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Written by Lawrence Potter

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Iraq: Bewildered of Baghdad

What is jihad?

'The most excellent *jihad* (struggle) is that for the conquest of self.'

Muhammad Hazrat

'*Jihad*' is one of those words that gets bandied about a fair amount in Western newspapers. Journalists assume that we understand the concept. More worryingly, we think we understand it ourselves. Until recently, if you had asked me, I would have confidently assured you that '*jihad*' was synonymous with 'holy war'. In reality, its meaning is far more complicated and can describe a variety of very different actions.

The word '*jihad*' literally means 'to struggle'. Early references to *jihad* in the Qur'an, and in the hadith (sayings attributed to Muhammad that were written down much later), do tend to link it with warfare of some type, either defensive warfare to repel the threat of an attack against the Muslim community, or aggressive warfare to extend the dominion of Islam. The early Muslims were obviously quite good at this kind of thing because, by the end of the 16th century, they had managed to spread their religion throughout the Middle East and into Africa, Europe, India and Southeast Asia.

In modern times, the word *jihad* has taken on a variety of meanings. It can certainly be applied to a war fought to defend a Muslim community against an external aggressor. In this situation, it is the duty of Muslims to defend their faith. However, there is much more controversy over whether it condones offensive warfare. The most extreme view is that it is the duty of Muslims to attack any

community that does not operate according to the rules of Islam but calls for a general *jihad* of this type have never been respected by the majority of Muslims. At the beginning of the First World War, the Ottoman Empire called for a *jihad* against the UK, France, Russia and their allies, declaring that it was every Muslim's duty to fight, but this call to war was largely ignored by anyone other than its own subjects.

In general though, the majority of Muslims would say that war is only permissible when there is a clear threat to a Muslim community, either in terms of physical violence or in terms of some kind of hindrance to that community's ability to follow the teachings of their religion. Even then, there are strict rules governing warfare. On the practical side, it is not necessary to fight if the enemy has a force of more than twice your strength – better to regroup and build up your numbers than be massacred. On the moral side, it is not acceptable to kill non-combatants, nor to fight with other Muslims.

If any of these conditions for proper *jihad* are not met, then the warfare is no longer *jihad* and does not meet with the approval of religious authorities. Obviously then, it is important to show that what you are doing meets the requisite conditions, especially since a person who dies during *jihad* can expect all kinds of rewards in the afterlife whereas someone who dies in an unsanctioned war can expect to be punished. The Muslim community as a whole would condemn the action of suicide bombers, because they are not observing the rule that they should avoid the killing of non-combatants. Groups involved in conflicts that result in the death of other Muslims are anxious to establish that those other Muslims have compromised their faith, either by practising an incorrect version of it, or by allying themselves with powers who are demonstrably the enemies of Islam.

However, *jihad* has also come to cover other activities outside the sphere of war. It can be applied to a peaceful 'struggle' to build a better and more just world. Under this interpretation,

a teacher who fought against prejudice in the classroom, or a politician who aimed at reducing poverty in society, could both be said to be engaging in *jihad*.

Jihad is also often used to describe a personal struggle against the temptations of the world. A human being is constantly battling against corrupting influences, either internal or external, in order to make the correct moral choices. In fact, many Muslims subscribe to the view that every aspect of life involves *jihad* and that *jihad* is really only the struggle to live one's life according to the teachings of Islam. They would say that of the various ways to engage in *jihad*, *jihad* through warfare is the least important.

Politicians, of course, play on the ambiguities inherent in the word. Yasser Arafat called for a *jihad* to liberate Jerusalem in 1994. By doing so, he was able to satisfy extremist groups who interpreted his words as a threat of physical war, whilst at the same time he could allay the fears of his partners in the peace process, arguing that he was talking about the non-violent struggle to find a solution to the problem.

What is the difference between Sunni and Shia Muslims?

'Why do you ask me these questions at five o'clock?'

Representative Silvestre Reyes, Chair of the House Intelligence Committee upon being asked by a journalist whether Hizbollah was Sunni or Shia

Given the sectarian nature of the current fighting in Iraq, you would think that US policy makers would have some idea about the answer to this question. Worryingly, though, some of them aren't exactly up to speed. During 2006, the *New York Times* reporter Jeff Stein went around asking some of them exactly this question. One of his victims was Terry Everett, a US Congressman and vice chairman of the House Intelligence Subcommittee on Technical and Tactical Intelligence.

Apparently, Mr Everett responded to the question with a low chuckle. Then, he thought for a moment. Finally, he replied: 'One's in one location, another's in another location. No, to be honest with you, I don't know. I thought it was differences in their religion, different families or something.'

