



# Journal of Islamic Thought and Civilization (JITC)

Volume 6, Issue II, Fall 2016

ISSN: 2075-0943, eISSN: 2520-0313

Journal DOI: <https://doi.org/10.32350/jitc>

Issue DOI: <https://doi.org/10.32350/jitc.62.01>

Homepage: <https://www.umat.edu.pk/jitc/home.aspx>

Journal QR Code:



Article:

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Online Pub:

Fall 2016

Article DOI:

<https://doi.org/10.32350/jitc.62.03>

Article QR Code:



M Yaseen Gada

To cite this article:

Gada, Muhammad Yaseen. "Beyond violence: Deconstructing the contemporary Western discourse of Jihad." *Journal of Islamic Thought and Civilization* 6, no. 2 (2016): 35–51.

[Crossref](#)

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A publication of the  
Department of Islamic Thought and Civilization  
School of Social Science and Humanities  
University of Management and Technology  
Lahore

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## BEYOND VIOLENCE: DECONSTRUCTING THE CONTEMPORARY WESTERN DISCOURSE OF *JIHĀD*

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### Abstract

The concept of *Jihād* is one of the debated and discussed issues in the west today, largely due to the fact that various extremist groups operating in and out of many Muslim countries are trying to justify their terrible acts through reference to the divine institution of *Jihād*. This has in turn, provided an open and free atmosphere for many anti-Islamic elements, radical extremists, and prejudiced non-Muslims, to attack and defame the true message of Islam deliberately; and for the common masses' a misunderstanding of the concept of *Jihād* that they justify by mere referencing to the violent acts committed by certain Muslim groups. The present paper, in this background, attempts to explore and highlight the holistic institution the *Jihād* encompasses, away from its dominant perception as war or physical fighting. It demonstrates that *Jihād* has a much broader concept; *Jihād* is a striving against one's self to eradicate the evil impulses; it signifies to end the corruption, suppression, and aggression on the earth to establish peace characterizes by the presence of justice.

**Keywords:** *Jihād*, Islam, war, Qur'ān, non-Muslim, west, Islam-critics

### 1. Introduction

Today, for many Islam-critics and Islamophobes, *Jihād* is on top of their list of illusions and misunderstandings. Through, their use of highly stylistic and attractive language, the *de facto* educators, anti-Muslim, anti-*Jihād* activists and bloggers of the West made people believe that Islam fosters violence as *Jihād* is meant to kill and/or convert all non-Muslim into Islam and to conquer the world. Islam-critics such as Daniel Pipes (b. 1949), Pamela Geller (b. 1958)—famous for her “incendiary and provocative” anti-Islam activism—, and Robert Spencer (b. 1962), speak of *Jihād* as “The *Jihād* that aims to increase the size of the *dar-al-Islam* at the expense of the *daral harb* is not a conventional war that begins at a certain point and ends at another. *Jihād* is a ‘permanent war’ that “excludes the idea of peace but authorizes temporary truces related to the political situation (*muhadana*).”<sup>1</sup>

Often the term *Jihād* is loosely translated or associated with “holy war” or armed struggle and defined as “A religious war with those who are unbelievers in the

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<sup>1</sup>Robert Spencer, *Islam Unveiled: Disturbing Questions about the World's Fastest-Growing Faith* (California: Encounter Books, 2002), 169.





mission of Muhammad (SAW),<sup>2</sup> “until they accept [sic] Islam or submit [sic] to Islamic rule.”<sup>3</sup> However, this translation is inaccurate, since *Jihād* in the Qur’ān, has a variety of meanings that make the concept much broader than warfare. Maulānā Yahyā Nu’mānī, an Indian Islamic scholar, in his book *The Truth About Jihād*, says “One of the common misunderstanding about *Jihād* is that it is a communal struggle fought by Muslims, a war that Muslims must launch against other communities to capture power or territory.”<sup>4</sup> Given the pervasive misconception and varied interpretations of the concept of *Jihād*, it is paramount importance to eschew all these inaccurate connotations and to present a clear and vivid picture of what actually *Jihād* means in Islam, to be precise how *Jihād* is depicted in the Qur’ān and the Prophetic (SAW) traditions. While deliberating the aims, objectives and rules and guiding principles of *Jihād* from the sources and practices of Muslims, the real image of *Jihād* is expected to change the common perception among the critics thereof.

