a broader perspective with which to address WMD than the narrow prism of war, jihad and killing. Gamal al-Banna and Tariq Ramadan emphasize Islamic teaching on tolerance and freedom of religion. Gamal al-Banna, the anti-authoritarian brother of Muslim Brotherhood founder Hassan al-Banna, believes that every Muslim has to think for herself/himself, and that critical ideas about Islam should be fought "*by words and not by confrontation, terrorism or takfir - passing anathema on someone by pronouncing them an infidel.*"⁷⁸

Gamal al-Banna is a fervent proponent of freedom of religion, often citing the Quranic verse: "*There is no compulsion in religion*" (*al-Baqara, The Cow, II, 256*).⁷⁹

An Islamic scholar who wrote his master's thesis on the German philosopher Friedrich Nietzsche during his studies in Switzerland, Tariq Ramadan speaks to "*the responsibilities of Muslims in the West to think beyond their own grievances.*"⁸⁰ He is an advocate for the co-existence of Islam and secular democracy. He notes that the Quran's meaning is contextual and therefore it must be interpreted as the world evolves over time. Ramadan has aroused controversy for his alleged ties to terrorists, which he vehemently denied in an open letter to President Bush.⁸¹

CHRONOLOGY OF SUNNI VOICES AGAINST AL-QAEDA

See *Appendix E* for short biographies on this sampling of Sunni clerics.

The objective of this section is to show a timeline of broad, representative statements against al-Qaeda's desire to resort to violence on the scale of WMD.

June 2003

Yusuf al-Qaradawi rejected al-Qaeda's killing of innocents.

"Islam, the religion of tolerance, holds the human soul in high esteem, and considers the attack against innocent human beings a grave sin, this is backed by the Qur'anic verse which reads: Who so ever kills a human being for other than manslaughter or corruption in the earth, it shall be as if he has killed all mankind, and who so ever saves the life of one, it shall be as if he had saved the life of all mankind," (Al-Ma'dah:32).

"The Prophet, peace and blessings be upon him, is reported to have said, 'A believer remains within the scope of his religion as long as he doesn't kill another person illegally...even in times of war, Muslims are not allowed to kill anybody save the one who is indulged in face-to-face confrontation with them. They are not allowed to kill women, old persons, children, or even a monk in his religious seclusion.'" ⁸²

Qaradawi also rejected all terrorist attacks outside of Israel.

"I have been asked several questions on TV programs and on public lectures about the martyr operations outside the Palestinian territories, and I always answer that I do agree with those who do not allow such martyr operations to be carried out outside the Palestinian territories." Instead we should concentrate on facing the occupying enemy directly. It is not permissible, as far as Islam is concerned, to shift confrontation outside the Palestinian territories. This is backed by the Qur'anic verse that reads: "Fight in the way of Allah against those who fight against you, but begin not hostilities. Lo! Allah loves not, aggressors".⁸³

2005

Shaykh Muhammad Tahir-ul-Qadri was among the 170 Islamic scholars from various sects who signed an antiterrorist fatwa in Amman in 2005.⁸⁴

2007

Former militant cleric Salman Al-Odeh warned Osama bin Laden that if he did not relinquish the path of terror he would find himself responsible for the deaths of millions, for which he would ultimately have to answer to Allah.⁸⁵

2008

6,000 Indian Muslim clerics endorsed an anti-terror fatwa.⁸⁶

2009

Saudi newspaper quoted prominent Saudi cleric al-Obeikan's condemnation of al-Qaeda. *"Affiliation with the so-called al-Qaeda group is haram" (banned), adding "It is strictly prohibited to legitimize the shedding of blood of other Muslims without having the right to do so."*⁸⁷

2009

Egyptian Grand Mufti Gomaa outlined a ten point, detailed legal ruling (fatwa) that using WMD is banned (impermissible) under Islam:

- An individual or group cannot declare war
- The use of WMD is a breach of international agreements and treaties
- Using WMDs involves killing people and taking them by surprise
- Killing and harming women and children is forbidden
- Killing and harming Muslim residents of the target countries is forbidden
- Ramifications of using WMDs will bring about catastrophe for the entire world
- Consequences of using WMD will damage individual and public properties
- Permission to enter a country is considered a non-verbal security agreement not to cause corruption in the host country.
- It is invalid to base the permissibility of using WMDs on analogy [Ar.qiyās] to tabyīt, using the catapult, or tahrīq
- It is not permissible to use human shields

Note: See Appendix D for relevant sections of the fatwa

REACTIONS TO THE ANTI-WMD FATWA

Dr Ibrahim Negm highlighted the importance of issuing a counter-WMD ruling: “This fatwa is the first one we issued on this topic and comes in response to the wave of uninformed opinions from various groups.”⁸⁸

Dr. Taha Jabir al-Alwani, president of the Graduate School of Islamic and Social Sciences and the Fiqh Council, supported the anti-WMD fatwa because mass destruction does not distinguish the innocent from the criminal and therefore is prohibited under Islam.⁸⁹

Sheikh Faysal Mawlawi, deputy chairman of the European Council for Fatwa and Research, noted a self-defense exception: “[I]n case these nuclear weapons are used against Muslims, it becomes permissible for Muslims to defend themselves using the same weapon.”⁹⁰

September 2009

Former militant cleric Salman Al-Odeh urged Al-Qaeda deputy leader Ayman Al-Zawahiri to stop killing Muslims, noting that Al-Qaeda had killed more Muslims than non-Muslims, and that the Muslim world was “*being roasted on the flames of Al-Qaeda*” and exposed to violent events and bombings.

“Muslims are the only nation whose sons kill each other; there is no other nation in the world—not the Jews, not the Christians, not the Buddhists, not the pagans—whose sons do this... “How long will people cling to weapons as if they were the only means of achieving their goals?”⁹¹

Al-Odeh added that people who had accepted Al-Qaeda’s ideology of *takfir* and bombings were motivated not by religious or rational conviction, but by emotional distress, frustration, and an inner sense of discrimination.

“I have called on, and will continue to call on our loyal clerics and preachers to call things by their true name, and to remove the divine and holy epithet ‘jihad’ from the operations carried out by murderous organizations that kill innocent people and undermine security in Islamic countries, or other countries with which we have agreements... It is important to explicitly condemn the evil crimes perpetrated worldwide in the name of Islam or of jihad, and to remove the disguise that their names provide for them—whether that name is ‘Al-Qaeda,’ or ‘jihad organizations,’ or ‘military or combat organizations,’ or ‘the Islamic state.’

“I command myself, and my fellow preachers, and the speakers and the writers, to condemn in the clearest possible terms this perversion, which includes bloodshed, destruction of society, corruption of the image of Islam, hindrance of growth, [dissemination] of and contempt for the essential foundations of Islamic law and of humanism, wickedness worldwide, and aggression against human life...”

“I [re]iterate sincerely and loudly: Allah will not lend success to the deeds of the corrupt and the traitors... nor to those who kill Muslims in the name of Islam or in the name of implementing shari’a. They will never succeed; Allah’s punishment will overtake them and they will become an object of mockery for their fellows unless they repent.”⁹²

December 2009

Shaykh Muhammad Tahir-ul-Qadri issued the most detailed antiterrorist fatwa ever written, an exhaustive, 600 page theological and legal studies of the Islamic teachings on the use of force and armed resistance. His fatwa: terrorism is at all times, in all conditions, against Islam. The murders terrorists commit will send them, not to paradise in the company of virgins, as often claimed, but to hell.⁹³ “[*Terrorists*] are the heroes of hellfire.”⁹⁴

Drawing extensively on Islamic texts Qadri declared: “*Islam does not permit, under any circumstances, the massacre of innocent citizens, terrorist explosions and suicide bombings*” which according to Islamic law are unacceptable violations of human rights and constitute kufr, (unbelief).⁹⁵