Reid then kindly gave Everett a brief run-down of the basic differences between the two groups. 'Now that you've explained it to me,' Everett replied, 'what occurs to me is that it makes what we're doing over there extremely difficult, not only in Iraq but that whole area.'[1]

What Congressman Everett didn't know is that about 90% of the world's population of Muslims is Sunni, and that Sunnis are

the majority Muslim group in the vast majority of Muslim countries. Shias account for most of the remaining 10% of the Muslim population. They are the majority in Iran, Iraq and possibly Yemen, and they form significant minorities in many Middle Eastern countries.

Like Protestants and Catholics, Sunni and Shia are not generally separated along ethnic lines and there are no differences in day-to-day wear. The name might give you something of a clue – for example, many Shias are called 'Ali' in memory of the first imam – but no name is used exclusively by either of the sects.

Still, there are important differences between the two groups, all stemming from the original schism in the Muslim faith caused by the argument over the rightful successor to Muhammad after his death in AD 632. Some sources say that Muhammad wished the leadership to remain within his bloodline, and that, to this end, he nominated his son-in-law, Ali, as his successor. Other sources say that he died without nominating anyone, and that therefore the successor should be chosen by democratic methods.

The controversy rumbled on for a while, as the leadership of the Muslim faith passed from one person to another, until it ended up in the hands of Ali himself. You would have thought that this would satisfy all concerned, but this was not the case. Ali spent much of his rule fighting against rivals for his position, chief amongst them a man called Mu'awiyah. By the time of Ali's death in 661 (the result of losing an argument with a poisoned sword), Mu'awiyah had built up such a following that he was asked to become the next leader, despite the fact that Ali had two sons, Hasan and Husayn, who had legitimate claims to the position.

It all kicked off again after Mu'awiyah died. Most of the Muslim community accepted Mu'awiyah's son, Yazid, as their next leader, but Ali's son, Husayn, refused to recognise his rule. Along with seventy-two followers, he was on his way to the town of

Kufah in modern-day Iraq, which had sent him messages of support, when he ran into four thousand soldiers sent by Yazid. Husayn was killed, and his head was sent to Yazid.

And that was where the initial split in Islam arose. The Shias believed that the Muslim leader should belong to the bloodline of Muhammad. They saw Ali and Husayn as his immediate successors, and gave them the title of imam. They were the first in a line of imams, each of which claimed to be the descendant of Muhammad. Arguments concerning the rightful heir led to splits in the Shia movement, and the formation of particular sects. The Shias viewed the imams as mediators between themselves and Allah. The imams were infallible, and worthy of religious devotion.

The Sunnis, on the other hand, were happy for the leadership of the Muslim community to pass to whoever proved themselves most capable of protecting it. They gave their leader the title of caliph. The leadership of the Sunni community quickly became disputed, and various leaders laid claim to it. The Sunnis saw their leaders as fallible human beings. They were worthy of respect, but not religious reverence.

Over the years, despite the distance of the original cause of the split and the fragmentation and eventual demise of the positions of both the imams and the caliphs, the Shias and Sunnis maintained their individual identities. More often than not, the Shias were an impoverished minority, who portrayed themselves as the defenders of the weak against injustice and tyranny. They were often subject to oppression. As a result of this, the Shias developed the practise of *taqiyya*, in which it is perfectly acceptable to conceal your faith in order to avoid persecution. Unsurprisingly, the Shias tended to attract other disaffected groups. In contrast, the Sunnis tended to form the establishment of the various Middle Eastern states.

In modern times, both groups continue to maintain their different identities. Partly as a result of the causes of the original

split, and partly as a result of their separate evolutions over history, there are now significant differences between Shias and Sunnis.

Most importantly, Shias look back to the imams and revere them as religious figures. They accord particular devotion to Husayn and Ali, viewing them as martyrs to the Shia cause. As a result, Najaf and Karbala (which are the locations for the tombs of Ali and Husayn respectively) are as important to Shia Muslims as the other Muslim holy cities.

In addition, they attach special importance to the Muslim festival of Ashura, because it was at that time that Husayn was killed. For the Shias, the festival of Ashura is a time of mourning and sorrow. They share in the suffering of Husayn by beating and cutting themselves, and they represent his death through the medium of passion plays.

Sunnis, whilst respecting the role that Ali and his family played in the early years of the Muslim faith, disagree with the special status that the Shias give them. They also disagree with the reverence which Shias continue to show to their religious leaders. For a Sunni, such reverence is misguided as it should be directed solely towards Allah. Sunni religious leaders are there to advise and to give guidance, but Sunnis believe it is possible to communicate with Allah without their help.

