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United States Central Command Red Team

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Freedom of Speech in Jihad Analysis: Debunking the Myth of Offensive Words

Scope. Much has been made within U.S. Government (USG) agencies recently over whether or not the selection of words we use while engaging the Muslim world is a lynchpin upon which our success in the war on terror rests. This paper will examine the use of the most “controversial” words that many in the USG have gone as far as to recommend we strike them from the list of words from the terror lexicon that should be used in our language. This paper demonstrates to the reader that the use of these words may not be as bad as we have been advised and may even serve to expose the nature our enemies to the light of day.

Executive Summary. There are a growing number of USG documents that suggest that we stand in danger of (if we have not already) demonizing Islam and/or associating all Muslims with violence simply by invoking the Islamic identity, or Islamist goals, of a particular extremist group. While there is concern that we not label *all* Muslims as Islamist terrorists, it is proper to address certain aspects of violence as uniquely Islamic. This does not imply that all violence is Islamic, or even that all violence perpetrated by Muslims is uniquely Islamic. The fact is our enemies cite the sources of Islam as the foundation of their global *jihad*. We are left with the responsibility of portraying our enemies in an honest and accurate fashion.

There are several recent documents on the topic of the language of Islamic extremist issues that repeatedly reference “Muslim experts.” This is somewhat problematic in that their expert status may be refutable by many within their own communities and the lack of identification does not allow the critic to examine the foundations of their assertions, nor any previous bodies of work. Much of what the memos contain is, at the very least, open to serious examination and debate, perhaps more so due their expert claims. What has been imparted in the recent spate of memoranda on the subject of Islam and its culpability, or not, in the motivations and mentalities of the perpetrators of contemporary *jihad*, amount to the views and opinions of a very small group of Americans whose contributions may have escaped necessary critical review. Knowledge of Islam is not wholly unique and apart from other bodies of knowledge in that, it *can* be learned, even by non-Muslims. It can, and must, be challenged, if we are to understand mindset of those presently committed and opposed to *jihad*, non-Muslim and Muslim alike.

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Much has been said and written in the interagency on the use of the words “*takfir/takfirism*.” This has been the subject of active debate for several years, with little to show in the way of any positive (or negative) results over how and when the USG employs the words *takfir* and *takfirism*. The same seems to apply to other terms that have been used in the place of “*jihadist*,” such as: *Violent Extremists, Salafist Extremists, Criminals, Miscreants, Mufsidoon, etc.* None of these adjustments in term usage have effected our standing in the AOR, nor our effectiveness in executing the instruments of national power in any measureable way. Finally, we should resist recommendations that we caveat contemporary *jihadists* necessarily as individuals who misunderstand a body of knowledge that we are being urged not to critique ourselves.

While not necessarily Muslims themselves, it is not beyond their intellectual and emotional capacities for Western/American analysts, military personnel, and diplomats to comprehend (both intellectually and emotionally) the sources of Islam upon which our violent extremist enemies so completely and stringently rely for their ideology and motivation. While we must be careful to not label all Muslims as terrorists, we must be careful, too, that we are not willfully ignoring a problem that, though uncomfortable, must be addressed directly and firmly. The sources of Islam (*Qur'an, Hadith, Shar'iah*) claim divine origin and include a large body of Islamic jurisprudence on warfare that is detailed, instructive, and directive. A balanced, intellectually critical approach must be taken in order to deconstruct the prime underpinnings and language of the concept of *jihad*, which rest firmly in the sources of Islam and not solely as contrivances within the criminal minds of a small number of violent extremists.

Overestimating the Impact of USG Word Choice on the Muslim Community and the Notions of Demonizing Islam and Invoking Muslim Identity

There are a growing number of USG documents that suggest that we stand in danger of (if we have not already) demonizing Islam and/or associating all Muslims with violence simply by invoking the Islamic identity, or Islamist goals, of a particular extremist group.¹ These assumptions appear to be based upon *emotional* or *political* responses to criticism, rather than based on intentional active or passive acts of bigotry, as they seem to imply. A feeling of demonization is not the equivalent of an actual act of the same. The USG should resist the urge to consider itself capable of managing the emotional responses of those whom we engage either militarily or diplomatically, on issues as serious as the Islamic concept of *jihad* (misunderstood or not). We must not avoid criticism of the topic if the intent is only to assuage the sensibilities of non-violent Muslims, who will remain non-violent in the face of an intellectual examination and critique of the theological underpinnings and/or assertions of *jihad*. We should avoid readily accepting the notion that criticism or notice of an Islamic tenet, such as *jihad*, by the USG is tantamount to the demonization of all Muslims or Islam.