“This is an absolute, unconditional, unqualified condemnation of terrorism, without any kind of exception or excuse...No context; no discussion of foreign policy of a certain country, no occupation ... can create a pretext for the people to take up arms.”⁹⁶

The solution, said Qadri, is not violence, but democratic dissent, achieved through political channels, petitions, lawful activism and peaceful protest.⁹⁷



SHIA VOICES

IRAN AND THE BOMB

Following the Iranian revolution of 1979, Supreme Leader Ayatollah Khomeini is said to have issued a fatwa against nuclear weapons—some now claim he never uttered such words, while others claim his statement mysteriously disappeared. Iran's current Supreme Leader, Ayatollah Khamenei, issued an anti-nuclear fatwa in September 2004.⁹⁸ While sourced by a variety of Iranian authorities, the fatwa itself has yet to be officially released or found. But in light of the many references, it would seem that Khamenei's fatwa is legitimate and absolute. Is the issue then not clear, from a religious point of view? It is not so simple, as the testimony of the following voices from within Iran will attest.

The range of opinion on this matter is far-reaching, with the overwhelming majority of religious voices taking a stand against nuclear weapons. Individuals in opposition include current and former Supreme Leaders of Iran, the former Deputy Supreme Leader, the former Secretary of the Supreme National Security Council, the Chairman of Parliament of Iran, Iran's Ambassador to Pakistan, and the Grand Marja of Shia Islam, among others. Those in favor of possession, including on a conditional basis as a deterrent and in the context of equal retaliation, include a member of the Iranian Parliament's Judicial Commission, a member of Iran's Assembly of Experts, and two middle-ranking clerics. It is also important to note that Hezbollah's Secretary-General, Sayyed Nasrallah, recently announced the right to possess any weapon, and as such, the Iran-Hezbollah nexus cannot be ignored if in fact Iran were to realize nuclear weapons capabilities.⁹⁹

As one will recognize from the analysis below, there is a serious internal debate on this issue within the religious community regarding: acquiring such a weapon that cannot distinguish between combatants and non-combatants; the use of WMD as a retaliatory measure if attacked by the same weapon; possessing such a weapon as a deterrent measure; among other issues. Surprisingly, justifying the acquisition of WMD either for equalizing or defensive purposes has rarely if ever been mentioned in the context of any regional threat, including that of Israel.

In producing this survey of Shi'a voices in Iran, no assumptions have been made as to whether or not Iran is indeed pursuing nuclear weapons. By compiling numerous comments made by a range of religious clerics, scholars and authorities over the last several years, the goal is to assess the substance and significance of the religious discourse concerning Shi'a Islam and the permissibility or impermissibility of WMD acquisition, possession and use.

SHIA CLERICS AGAINST NUCLEAR WEAPONS

“The Islamic Republic of Iran, based on its fundamental religious and legal beliefs, would never resort to the use of weapons of mass destruction... In contrast to the propaganda of our enemies, fundamentally we are against any production of weapons of mass destruction in any form.”

Ayatollah Khomeini
Supreme Leader of Iran

“There is complete consensus on this issue. It is self-evident in Islam that it is prohibited to have nuclear bombs. It is eternal law, because the basic function of these weapons is to kill innocent people. This cannot be reversed.”

Grand Ayatollah Yusef Saanei
Grand Marja of Shia Islam, Iranian Scholar

“Those in Iran who clandestinely believed they could develop nuclear weapons have now been forced to admit that is forbidden under Islam.”

Hussein Shariamadari
Managing Editor of Kayhan, an Iranian newspaper

“In light of the scope of death and destruction they bring, and in light of the fact that such weapons cannot be used solely against an army of aggression but will invariably sacrifice the lives of innocent people, even if these innocent lives are those of future generations nuclear weapons are not permitted according to reason or Sharia.”

