

Counter Terrorist Trends and Analyses

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ISSN 2382-6444 | Volume 14, Issue 3 June 2022

A PUBLICATION OF THE INTERNATIONAL CENTRE FOR POLITICAL VIOLENCE AND TERRORISM RESEARCH (ICPVTR)

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An Analysis of *Bai`ah Al-Mawt* (Pledge of Death) in Jihadist Groups' Practice and Islamic Tradition

Muhammad Haniff Hassan

This article examines the idea and practice of Bai`ah Al-Mawt (pledge of death) among contemporary jihadist groups through the lens of Islamic Sunni intellectual tradition and security studies. The article employs library research, examines materials of jihadist groups, analyses literature by researchers of security and other relevant studies, and factors in the works of classical and contemporary Sunni scholars. It concludes that Bai`ah Al-Mawt as a concept is not problematic at theological and security levels. Instead, the threat lies in the application and practice by jihadist groups of this pledge.

Introduction

Bai`ah is an Arabic word that translates to pledge in English. In the Islamic Sunni intellectual tradition, there are two types of bai`ah. The first is a bai`ah of allegiance and obedience to a Muslim caliph. This also functions as an individual's endorsement of a Muslim's appointment as a caliph. The second is a bai`ah of commitment to accomplish a certain religious mission or task, or to abstain from certain things on religious grounds. Bai`ah Al-Mawt (pledge of death) as discussed in this article falls under the second type.

A great body of academic work exists on *bai`ah* as an Islamic tradition.² Similarly, there are also works on the topic as practised by jihadist groups from a security perspective.³ However, little research has been done on the practice of *Bai`ah Al-Mawt* by jihadist groups as a sub-set to *bai`ah* in Islam. This article seeks to fill that gap in the hope of catalysing a deeper look at it from various perspectives.

The article investigates the practice of *Bai`ah Al-Mawt* by jihadist groups through the lens of Islamic Sunni intellectual tradition as well as security. It begins with a brief description of *Bai`ah Al-Mawt* by jihadist groups and the arguments they put forth. It then looks into Islamic Sunni intellectual tradition for the purpose of comparing the idea and practice of *Bai`ah Al-Mawt* between the two. The choice to solely focus on Islamic Sunni intellectual tradition is due to the constraint of space and the author's lack of expertise in Shiite and other traditions. Finally, the article offers an analysis of *Bai`ah Al-Mawt* by jihadist groups – whether it is problematic (or not) from a theological and security perspective.

For the purposes of this article, jihadist groups refer to Al-Qaeda and the Islamic State (IS) and their affiliates. It is worth noting that *Bai`ah Al-Mawt* is also practised by various contemporary jihadist groups; it is not exclusive to Al-Qaeda and IS.⁴ However, *Bai`ah Al-Mawt* is mainly relevant to the aforementioned two groups as they pose a serious threat to global security.

Jihadists' Viewpoint and Practice

Jihadist groups practise *bai`ah* firstly as a declaration of allegiance to an *Emir* (leader) upon joining the group under him. It is a form of initiation rite for a person who is accepted into or has agreed to join the group. Secondly, *bai`ah* is made for the execution of a specific mission or task. It is done when a person or group of persons is assigned or voluntarily opts to accomplish a mission or task, to show their commitment to others and to strengthen their resolve.

Bai`ah Al-Mawt, which falls under the second category, varies among groups, with a few commonalities. Firstly, it is done in the name of or dedicated to Allah. Secondly, it pertains to the intent to perform a mission or task. Thirdly, it is an explicit declaration of readiness to die for the mission or task. The extract below, taken from materials produced by militants, provides a clearer understanding of the bai`ah:

"We pledge to Allah and we pledge to Muhammad, the Messenger of Allah, to perform jihad in the path of Allah, and to persevere in the path of Allah. We pledge till death to protect Muslims' dignity, support the oppressed and raise the flag of this religion. May God be the witness of what we have said." 5

Bai`ah Al-Mawt has been made for missions or tasks such as defending a territory or hometown,⁶ raiding the enemy⁷ and carrying out suicide bombings using vehicle- or human-borne improvised explosive devices.⁸ For instance, IS reported an *inghimasi* operation – "an individual or a small group immersing themselves within a large army of non-believers in search of martyrdom or causing damage to them"⁹ – in Iraq that was preceded by a pledge of death by seven operatives in the fourth issue of its monthly English-language magazine, *Rumiyah*.¹⁰

IS justifies the pledge by citing scriptural evidence and scholarly opinion, but holds the view that the pledge is neither obligatory nor a mandatory requirement for the accomplishment of a mission. However, once the pledge has been made, it becomes obligatory for the participant to fulfil it. Nonfulfilment of the pledge without valid reason is regarded as a grave sin. The same stance and argument can also be found in Muhammad Abdul Salam's book *Al-Jihad: Al-Faridah Al-Gha'ibah* (*Jihad: The Absent Obligation*). 12