There is rightly placed concern that we not label *all* Muslims as Islamist terrorists. However, it is entirely proper to address certain aspects of violence as uniquely Islamic, without going as far as to say that all violence is Islamic, or even that all violence perpetrated by Muslims is uniquely Islamic. To say that by merely stating that Islamic-inspired acts of violence is akin to labeling Islam as the enemy is unnecessary and extreme. The fact is our enemies cite the sources of Islam

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as the foundation of their global *jihad*. That the results of this campaign are temporally repugnant does not dismiss their existence within the traditions of Islam. A well-laid debate may well have the “extremists” winning on many points about *jihad* and their American-Muslim detractors would have a tough-go of proving them juridically wrong.

Responsibilities for the Muslim Community

As often as we receive suggestions that this may be the case, we should suggest to Muslims who advise the USG on Islamic matters that, as an all-encompassing way of life that binds state and religion into a single unit, it is incumbent upon the Muslim community at large to disprove (to “Violent Extremists”) the martial tenets of Islam to which our enemies turn. The onus is on Muslims to disprove, within their own communities, that those who undertake source-prescribed warfare (*jihad*) are patently incorrect in their actions in accordance with all norms of social behavior. The resources for them to do so, today, rival those of the USG in their reach and effectiveness and their voice on these matters is demonstrably more credible than that of any USG agency or department. In the end, beyond citing *jihad* as a uniquely Islamic theological prescription, there is little to suggest that a systematic, or otherwise, demonization of Islam or all Muslims by the USG will or has occur(ed).

A Caution on the USG Reliance on “Muslim Experts”^{2, 3, 4}

There are several recent documents on the topic of the language of Islamic extremist issues that repeatedly reference “Muslim experts.” Generically cited as experts, these advisors are not further identified. This is somewhat problematic in that their expert status may be refutable by many within their own communities and the lack of identification does not allow the critic to examine the foundations of their assertions, nor any previous bodies of work. The unqualified use of the generic “experts” also infers that their input stands somewhat above refutation by those who may have cause to analyze their suggestions and recommendations. Much of what the memos contain is, at the very least, open to serious examination and debate, perhaps more so due their expert claims. It is uncertain from reading the documents whether or not the assertions, suggestions, and recommendations contained within them, were subjected to critical review.

Islam and Jihad: Off Limits to Analysis and Reporting?

Additionally, we must not be afraid to engage in analyzing Islam and its tenets without prejudice when the situation calls for such analysis to take place. When a well-tempered and intellectual analysis of proper Islamic terms can be made, then we should by all means use these terms to accurately describe the phenomenon of violence presently being witnessed. If these are terms being extracted from Islamic sources by terrorists, then the intelligence and diplomatic communities have a responsibility to report where we believe the terrorists have accurately understood the sources. Additionally, as with any other form of analysis, we must reject the notion that one must be a Muslim or an Islamic scholar in order to correctly understand the sources and their direct or implied meanings. If this were the case, then it would make little sense that hundreds-of-thousands of Muslims who either engage in or support *jihad*, could misunderstand their obligations as deeply their unbelieving enemies. That there are Muslims

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who will refute the interpretation of those who embrace the traditional *jihad* obligation, in no way relieves U.S. analysts of the burden or responsibility of identifying the cultural fault-lines wherein violence germinates, even if they occur within traditionally religious areas. We must look at the theological motivations for violence in the same way that we view its sociological and economical aspects. Where prescriptions for violence rest within the sources of Islam, we must address our concerns with no fewer rigors than we do when we examine the violence's social and economic causes. This is a simple and reasoned analytical responsibility that must be separate from, and unaffected by, the emotional responses to its results. If we can accurately demonstrate that the Islamic sources serve to incite or motivate extremists to violence, then we owe our citizens no less than to be as sensitive to the sources' results as we are asked to be to its origins.

The Knowledge Myth

The USG must apply its own critical analysis to all matters that require the level of investment that the war on terror has, to include matters that pertain to the knowledge of Islam. What has been imparted in the recent spate of memoranda on the subject of Islam and its culpability, or not, in the motivations and mentalities of the perpetrators of contemporary *jihad*, amount to the views and opinions of a very small group of Americans whose contributions may have escaped necessary critical review. Knowledge of Islam is not wholly unique and apart from other bodies of knowledge in that, it *can* be learned, even by non-Muslims. It can, and must, be challenged, if we are to understand mindset of those presently committed and opposed to *jihad*, non-Muslim and Muslim alike.