Grand Ayatollah Hussein-Ali Montazeri (Died 12 December, 2009)
Former Deputy Supreme Leader of Iran, Iranian Scholar

“The decree by Khamenei “prohibit[s] the development and use of nuclear weapons”

Mohammad Javad Zarif

Former Ambassador of Iran to the United Nations

“When the Iranian leader issues such a fatwa, then we have given a political, religious and ideological guarantee that we are not pursuing the production of nuclear weapons.”

Hassan Rowhani

Former Secretary of Supreme National Security Council

A Turkish diplomat, describing a visit in May by Ali Larijani, said that Larijani made the religious roots of the proscription clear. “I was in the meeting,” said the diplomat, who spoke on condition of anonymity. “He said there is even a fatwa, a religious ruling, since the time of Khomeini, that Iran will not produce any nuclear weapons.”

Ali Larijani

Chairman of Parliament of Iran

Nuclear weapons as well as the atom bomb are haram (prohibited) according to the laws of Islam, a private television channel quoted Iran’s Ambassador to Pakistan as saying.

Khazali Mashallah Shakiri

Iran’s Ambassador to Pakistan

While evidence suggests Khomeini indeed barred Iranian forces from unconventional weapons during the 1980-88 war with Iraq, the religious underpinning for such a ban is regarded as less than absolute.

Ayatollah Ruholla Khomeini (Died 3 June, 1989)

Former Supreme Leader of Iran

“According to Islamic teachings, there’s the principle that the goals never justify the means... It has not been supported in Islam that you can do whatever you want to

defend yourself. You are not allowed to gather weapons that are not allowed by Islam, even against your enemies.”

Kazem Mosavi Bojnoordi
Chief editor of Iran’s Center for the Great Islamic Encyclopedia

Announced that Supreme Leader Ayatollah Seyyed Ali Khamenei, in a message to the Tehran conference on April 17, declared “Iran regards utilizing nuclear weapons as haram (forbidden in Islam) and it is incumbent on everyone to safeguard humanity from such weapons.”

Mohammad Khazaee
Current Permanent Representative of the Islamic
Republic of Iran to the United Nations

SHIA CLERICS FOR NUCLEAR WEAPONS

“There are no Shari’a [religious law] or legal restrictions on having such weapons as a deterrent.”

Hojatoleslam Mohammad Taghi Rahbar
Iranian Legislator, Member of Parliament’s Judicial Commission

“We have to produce the most advanced weapon inside the country, even if our enemies don’t like it. There is no reason that they have the right to produce a certain special type of weapon, but that other countries not have that right.”

Ayatollah Mohammad Taghi Mesbah-Yazdi
Iranian Cleric, Member of Iran’s Assembly of Experts

It is “only natural” to have nuclear bombs as a “countermeasure” against other nuclear powers. “When the entire world is armed with nuclear weapons, it is permissible to use these weapons as a counter-measure. According to Sharia too, only the goal is important.”

Mohsen Gharavian (*Conditional*)
Iranian Cleric, Disciple of Ayatollah Mesbah-Yazdi

“From all I can see, it’s not forbidden, but it’s hard to say it’s allowed. In jurisprudence these terms are different. If your enemies have these bombs, it’s not forbidden to have them. Don’t forget that Israel has these bombs. It’s outside the Non-Proliferation Treaty.”

Mohsen Kadivar (*Conditional*),
Iranian Cleric, Faculty Member of the Department of
Islamic Philosophy at the Iranian Institute of Philosophy

UNCLEAR

“They have supplied vast quantities of weapons of mass destruction and unconventional weapons to Israel. They have permitted it to have them and they have shut their eyes to what is going on. They have nuclear, chemical and biological weapons and long-range missiles and suchlike.¹⁰⁰ Of course, that is very important. If one day, the Islamic world is also equipped with weapons like those that Israel possesses now, then the imperialists’ strategy will reach a standstill because the use of even one nuclear bomb inside Israel will destroy everything. However, it will only harm the Islamic world. It is not irrational to contemplate such an eventuality. Of course, you can see that the Americans have kept their eyes peeled and they are carefully looking for even the slightest hint that technological advances are being made by an independent Islamic country. If an independent Islamic country is thinking about acquiring other kinds of weaponry, then they will do their utmost to prevent it from acquiring them. Well, that is something that almost the entire world is discussing right now.”¹⁰¹

Akbar Hashemi Rafsanjani, (March 1997)
Chairman of the Assembly of Experts, Former President of Iran

“No, we’re not willing to suspend. But we’re ready to provide greater assurances to the world that we won’t move from peaceful nuclear technology to military technology.”

