

FOREWORD

This book is a collection of contributions by eminent authors who participated in the Colloquium ‘Jihad and its challenges of international and domestic law’, which was organised by the T.M.C. Asser Instituut in The Hague on the 3rd of October 2008.

It offers a comprehensive approach with respect to a phenomenon which has become all too familiar to us over the last decade: that is, the term ‘jihad’ is familiar, in the sense that it is used in news reports on terrorist attacks perpetrated by radical islamists around the globe. We tend to struggle, however, when it comes to defining the actual content and meaning of ‘jihad’.

In the leading article in this book, professor Bassiouni examines the meaning of jihad in a historical, linguistic, and ideological perspective. Jihad is, basically, an obligation of moral sacrifice for Muslims, an exhortation to propagate the faith. But looking at some verses of the *Quran*, jihad could also be given a more violent meaning, urging Muslims to defend their faith by means of violence. However, as professor Bassiouni points out, such an interpretation should mainly be placed in a historical context. In the early days of its existence, Islam was struggling to survive the attempts to crush it. Subsequently, other explanations of the term jihad saw the light. Due to the great number of different interpretations of the *Quran* and other holy texts, and the emergence of distinct currents within Islam, the concept of jihad – in the context of today’s world – lacks a conclusive interpretation.

In the middle of the twentieth century, the concept of jihad appeared in a different context. It was referred to by some orthodox Muslims as a justification for challenging allegedly corrupt regimes in the Middle East. As these orthodox Muslims suspected Western countries of acting against their cause, jihad was expanded. Western countries were, in turn, declared ‘enemies of Islam’. It is the emergence of a ‘political jihad’, as professor Bassiouni calls it, that is responsible for a wave of terrorist attacks around the world. In the second part of this book, several authors elaborate on different aspects of international (humanitarian) law on warfare and violent action, and try to analyse how the reasoning used by adherents of a political jihad should be assessed.

The third and final approach to the concept of jihad in this book is that of the introduction of possible means to combat the threat that jihadist violence poses to our societies. An exhaustive framework of national and international measures has seen the light over the past years. The focus point is, of course, the prevention of terrorist attacks.

We should, however, remain conscious of the need to assess, and where possible address, the underlying causes of political jihad. Preventing the process of radicalisation, which leads to the use of violence, is one of the biggest challenges we are confronted with. It is an extremely difficult task, which demands that we share to a maximum our knowledge and experiences. How do radical islamists succeed in persuading people to use the most extreme violence? Many experts and policy makers around the world point at issues such as, among other things, oppression, poverty, social isolation, and cultural differences as possible causes. In order to address these problems, we should promote human rights and stimulate economic and political development. We should also try to create a better understanding of the position of Western countries, which have endorsed freedom of religion as a fundamental right and, as such, cannot be seen as enemies of a religion.

In the meantime, we should be well aware of another threat. Terrorism is in our societies often misunderstood as something intrinsic to Islam as a religion, whereas in fact jihad can only be linked to the extremist views of a small group of radical islamists with respect to more political ends. A very large majority of Muslims rejects the use of violence against innocent people, which is considered *fasad*, unlawful violence. If we wrongfully stigmatise Islam as a religion, as professor Bassiouni points out very rightly, jihad can become a self-fulfilling prophecy.

The achievement of this book is that it treats the subject of jihad comprehensively, using perspectives that closely align to the needs of policy makers worldwide. It unravels the concept of jihad, and elaborates on policies to combat radicalisation and to prevent violent attacks. In my view, these are challenges common to all of us. Given the extreme complexity of the situation, it is only through a combined effort, sharing to a maximum our thoughts and experiences, that we may be able to gain some ground in this hazardous matter. I therefore sincerely hope that we all may benefit from the views and analyses collected in this book.

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