Some have recommended that analysts and diplomats even limit the number of non-English terms they use when speaking in English. Arabic is not so unique as a language that all nuances and true meanings are lost in translation. As has been performed with exegesis of many sorts over the centuries, scholars have done meticulous work in translating not only the direct etymological meaning of the sources (*Qur'an*, *Ahadith*, *Shari'ah*), but in preserving nuanced structure of the texts as well. In the case of *Marmaduke Pickthall's* original English translation of the *Qur'an*, he went as far as to translate the poetic verse of the *Qur'an* as well as its exegetical and etymological meaning. That the sources of Islam cannot be fully understood in any other language than Arabic does a tremendous disservice, not only to those who have labored to translate the sources into dozens of languages over several centuries, but also to those Muslims who do not speak Arabic, which is the majority of Muslims in the world. The American analyst's lack of a scholarly knowledge of classical *Qur'anic* Arabic no more disqualifies him or her from making assessments of its impact on contemporary issues than did his or her requirement to speak and read fluent Russian in order to assess developments in Soviet-style communism.

Point, Counter-Point: Critical Challenges to Uncontested Assertions.

The following offers challenges to most of the main points that are recurrently raised to the USG by Muslim interest groups. This pattern will likely continue into the future and government agencies must be prepared to defend their positions on effective criticism and analytic methods applied evenly across a broad number of knowledge sets, Islam included. The purpose of these

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criticisms is not to reject, but to challenge the broad assumptions made by the various USG entities that must determine whether or not they are engaging the Muslim community properly through correct word usage. Many of the suggestions received by the USG seem to imply that the USG stands culpable of inflaming Muslim sensitivities in a somewhat base and ignorant manner.

Addressing an Error: The USG Legitimizes Jihad through Word Usage!

Much in the interagency recommendation on word usage has been made of the words, *jihad*, *jihadist*, and *mujahideen*, with heavy emphasis on the point that by using these words in our reporting and discourse, the USG is somehow legitimizing *jihadist* credentials within the Muslim world. This point has been repeatedly stressed and has as far as to recommend that USG departments and agencies cease using these terms to describe Islamist terrorists.

There is little that any non-Muslim entity, particularly the USG, can say that will give the *jihadists* the legitimacy that they seek. The legitimacy sought by the terrorists is (to them) to be found in the laws of Islam and the firm knowledge that they are fulfilling their personal and communal obligations to *jihad*. *Jihad* has already been legitimized as a standing communal obligation (as a means of proselytizing Islam, or *Da'wa* "to call one"). This community-wide obligation is referred to in Islamic law by the term *fard al-kifaya* and it must be performed until the whole world is under the rule of Islam.⁵ Modern apologist may dispute this and in so doing they may also be very wrong. Standing Islamic law maintains that there are two possible states with respect to *jihad* against non-Muslims after the time of the Prophet (which includes today):

*"The first is when they (non-Muslims) are in their own countries, in which case jihad is a communal obligation... meaning upon the Muslim each year."*⁶

*"The second state is when non-Muslim forces invade a Muslim country or near to one, in which case jihad is personally obligatory upon the inhabitants of that country (the land), who must repel the non-Muslims with whatever they can."*⁷

Jihad is regarded by all jurists in the four major Sunni schools, with almost no exception, as a collective obligation of the entire community. As *fard al-kifaya*, *jihad* is binding on the whole community, not just on individuals. If the duty is fulfilled by a part of the community (present day *jihadists*, for instance), then it ceases to be obligatory on the remainder. The whole community (*ummah*) falls into error, however, if the obligation is not performed at all.⁸

Extant Islamic law makes so-called self-styled *jihad* possible and relatively simple to justify. The fact is, legally, modern-day *mujahid* are beholden to no state, provided they fully understand the two standing obligations to *jihad* cited above. In accordance with the most widely accepted understanding the Islamic Law of Nations⁹ (Sunni) only the Caliph may declare *jihad*. In the absence of the Caliph, which has defined the Sunni Muslim situation since 1923, no permission/state declaration for *jihad* is required. So long as the community and/or individual understands the extant obligations to *jihad* and the conditions exist (which they do), then the community or individual need not wait for an edict or *fatwa* from an "appropriate" Muslim

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authority or jurist to fight *jihad*. The fact that the majority of Muslims do not respond to the extant obligations to *jihad*, in no way alleviates them of their responsibility to this obligation under Islamic law. This creates an embarrassing “public image” that may place moderates, such as the USG advisors and experts in a very tough position, indeed.