Akbar Hashemi Rafsanjani, (June 2005)
Chairman of the Assembly of Experts, Former President of Iran

Asked whether the ayatollahs could simply rip up their fatwa one day and issue a new ruling blessing the development of nuclear weapons, Fazal Miboudi, a mullah who is professor

of political science at Mofid University in Qom, said any reversal of such a high-profile issue would require years of awkward theological maneuvering.

“There is room for maneuver in Islam. Things can be haram (forbidden) one day and halal (acceptable) later on. But this takes time...”

Fazal Miboudi,
Professor of Political Science at Mofid University in Qom

Iran’s former president, Mohammed Khatami, has dismissed as a “*satanic conspiracy*” claims the Islamic republic was secretly developing nuclear weapons during a wide-ranging address in Australia.¹⁰²

Mohammad Khatami
Former President of Iran

“This question is ambiguous...taking weapons of mass destruction as a whole, I’m against it...” But in the context of deterrence and self-defense, “It’s not clear.”

Jalal al Din Taheri
Former Member of the Assembly of Experts in Iran, Iranian Scholar

CHRONOLOGY OF SHIA VOICES ON NUCLEAR WEAPONS

See *Appendix F* for short biographies on Shia clerics and scholars cited in this chronology.

October 2003

Led by Ayatollah Ali Khamenei, the nation’s supreme leader, Iranian clerics repeatedly declared that Islam forbids the development and use of all weapons of mass destruction. “The Islamic Republic of Iran, based on its religious beliefs, would never resort to the use of weapons of mass destruction,” Khamenei said recently. “*In contrast to the propaganda of our enemies, fundamentally we are against any production of weapons of mass destruction in any form.*”¹⁰³

“Those in Iran who clandestinely believed they could develop nuclear weapons have now been forced to admit that is forbidden under Islam,”¹⁰⁴ said Hussein Shariatmadari, who is

president of the Kayhan chain of newspapers, controlled by Khamenei, and an unofficial spokesman for the supreme leader.

Grand Ayatollah Yusef Saanei, one of the highest-ranking clerics in Iran, said in an interview: “There is complete consensus on this issue. It is self-evident in Islam that it is prohibited to have nuclear bombs. It is eternal law, because the basic function of these weapons is to kill innocent people. This cannot be reversed.”¹⁰⁵

Saanei said clerical authorities had expressed opposition to the development of weapons of mass destruction for many years, and he described it as the reason that Iran never retaliated with chemical weapons when Saddam Hussein used them to kill Iranian troops and Iran-backed Kurds during the 1980-1988 Iran-Iraq war. “You cannot deliberately kill innocent people,” he said.¹⁰⁶

Asked whether the ayatollahs could issue a new ruling blessing the development of nuclear weapons, Fazal Miboudi, a mullah who is professor of political science at Mofid University in Qom, said any reversal of such a high-profile issue would require years of awkward theological maneuvering. “There is room for maneuver in Islam. “Things can be haram (forbidden) one day and halal (acceptable) later on. But this takes time,” he said.¹⁰⁷

September 2004

The country’s Supreme Leader, Ayatollah Ali Khamenei, issued a fatwa in 2004 describing the use of nuclear weapons as immoral. In a subsequent sermon, he declared that “developing, producing or stockpiling nuclear weapons is forbidden under Islam.”¹⁰⁸

November 2004

According to Javad Zarif, the Iranian ambassador to the UN, the decree by Khamenei “prohibit[s] the development and use of nuclear weapons”¹⁰⁹