On its part, Al-Qaeda sought validation for the *bai`ah* from the Prophet's tradition known as *Bai`ah Al-Ridwan*, which refers to a pledge made by the Prophet and his companions in a place called Hudaibiyah. Then, the *bai`ah* was done to legitimise an *inghimasi* operation.¹³

Bai'ah Al-Mawt in Islamic Tradition

Within the Islamic Sunni intellectual tradition, *Bai`ah Al-Mawt* is also known as *Bai`ah Al-Shajarah* (pledge of the tree), *Bai`ah Al-Ridwan* (pledge of divine pleasure), *Bai`ah Al-Sabr* (pledge of patience) and *Bai`ah Al-Jihad* (pledge of jihad).

Bai`ah Al-Mawt relates to an important event in the Prophet's history, the Treaty of Hudaibiyah (6H). The treaty was sealed by the Prophet and his Muslim companions with the Meccan Quraish and their pagan Arab allies to end hostilities for the duration of 10 years.¹⁴

The treaty was preceded by an *umrah* (minor pilgrimage) to Mecca made by the Prophet and 1,400 companions at a time when the city was controlled by the Quraish tribe, which was in conflict with the Prophet. From a campsite known as Hudaibiyah,¹⁵ the Prophet sent his senior companion, Uthman, to inform the Quraish about his intention to perform *umrah*, not to fight, and to negotiate the right of pilgrimage to Mecca. Uthman was held by the Quraish for a few days in Mecca, with his absence prompting speculation that he had been killed. An angered Prophet then called upon the other companions to perform a pledge with him to fight the Quraish in order to avenge Uthman's killing.

The pledge was recorded in Islamic history as *Bai`ah Al-Mawt* because it reportedly contained a commitment to fight till death, based on accounts by some of its participants. ¹⁶ It was also named as *Bai`ah Al-Shajarah* ¹⁷ because it was made under a tree as mentioned in the Qur'an; ¹⁸ as *Bai`ah Al-Ridwan* ¹⁹ to highlight its virtue in God's eye as recorded in the Qur'an; as *Bai`ah Al-Sabr* for pledging patience in facing adversity in avenging Uthman; ²⁰ and as *Bai`ah Al-Jihad* for jihad against Quraish for killing Uthman. ²¹

Sunni Muslim Scholars on Bai'ah Al-Mawt

Sunni Muslim scholars rule that a pledge of death is not obligatory and participation in it should be on a voluntary basis. However, fulfilment of the pledge becomes obligatory for those who choose to perform it.²² It should be noted that the term *Bai`ah Al-Mawt* and its underlying symbolism was contentious among the original participants. There are many hadiths (Prophetic traditions) that report that some participants disliked the *Bai`ah Al-Mawt* moniker. The most famous among them were Jabir bin Abdullah and Ma`qal bin Yasar; both were the Prophet's companions who participated in the *bai`ah*. They strongly denied that the pledge was to fight till death and stressed instead that it was a commitment to not retreat or return to Medina until Uthman's death was avenged or the mission to perform *umrah* was accomplished.²³ Another critical account can be found in a historical report from a later period, which states that a companion rejected a call to perform the pledge of death and announced that he would only make such a pledge to the Prophet.²⁴

The idea of a pledge of death became more acceptable among Muslim scholars after the generation of companions, when some of them sought to reconcile the "fight till death" and "no retreat or return until mission accomplished" accounts.²⁵

For instance, the renowned Muslim jurist and hadith commentator Imam AI-Nawawi asserted that the different accounts about the nature of the pledge were not contradictory and in fact, when taken collectively, provided holistic meaning to the pledge. AI-Nawawi argued that a pledge of no retreat is to steadfastly fight the enemy until victory is accomplished or they (Muslims) die for it, which encompasses the meanings in the pledge of death, of patience and of jihad.²⁶

However, the abovementioned reconciliation attempts are problematic because they sidestep the fact that there are numerous hadiths containing the companions' strong and explicit denial that the pledge is for death, such as:

"It has been narrated on the authority of Jabir who said: We were one thousand and four hundred on the Day of Hudaibiya. We swore fealty to him (the Prophet) and `Umar was holding the latter's hand (when he was sitting) under the tree (called) Samura (to administer the oath to the Companions). The narrator added: We took oath to the effect that we would not flee (from the battlefield if there was an encounter with the Meccans), but we did not take oath to fight to death [emphasis added]."