The claim that the USG may be party to boosting the credibility of *jihadists* by calling them *jihadists* does not seem to enjoy the support of proof or empirical data. Furthermore, as was evidenced by Khalid Sheikh-Muhammad’s declaration at his military tribunal that he was not bound by U.S. law, but by the laws of God (*shari’ah*), any USG use of the terms *jihad*, *mujahid*, or *mujahideen* has no bearing on the psyche of the committed. Additionally, there is little evidence to suggest that our general use of Islamic terms has much bearing on the psyche of the world’s moderate Muslims either, barring the use of conspicuously offensive terms, such as “Islamofascist.”

The credibility of the *mujahid* is gained by his actions and by the resultant submission, capitulation, and death of his enemies and not by what a given USG entity calls him. Certainly, media outlets throughout the Middle East refer to *jihadists* as “*jihadists*” with very little consideration given to the impact this may have on their perceived legitimacy. By all accounts, *jihad*, in both its traditional communal and personal forms is *bellum justum* in Islamic law, which has been established by God, Himself, and therefore derives neither justification nor “upped” credibility from USG statements that address *jihad* and *jihadists*. The closest thing to credibility that the USG can grant to the cause of contemporary *jihadists* would be the exaggerated form of “street cred” that a terrorist earns when he achieves results that are measured by numbers of enemy casualties he causes, his own level of self-sacrifice, and little else.

Finally, the USG, as a non-Muslim entity, simply lacks the authority to grant credibility (or not) to anything derived from the sources (*Qur’an*, *Hadith*, *Shari’ah*). Islamic law is clear that anyone, including a Muslim, who lacks in depth knowledge of the various dimensions of Arabic, the figurative, literal, and the forms of metaphor, is prohibited from explaining or interpreting anything in the *Qur’an* and the *Hadith*, beyond what they have heard from another who possesses these abilities. One must also have complete knowledge of which verses abrogate others and which verses stand abrogated.¹⁰

In accordance with *shari’ah*, the USG, as a collective body, is fully alienated from possessing the truth (Islam), knowledge, and authority to make judgments on matters of Islamic law. Thus, emotions aside, there is little that we can confirm or acknowledge from outside the Islamic system that demonstrates that we could, or somehow *have*, “upped” the credibility of present-day *jihadists*. It seems that Islamic law itself would suggest that the complete opposite might actually be the case. It could be that any *jihadist* worth his salt would reject acknowledgement from that which he considers to be the main enemy of Islam: The United States Government. Those who have committed themselves to *jihad* have little to gain from recognition by non-Muslim institutions, the United States Government included. That a USG entity would use the word *jihad* to correctly describe the activities of an organized group of Islamic terrorists in no way grants them neither any special feeling of legitimacy nor a seal of approval that they do not

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already believe they have received directly from God. Additionally, there seems to be little to suggest that critical numbers of moderate and non-religious Muslims have been adversely affected by Western use of Islamic terms and no reporting to suggest that a moderate Muslim was driven to support *jihad* because the USG had somehow inadvertently legitimized the movement.

On the Issue of “*Takfirism*” and Other Things We Should Call *Jihadists* other than *Jihadists*

The following paragraphs apply to the much overanalyzed and debated use of the words “*takfir/takfirism*.” This has been an active debate within U.S. Central Command¹¹ and the interagency for several years, with little to show in the way of any positive (or negative) results over how and when we (and other government agencies/departments) employ the words *takfir* and *takfirism*. Significant effort has been made to evaluate *takfirism* as a term of choice when identifying *jihadists* and much attention has been paid the use of these terms since the War on Terror began.

The contemporary use of the terms, *takfir* or *takfiri*, comes from *al-Takfir w'al-Hijra*, the name of an Egyptian sect, *The Society of Muslims*, whose writings and actions during the 1970's and 1980's eventually inspired *al-Qaeda*. *Al-Takfir w'al-Hijra* means “*Excommunication and Exile*” in English and has been widely used by the Egyptian government and media to label extremists in their country. Groups and individuals associated with unlawful anti-government activity have been labeled “*takfiri*” and while their effectiveness in Egypt has been marginalized, their principles are in practice with *al-Qaeda* and other *jihad* groups throughout the world. Most of them maintain a romantic attachment to *mujahideen* and the *jihads* of the 7th-11th Centuries.¹²

If we are concerned that our use of the words *jihad*, *jihadist*, and *mujahideen* may somehow glorify or legitimize certain groups and individuals, then we may think twice before using the terms *takfir*, *takfiri*, and *takfirism*. It is true that the Egyptian state and others in the Middle East have succeeded in punishing and marginalizing anti-government Islamist groups. This marginalization has included brutal physical and kinetic action (the likes of which would never be tolerated if executed by the USG) and an equally intense anti-Islamist propaganda campaign that, among other tactics, has employed the use of the “*takfir*” family of words.