Iranian legislator Hojatoleslam Mohammad Taqi Rahbar said on November 9, 2004, that, “There are no Shari’a [religious law] or legal restrictions on having such weapons as a deterrent.”¹¹⁰

February 2005

Hasan Rowhani, Secretary of Iran’s Supreme National Security Council stated: “When the Iranian leader issues such a fatwa, then we have given a political, religious and ideological guarantee that we are not pursuing the production of nuclear weapons.”¹¹¹

June 2005

Rafsanjani said, “No, we’re not willing to suspend. But we’re ready to provide greater assurances to the world that we won’t move from peaceful nuclear technology to military technology.”¹¹²

June 2005

Before the presidential elections, Mesbah Yazdi published a book called *The Islamic Revolution—Surges in Political Changes in History*.

Some of the sections of the book deal with seeking to acquire technology, because, according to Mesbah Yazdi, Iran must acquire “a certain kind of special weapon.”¹¹³

“We cannot know with certainty when the wolf-like elements in many countries which hold power will disappear and be wiped off the face of the earth, or when they will change their murderous ways. Therefore, we should not be indifferent to defensive policy and must strengthen our internal forces ... Experience shows that such an [indifferent] attitude is incorrect and we must always strive to strengthen the country’s military and defense systems.”¹¹⁴

“We have to produce the most advanced weapon inside the country, even if our enemies don’t like it. There is no reason that they have the right to produce a certain special type of weapon, but that other countries not have that right.”¹¹⁵

August 2005

According to the official Iranian statement to the International Atomic Energy Agency (IAEA) on August 9, 2005: “The Leader of the Islamic Republic of Iran, Ayatollah Ali Khamenei, has issued the fatwa that the production, stockpiling, and use of nuclear weapons are forbidden under Islam and that the Islamic Republic of Iran shall never acquire these weapons,”¹¹⁶

Iran’s Ayatollah Ali Khamenei issued a fatwa in 2005 forbidding the production of WMDs as “un-Islamic” and said that “developing, producing or stockpiling nuclear weapons is forbidden under Islam.”¹¹⁷

February 2006

Iran’s hardline spiritual leaders have issued a new fatwa, sanctioning the use of atomic weapons against its enemies. Mohsen Gharavian, a disciple of the ultra-conservative

Ayatollah Mohammad Taghi Mesbah-Yazdi, who is widely regarded as the cleric closest to Iran's new president, Mahmoud Ahmadinejad, stated that it is "*only natural*" to have nuclear bombs as a "*countermeasure*" against other nuclear powers, thought to be a reference to America and Israel.¹¹⁸

According to internal Iranian reporting, he added: "When the entire world is armed with nuclear weapons, it is permissible to use these weapons as a counter-measure. According to Sharia too, only the goal is important."¹¹⁹

Comment: This first public statement by the Yazdi clerical cabal on the nuclear issue appears to be part of an effort by the country's religious hardliners to begin preparing a theological justification for the ownership—and possible use—of atomic bombs. Gharavian did not specify what kinds of "goals" would justify a nuclear strike, but it is likely that military intervention by the United States would be considered sufficient grounds. Ayatollah Yazdi has previously justified use of suicide bombers against "*enemies of Islam*" and believes that America is bent on destroying the Islamic republic and its values.¹²⁰

June 2006

A Turkish diplomat, describing a visit in May 2006 by the chief Iranian nuclear negotiator Ali Larijani, said. "I was in the meeting," said the diplomat, who spoke on condition of anonymity. "He said there is even a fatwa, a religious ruling, since the time of Khomeini, that Iran will not produce any nuclear weapons."¹²¹

That said, interviews with a range of clerics and other students of Islamic teachings indicate that although Grand Ayatollah Ruhollah Khomeini barred Iranian forces from unconventional weapons during the 1980-88 war with Iraq does not necessarily preclude a future religious basis for possessing WMD might be found.