Other differences between the two sects arise from a difference between the sources to which they look for religious instruction. The Qur'an is the most important source of guidance for both of them, but it does not contain the answer to all questions. For issues on which the Qur'an makes no ruling, Muslims must consult the hadith, which record the traditions and sayings of Muhammad.

The hadith were initially handed down orally, but they were eventually written down by a variety of people. The two sects have different opinions over which are the most trustworthy sources. For example, the Shia pay particular attention to the

hadith of members of the family of Ali, but have no time for the hadith of those who opposed him.

As a result, the two sects have developed some differences in practice. For example, all Muslims pray five times a day, but Shia Muslims are able to combine some of these prayers into a single session. A busy Shia might get through all the required prayers in three sessions. Shia Muslims allow the practice of fixed-term marriages (called *'mut'ah'*), in which women are paid a fixed sum to become a wife for an agreed period of time, while Sunni Muslims have banned the practice.

However, it is important to stress that the similarities between both groups are much greater than the differences. They both follow the teachings of the Qur'an, they both obey the Five Pillars of Islam, they both revere the same holy cities and they both have the same holy days.

1. www.nytimes.com/2006/10/17/opinion/17stein.html (accessed 1/3/11)

Why is the Sunni–Shia split a particular problem in Iraq?

'I say to our Sunni brothers in Iraq that we are brothers and the occupier divided us in order to weaken the Iraqi people.'

Moqtada Sadr, Shia cleric

Over the years, we have regularly read about tit-for-tat killings in Iraq between Sunni and Shia groups. We would be forgiven for thinking that these two groups have always been enemies, but Sunnis and Shias have coexisted in Iraq for centuries, and, by and large, they have lived peacefully together. The Shias form the majority group, but the Sunnis form a very large minority. Intermarriage between the two sects was common during Saddam's rule. It is a sad fact that many of these couples have had to flee the country in fear for their lives as a result of sectarian violence.

Historically, the Iraqi regime has been Sunni. Prior to the country's independence, first the Ottomans and then the British appointed Sunnis to positions of authority and under Saddam's rule Sunnis continued to dominate the government. However, Saddam's regime was not a religious one. He ruled the country via the mechanism of the Ba'th Party. During his rule, he certainly oppressed the Shias – for example, he refused to allow them to celebrate the festival of Ashura – but no more so than he oppressed other groups that opposed him. In general, both Sunnis and Shias were happy to see him go.

Given the prior coexistence of Sunnis and Shias, the development of conflict between the two was unexpected, at least to the

US administration and its allies. Various explanations can be put forward for it. Politically, the Coalition forces have encouraged the Iraqi population to think along sectarian lines. They set out from the start to ensure that the top positions in the government were shared between the Sunnis, Shias and Kurds, rather than allow a totally free democratic process to decide such positions. This might seem like good sense in terms of allowing each group to feel that they have a say, but it meant that the politics of Iraq became defined by religious issues.

In addition, there was no time for the formation of real political parties. The Ba'th Party had dominated Iraqi politics for many years, allowing nothing in the way of viable opposition. With its disbandment by the Coalition forces, there was no political system left. When an Iraqi citizen stepped up to the ballot box, they had no choice but to vote along ethnic lines (in the case of the Kurds) or along sectarian lines (in the case of the Sunnis and Shias). In other words, for the majority of Iraqis, their political choices were decided by their religious background. As a result, rivalry between Sunnis and Shias was built into the political system.

Moreover, the Sunnis had various reasons for feeling that they had not received a fair deal. In a process known as 'debathification', the Coalition forces removed former members of the Ba'th Party from their jobs, and refused them the right to run for political office, work in the military, or hold positions in public services such as medicine and education. Under Saddam, members of the Ba'th Party were mostly Sunnis. However, many Sunnis joined the party simply because it was the only way to be certain of employment and to gain a level of safety in Saddam's regime. They were not part of, or even supportive of, the methods with which Saddam maintained his hold on power. Such people found themselves jobless and excluded as a result of debathification.

There were other problems too. Broadly speaking, Sunnis tend to live in the central section of Iraq and this was the area most disrupted by violence. This meant that voting was a risky affair, or

even an impossibility (the US-led attack on Fallujah took place at this time). Other Sunnis did not vote in protest at what they felt to be an unfair election. All of this is in stark contrast to the Shias, who were encouraged to vote by their religious leaders.