### 1.1. Definition and Meaning of *Jihād*

In the Arabic language, the word *Jihād* is a noun and is derived from a trilateral lexical root “*juhd*,” which has many meanings including “effort,” “exhaustion,” “exertion,” “struggling,” “trying,” “striving”<sup>5</sup> – physical or intellectual. Its singular past tense verb is “*jāhada*,” and the singular active participle of “*Jihād*” is “*mujāhid*.” It is vitally important to recognize that “*Jihād*” is etymologically related to a word “*ijtihād*,” “*Jihād*” and “*ijtihād*”<sup>6</sup> both come from the same root “*juhd*” (meaning “to strive,” “to exert,” “working hard” or diligently).<sup>7</sup> Similarly, In Islamic perspective, a qualified scholar (jurist) who strives in his intellectual capacity to

<sup>2</sup>Thomas Patrick Hughes, *A Dictionary of Islam* (London: W.H. Allen & Co., 1895), 243.

<sup>3</sup>Ludwig W. Adamec, *Historical Dictionary of Islam*, Second edition (UK: Scarecrow Press, 2009), 169; *Encyclopedia Britannica*, s.v. “*Jihād*” March 13, 2015, <http://www.britannica.com/EBchecked/topic/303857/Jihād>.

<sup>4</sup>Maulānā Yahyā Nu’mānī, “Introduction,” in *The Truth About Jihād*, English trans. Yoginder Sikand (New Delhi: Vitasta Publishing, 2011), 4-5.

<sup>5</sup>Muhammad Ibn Mukarram Ibn Manzūr al-Ifrīqī, *Lisān al-‘Arab* (Beirut: Dar Sādir, 1997), vol. 3, 133; Murtada al-Zabīdī, *Tāj al-Arūs min Jawāhir al-Qāmūs* (40 vols.) (Dal al-Hidayah, n.d.) vol. 7, 534; Al-Fairuzabadi, *Al-Qāmūs al-Muhīt* (eight edition) (Beirut: Al-Mu’assasat al-Risālah li al-Tibah wa al-Nashr wa al-Tawzī, 2005), 275; Abu al-Husain Ahmad Ibn Fāris, *Maqāyīs al-Lughah*, 6 vols. (Beirut: Dar al-Fikr, 1979), vol. 1, 486; Ibrahim Mustapha *et al.*, *Al-Mu’ajam Al-Wasīt*, 2 vols. (n.p.: Dar al-Da’wah, n.d.), vol. 1, 142; Rāghib al Isfāhānī, *Al-Mufradāt fī Gharīb al-Qur’ān* (Beirut: Dar al-Qalm, 1412 A.H./ 1991), .208

<sup>6</sup>“*Ijtihād*” technically means “the intense effort of a jurist in the deduction of a ruling in practical *Sharī‘ah*.”

<sup>7</sup>Mohammad Hāshim Kamālī, “Issues in the Understanding of *Jihād* and *Ijtihād*,” in *Islamic Studies* 41,4 (2002): 617-634; The qualifications of a *mujtahid* are strict and conducive, see, Wael B. Hallaq, *A History of Islamic Legal Theories: An Introduction to the Sunni Usul Al-Fiqh* (Cambridge, UK: Cambridge University Press, 1st ed. 1997), 117.



deduce rules from the sources of Islamic law after a deep penetrating analysis and research, through the process of *ijtihād* is called a *mujtahid*.<sup>8</sup>

The term *Jihād* and its derivatives occur in forty-one Qur'ānic verses: 27 times<sup>9</sup> as the form III verb “*jāhada*”; 4 times as the noun “*Jihād*”;<sup>10</sup> once as the noun “*juhd*”; 5 times as the verbal noun “*jahd*”;<sup>11</sup> and 4 times as the form III active participle “*mujāhidīn*.”<sup>12</sup> Therefore when looking into the usage and context of these verbs, it becomes clear that *Jihād* does not necessarily mean fighting or warfare: “only ten” out of the forty-one relevant Qur'ānic references can be interpreted as signifying warfare that too in a proper historical context. The rest connote other meanings, some of them clearly denoting efforts or struggles other than fighting, to other forms of effort made by way of obedience to God.<sup>13</sup> The Qur'ān also uses the word “*qitāl*”<sup>14</sup> to refer to fighting though, like *Jihād*, it is also used in other contexts apart from mere fighting. Nevertheless, in general perception, *qitāl* is used to refer to *Jihād*, and thereby used for the armed struggle, which is not desired but necessary and thereby justified. We will examine this closely in the following section while quoting the Qur'ānic verses. Therefore, literally, *Jihād* may be defined as striving to achieve a goal. Technically speaking, the Qur'ānic definition of the word *Jihād* is not war but “striving or exhausting the utmost effort with one's self and one's money in the cause of God.” This self-exertion in the way of God and for causes beneficial to humanity—according to Mohammad Hāshim Kamālī (b.1944), an Afghan Islamic scholar and former professor of law at the International Islamic University of Malaysia—may be undertaken by peaceful as well as other means when situations demands so.<sup>15</sup>