"This question is ambiguous," said Grand Ayatollah Jalalodine Taheri, who was a leading figure in the Iranian government before becoming a critic. Taheri, 80, said during an interview at his bedside in the central Iranian city of Isfahan that "taking weapons of mass destruction as a whole, I'm against it." But he added that religious texts might offer avenues that would allow stockpiling such weapons in the name of deterrence or self-defense. "It's not clear..."¹²²

Mohsen Gharavian asserted: "Producing and using WMD is forbidden, just as producing deadly poison or harmful drugs, ... I think there is no ambiguity here I have not seen any

other type of interpretation among religious scholars. But I have got to add something to this: If any other nation has produced this WMD and has used it against a second nation, the second nation in the name of defending itself has the right to have it and to use WMD.”¹²³

“I believe this is the logic of Islamic morals,” Gharavian said, professing himself “100 percent sure” that Khomeini and Iran’s current supreme leader, Ayatollah Ali Khamenei, “based on Islamic principles, have the same logic: Islam does not allow anyone to initiate harming a human being.”

The same caveat about self-defense was offered by an influential cleric aligned with Iran’s reformers, members of the relatively liberal movement recently sidelined by hard-line conservatives.

“In the time of the prophet, we didn’t have nuclear bombs, so there’s not a verse about it in the Quran,” said Mohsen Kadivar, who like Gharavian is a middle-ranking cleric. “But we have some verses which say we can’t kill anyone who hasn’t committed a crime. It’s very, very clear.”

The faith does accept the concept of retaliation, however, so long as it stops short of injuring innocents. Kadivar said that proviso appears to proscribe actual use of weapons of mass destruction, as would scriptures warning against damaging the environment.

“From all I can see, it’s not forbidden, but it’s hard to say it’s allowed. In jurisprudence these terms are different. If your enemies have these bombs, it’s not forbidden to have them. Don’t forget that Israel has these bombs. It’s outside the Non-Proliferation Treaty.”

“In the eight-year war with Iraq, this was a very hot debate among all the Islamic teachers, because Iranian cities were being bombarded,” said Kazem Mosavi Bojnoordi, who sat on the defense committee of Iran’s parliament during part of the war. “The conclusion was that it’s not allowed. Never during those eight years do we have one example of Iran bombarding cities.”

Bojnoordi recalled that after the first salvos from Iraq, a senior Iranian commander declared, “Now we will flatten Baghdad.” The comment brought an immediate rebuke from Khomeini, whose fatwa closed the matter for the balance of the war.

“According to Islamic teachings, there’s the principle that the goals never justify the means,” said Bojnoordi, whose father was a grand ayatollah. “It has not been supported in Islam that

you can do whatever you want to defend yourself. You are not allowed to gather weapons that are not allowed by Islam, even against your enemies.”

Note: If Iran is indeed working to produce nuclear weapons, experts say the program would surely be entrusted to the Islamic Revolutionary Guard Corps. Formed in 1979 by clerics who did not trust Iran’s existing army, the Revolutionary Guards have grown into a major force in Iran’s economy and political offices. Their insignia, one analyst noted, includes a passage from the Quran that reads, “Prepare any strength you can muster against them, and any cavalry with which you can overawe God’s enemy and your own enemy as well, plus others besides them whom you do not know.”¹²⁴

March 2007

Ayatollah Ali Khamenei: “*The Iranian nation needs nuclear energy for life, not weapons.*”—Insisting that Iran’s commitment to uranium enrichment was born out of a desire to harness nuclear technology for peaceful purposes; the use of nuclear weapons would violate Islamic law.¹²⁵

June 2008

Iran’s supreme leader said that “*no wise nation*” would pursue nuclear weapons but his country will continue to develop its nuclear program for peaceful purposes. Ayatollah Ali Khamenei appeared to be reacting to suggestions by the International Atomic Energy Agency that Tehran may be withholding information on secret attempts to make nuclear weapons.