As a result, Sunnis felt that they were not fairly represented in the government that drafted the new Iraqi constitution, with which they had serious concerns. In particular, the Sunnis were concerned by the prospect of the decentralisation of Iraq, in which the Shias would control the oil-rich south, the Kurds would control the similarly oil-rich north and the Sunnis would be left with the war-torn central region.

Given all of this, it was unsurprising that there were strong sectarian tensions on the political level. However, it still does not explain why there was so much sectarian violence on the street. The problem here was the void left by the collapse of the Ba'th Party, and with it the Iraqi army and police force. The result was a collapse of security, with various extremist groups taking advantage of this situation to further their own ends. In the absence of a state security system, Iraqi citizens had no choice but to look for protection from their religious leaders, which resulted in the formation of militias along sectarian lines. It was these militias which became involved in a cycle of aggression and retribution. The situation was not helped by Iraqi tribal law, in which revenge killing is traditional. Needless to say, the majority of Iraqi citizens did not support the views of these extremist groups, but found themselves caught up in the acts of aggression which they carried out.

Other external forces became involved. Al-Qaeda used the situation to further its anti-Western agenda, and there were allegations that Iran was involved, either in an attempt to establish another Shia regime in the Middle East (which would be a useful ally for Shia Iran), or simply to prolong the instability in a country that is traditionally its rival in the region.

Was Saddam's trial legal?

'The imposition of the death penalty – an inherently cruel and inhumane punishment – in the wake of an unfair trial is indefensible.'

Human Rights Watch, November 2006

'Saddam Hussein's trial is a milestone in the Iraqi people's efforts to replace the rule of a tyrant with the rule of law.'

George Bush at TSTC Airport, Waco, Texas, 5 November 2006

On 30 December 2006, Saddam Hussein was executed for his part in the Dujail Massacre. On a leaked recording, observers of the execution could be heard taunting the ex-president in the moments before his death. Human rights groups protested both against the use of the death sentence, and the indecent way in which it was carried out. It was the final controversy in a judicial process that had been riddled with problems throughout its duration.

On 8 July 1982, Saddam visited the small town of Dujail in order to give a speech praising its inhabitants for their assistance in Iraq's conflict with Iran. His convoy was attacked by members of the Shia Da'wah Party and a gunfight ensued, in which Saddam was unharmed.

In revenge for this attack, Saddam's security forces allegedly executed several men on the spot and 143 others after show trials. Some reports say that many more were killed, including women and children. In addition, around 1,500 residents were arrested, the town was demolished and rebuilt, and surrounding farmland was destroyed.

At the time of his execution, Saddam was also standing trial for atrocities committed in the Anfal campaign against the Kurds in 1988. Further charges were in the process of being prepared on other counts, including the use of chemical weapons against the Kurds at Halabja in 1988, the invasion of Kuwait in 1990, and the suppression of Kurdish and Shia rebellions at the end of the First Gulf War in 1991. All charges against Saddam were dropped after his execution.

There are various opinions on why Saddam was initially tried for a relatively minor incident. The limited scope of the case meant that it was easier to prosecute, and there were witnesses willing to give evidence in court. However, it is also possible that Ibrahim al-Jaafari, the Iraqi prime minister and leader of the Da'wah Party at the time, wished to put on a show of strength for his supporters. In addition, some sources suggest that the US was keen to avoid an in-depth analysis of some of the other charges through fear that it might reveal an element of US involvement.

Human Rights Watch, amongst others, registered their concern about the legality of the trial. On the other hand, the vast majority of governments supported it, although many were troubled by the use of the death penalty. According to experts, there were fundamental issues about the legality of the trial from the start.

There is little precedent for the trial of a head of state, but it seems that the structure of the court was a dangerous compromise. Experts say that either Saddam should have been tried in an international court according to international law, or that he should have been tried in an Iraqi court – after an Iraqi system of law had been set up and a judiciary trained. The first option would have given the trial a sense of neutrality; the second would have given the Iraqi people a sense of ownership. As it was, the court was initially set up by the Coalition forces, and then later reaffirmed by the Iraqi government after elections had taken

place. Throughout the process, Saddam was kept in custody at a US base. It was a one-off arrangement that suffered from interference from both the international community and the Iraqi government.

On top of this, once the trial started, it was riddled with problems. Three defence lawyers were assassinated during its course. The chief judge resigned in protest at government interference. Defence lawyers boycotted proceedings on a number of occasions over allegations of unfairness. It is alleged that defence lawyers were not given enough time to prepare a proper appeal. Saddam continually questioned the validity of the court. At his very first appearance, he stated: 'This is all theatre. The real criminal is Bush.' Amidst all this disruption it is difficult to see how it can be said that the defendants were given a fair and unbiased trial.