However, even in Egypt, Islamist and *jihadi* groups have take a “if you can't beat 'em, join 'em” approach and have actually adopted the term *al-Takfir w'al-Hijra* for themselves. Many of these so-called “*takfiris*” have voluntarily “excommunicated and exiled” *themselves* from Egyptian and other modern Arab societies in order to disassociate themselves from their un-Islamic and Western influences. It is these influences, they argue, that have infected their societies and plunged them into a state of pre-Islamic ignorance (*jahiliyah*)¹³. Many and consider themselves proud *takfiri*. In fact, many “*takfiris*” would argue that all “good” Muslims should be *takfiris and jihadists*, in that they should exile themselves from Western and non-Muslim influence and physically fight, when required, to achieve a world of Islamic purity.

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In the end, these groups and the societies that produce them have adopted a “sticks and stones may break my bones” mentality when it comes to discussing the language battle and the results have been marginal. This can be measured in how well entrenched Arab government were in these efforts by the time we had seen the advent of al-Qaeda in the late 1980’s. Others have recommended that we adopt the terms *Khawariji*, *musfidoon*, or *hirabah* to define the terrorists. Unfortunately, these have each in the past several years, failed to define the struggle of our enemies as well as the term that they and many others in the Middle East (to include most major media outlets) have chosen to use: *jihād*.

Conclusion

US analysts and other government personnel have a responsibility to assess and understand the information at their disposal on matters of Islamic discourse where it pertains to the war on terror. We must reject the notion that Islam and Arabic stand apart as bodies of knowledge that cannot be critiqued or discussed as elements of understanding our enemies in this conflict. Furthermore, we should resist the recommendation that we caveat contemporary *jihādists* necessarily as individuals who misunderstand a body of knowledge that we are being urged not to critique ourselves. It makes sense that in our analysis and speech, we should avoid using words and terms that we neither can pronounce properly, nor understand contextually. This should, and has always been, imbedded into the professional development of intelligence analysts and diplomats. We should by no means take this to the extreme that we should avoid the use of all terminology that is not rooted in the Latin and Germanic languages. The use of Arabic words and terms, where they are appropriate and within the learning capabilities of our professionals, should never be discouraged and should actually be encouraged where it increases our understanding of our enemies, particularly those who employ the sources of Islam to justify their hostility against us.

¹ Department of Homeland Security Memorandum. Terminology to Define the Terrorists: Recommendations from American Muslims. Washington, DC: DHS Office for Civil Rights and Civil Liberties. January, 2008.

² Department of Homeland Security Memorandum. Terminology to Define the Terrorists: Recommendations from American Muslims. Washington, DC: DHS Office for Civil Rights and Civil Liberties. January, 2008.

³ National Counter-Terrorism Center. Words that Work and Words that Don't: A Guide for Counterterrorism Communication. Washington, DC: NCTC Counter-Terrorism Communications Center. March 14th, 2008.

⁴ State Department Cable. SECSTATE WASH DC 172225Z APR 08. SUBJECT: Words that Work and Words that Don't: A Guide for Counterterrorism Communication.

⁵ Gibb, H.A.R. and Kramers, J.H.. Concise Encyclopedia of Islam. Leiden, The Netherlands: E.J. Brill, 1953, 1995.

⁶ Al-Misri, Ahmad ibn-Naqib. Reliance of the Traveller: A Classic Manual of Islamic Sacred Law. Beltsville, MD: Amana Publications, 1991.

⁷ Ibid

⁸ Khadduri, Majid. War and Peace in the Law of Islam. Baltimore, MD: The Johns Hopkins Press, 1955.

⁹ Khadduri, Majid. The Islamic Law of Nations: Shaybani's Siyar. Baltimore, MD: The Johns Hopkins Press, 1966.

¹⁰ Al-Misri, Ahmad ibn-Naqib. Reliance of the Traveller: A Classic Manual of Islamic Sacred Law. Beltsville, MD: Amana Publications, 1991.

¹¹ United States Central Command. Naming the Enemy: Course of Action Briefing, CCJ2-Plans. USCENCOM CCJ2-P MacDill AFB, Tampa, FL. March 4th, 2005 (Rev. August 29th, 2006)

¹² Special Operations Command, Central (SOCCENT). Enemy Defined: Taqfiri Villains. SOCCENT Red Cell, MacDill AFB, Tampa, FL. March 14th, 2005.