“Iran is after the peaceful use of nuclear energy and we will strongly pursue and reach it despite the envy of our enemies,” Khamenei said at a ceremony honoring the founder of the Islamic Republic, Ayatollah Ruhollah Khomeini.

He also warned against nuclear terrorism, saying that one day “*world terrorists could attain nuclear weapons and take peace away from all the people in the world.*”¹²⁶

March 2009

Iran’s former president, Mohammed Khatami, dismissed as a “*satanic conspiracy*” claims the Islamic republic was secretly developing nuclear weapons during a wide-ranging address in Australia.¹²⁷

September 2009

Iran’s Supreme Leader Ayatollah Ali Khamenei stated that the US and its allies: “...falsely

accuse the Islamic republic of producing nuclear weapons. We fundamentally reject nuclear weapons and prohibit the production and the use of nuclear weapons... They know themselves that it's not true... but it is part of Iran-phobia policy that controls the behavior of these arrogant governments today.”¹²⁸

October 2009

Grand Ayatollah Hussein-Ali Montazeri offered the following fatwa: “In light of the scope of death and destruction they bring, and in light of the fact that such weapons cannot be used solely against an army of aggression but will invariably sacrifice the lives of innocent people, even if these innocent lives are those of future generations nuclear weapons are not permitted according to reason or Sharia. Anyway, humanity, particularly Muslims who follow the Sharia of the Seal of Prophets, and the Prophet, Praise be Upon Him, must take the lead in banning legally and practically all such weapons for all countries and in soliciting the help of respectable and dependable international organizations in guaranteeing such ban.”¹²⁹

February 2010

Ayatollah Ali Khamenei asserted claim that Islam is “opposed to nuclear weapons,” insisting that Tehran is not trying to build them. Iran’s ambassador to the International Atomic Energy Agency is also calling a leaked report that Tehran is working to build a nuclear warhead baseless.

Ayatollah Ali Khamenei issued the fatwa against nuclear weapons while addressing a crowd of military commanders after a ship-inaugurating ceremony.

“Islam is opposed to nuclear weapons and that Tehran is not working to build them... We have said time and again that our religious beliefs and fundamentals consider nuclear weapons as a symbol of annihilation of generations, thus our religion forbids them. Accordingly we do not believe in acquiring nuclear arms.”¹³⁰

The threadbare and vain claims that nuclear arms are being made in Iran indicate that enemies of the nation have resorted to repetition even in the field of propaganda out of extreme helplessness.¹³¹

“In response to such vain claims, the Islamic Republic of Iran will not fall into emotions because we have repeatedly said that our religious ideas and beliefs consider such weapons, which are the symbols of mankind degeneration, forbidden and “Haram” (religiously prohibited).”¹³²

Comment: For additional information, see “Supreme Leader: Iran has no belief in atom bombs”¹³³ and “Iran's Supreme Leader Khamenei Says Islam Opposes Nuclear Weapons”¹³⁴

April 2010

Iran's permanent envoy to the UN, Mohammad Khazaee, announced that Supreme Leader Ayatollah Seyyed Ali Khamenei, in a message to the Tehran conference on April 17, declared: “Iran regards utilizing nuclear weapons as haram (forbidden in Islam) and it is incumbent on everyone to safeguard humanity from such weapons.”¹³⁵

Hezbollah leader Sayyed Nasrallah stressed that the resistance party, “has the right to possess any weapon, but its policy implies that it abstains from denying or confirming any information about the type of weapons it has; and if someone announced that Hezbollah has nuclear weapons, Hezbollah would not deny that.”¹³⁶

June 2010

Nuclear weapons are haram (prohibited) according to the laws of Islam, a private television channel quoted Iran's Ambassador to Pakistan Mashallah Shakiri.¹³⁷

July 2010

Ali Larijani, in Switzerland to attend the 3rd World Conference of the Speakers of Parliament, stated: “Producing nuclear weapons has no place in Iran's defense doctrine and like all NPT (Non-Proliferation Treaty) members Iran has a right to use the peaceful nuclear energy.”¹³⁸