It is probable that the Prophet accepted different pledges from different individuals. Some pledged to fight, while others pledged to be patient in the face of adversity, and still others pledged to not retreat until the mission was accomplished, as reported in commentaries of the Qur'an.²⁸ This does not negate the fact that there were many who disliked or were uncomfortable with the pledge of death.

The dislike and discomfort continued among later generations of classical Muslim scholars, and into the contemporary era. This can be observed, for example, from the choice by classical Muslim scholars Al-Bukhari,²⁹ Muslim,³⁰ Al-Nasa'ii³¹ and Al-Darimi³² to use a "pledge of no retreat" as the preferred title for a sub-chapter in their book of hadiths. Modern scholar Ali Al-Nadwi also reported the pledge as one of non-retreat in his book *Al-Sirah Al-Nabawiyah* (The History of the Prophet).³³ Another contemporary scholar, Al-Mubarakfuri, referred to it as *Bai`ah Al-Ridwan* in his award-winning book on the Prophet's history, *Al-Rahiq Al-Makhtum* (The Sealed Nectar), although he mentioned in passing that some companions had been willing to sacrifice their lives.³⁴

Assessment and Insights

Conceptually and theologically, *Bai`ah Al-Mawt* is not problematic from the standpoint of Islamic Sunni intellectual tradition. However, the jihadist application of this notion poses three significant problems.

First, when used for armed jihad, *Bai`ah Al-Mawt* in the Sunni tradition can only be employed by the right authority or by groups officially sanctioned by it. In contemporary times, the former refers to the government of an internationally recognised state, and the armed forces or militia groups officially affiliated to it.³⁵ Jihadist groups (as non-state actors) are neither the authority nor a legitimately affiliated group. This is especially so in the case of Al-Qaeda and IS and their affiliates.

Second, jihadist groups do not fulfil the "right cause" criterion for waging armed jihad in the Sunni tradition. They fight for rebellious reasons, causing strife and greater *dharar* (harm) to Islam and Muslims, and employ forbidden tactics such as terrorism and suicide bombings.

It must be highlighted that the "right cause" criterion for legitimate jihad applies to jihad declared by the right authority as well. However, a right authority may wage a wrongful war in the name of jihad, such as Iraq's invasion of Kuwait in 1992. This makes the use of *Bai'ah Al-Mawt* theologically invalid even if it is carried out by armed forces and militiae.

Thirdly, it is known that jihadist groups employ *Bai`ah Al-Mawt* in suicide operations. This is qualitatively different from the conventional understanding of what it means to "fight till death" and there being "no retreat/surrender". The latter may involve high-risk or daring missions where death is probable but not certain and the combatants are killed by enemy fire; not by their own weapons or explosive devices, which characterise suicide operations by jihadist groups. The majority of contemporary Sunni scholars have ruled the suicide missions employed by jihadist groups as abhorred by Islam. Hence, the same ruling applies to *Bai`ah Al-Mawt* when used for such purposes.³⁶

From a security standpoint, *Bai`ah Al-Mawt* has its equivalent in military and security studies, and has been employed from ancient to modern times. History records with admiration various "fight till death" and "no retreat/surrender" incidents, such as the battle of Thermopylae where the Spartans fought till death against the superior Persian army. However, there remains an obvious security threat when the *Bai`ah Al-Mawt* is exploited by illegitimate armed groups like jihadist outfits to justify their illegitimate purposes and forbidden tactics.

Conclusion

The manipulation of *Bai`ah Al-Mawt* by jihadist groups facilitates a strict (albeit incorrect) theological validation for their violent activities. The *Bai`ah Al-Mawt* becomes a tool to consolidate jihadist power and control over followers and sympathisers by:

- providing supposed "Islamic legitimacy" that would garner Muslims' support and endorsement;
- winning over members' commitment in executing and performing critical missions or tasks; and
- facilitating control over members so they would not resent or resist when ordered to fight till death or carry out suicide missions.

However, when it comes to countering violent extremism (CVE), which often involves delegitimising jihadist ideology and narratives, caution is needed in order to avoid generalising *Bai`ah Al-Mawt* as a theologically abhorrent notion with absolutely no root in Islam. Such oversimplistic claims could potentially jeopardise the credibility of the highly nuanced counter-ideological work being done in the CVE space.

Rather, it may be more effective to counter jihadists' manipulation of *Bai'ah Al-Mawt* by mainstreaming the refutation of the pledge of death by the revered first generation of Muslims, found in Islamic Sunni intellectual tradition. The companions' robust repudiation of the *Bai'ah Al-Mawt* as a pledge of death

offers a potentially persuasive and religiously-grounded argument with which to debunk its misuse by jihadist groups.

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Acknowledgement:

The author would like to thank Mustazah Bahari, former Associate Research Fellow at ICPVTR, for his significant assistance in researching the topic.

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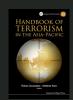


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