## 1.2. Mis-quoting the Qur'ānic Verses

The recent surge of Islamophobia and radical extremists, especially after the 9/11 attacks, and the negative attitudes towards Islam and Muslims has resulted in non-Muslim minds to depict the Islam as inherently violent. They would blindly quote from the verses of the Qur'ān and resort to absurd accusation against it. They

<sup>8</sup>Kamālī, “Issues in the Understanding of *Jihād* and *Ijtihād*,” 617- 634.

<sup>9</sup>Al-Qur'ān, Baqarah: 02:218; ‘Imrān: 03:142; Mā'idah: 05:35, 54; Anfāl: 08:72, 74, 75; Tawbah: 09:16, 20, 41, 44, 73, 81, 86, 88; Nahl: 16:110; Hajj: 22:78; Furqān: 25:52, 59; ‘Ankabūt: 29:6, 8, 69; Luqmān: 31:15; Hujurāt: 49:15; Saff: 61:11; Tahrīm: 66:9

<sup>10</sup>Tawbah:09:24; Hajj: 22:78; Furqān: 25:52; Mumtahana: 60:1

<sup>11</sup>Al-Qur'ān, Mā'idah: 05:53; An'am: 06:109; Nahl: 16:38; Nūr: 24:53; Fātir: 35:42.

<sup>12</sup>Ibid., Nisā': 4:95 (3); Muhammad: 47:31.

<sup>13</sup>Ella Landau-Tasseron, “*Jihād*,” in *The Encyclopedia of Qur'ān*, ed., Jane Dammen McAuliffe, 6 vols. ed., (Leiden: Brill, 2001), vol. 3, 35-46; see also, Michael Bonner, *Jihād in Islamic History: Doctrines and Practice* (Princeton, NJ: Princeton University Press, 2006), 2-3; David Cook, *Understanding Jihād* (California and London: University of California Press, 2005) 32.

<sup>14</sup>*Qitāl* and its derivatives occur forty-four times in the Qur'ān.

<sup>15</sup>Kamālī, “Issues in the Understanding of *Jihād* and *Ijtihād*,” 617.





just de-contextualized the verses and interpret them in isolation, disconnect them from the circumstances for which verses were revealed. The often misquoted verses among others include the following:

1. “And slay them wherever you catch them...”<sup>16</sup> Islam-critics usually apply “cherry-pick” approach with regards to this verse. They cut and choose partial sentences and delete the surrounding context. The verse 2:191 comes right after the verse which states, “Fight in the cause of Allah (SWT) those who fight you”<sup>17</sup> and it comes right before the part which states “but if they cease [fighting], Let there be no hostility except to those who practise oppression!”<sup>18</sup> Hence, “the permission to fight at 2: 190 is restricted to self defense (against those who fight you) while at 2: 193 it is permitted in order to combat injustice and oppression but must cease when these have been defeated.”<sup>19</sup> Therefore, when whole context is examined, the verse Baqarah: 02:191 does not promote any violence to and killing of innocent men anymore.
2. Similarly, the verse *Tawbah*: 09:5 (*ayat al-saif- sword verse*) is always quoted out of context, which says, “But when the forbidden months are past, then fight and slay the Pagans wherever ye find them, an seize them, beleaguer them, and lie in wait for them in every stratagem [of war]; but if they repent, and establish regular prayers and practise regular charity, then open the way for them: for Allah (SWT) is Oft-forgiving, Most Merciful.”<sup>20</sup>

The Islamophobes and adamant radicals never look into the verse(s) *Tawbah*: 09:6 or from *Tawbah*: 09:1-6. When an astute reader starts from the verse *Tawbah*: 09:1, the historical and contextual context would immediately dispel his doubts. It speaks about the peace treaty which the pagan Arabs violated by waging war against the Muslims. The context is further substantiated by what the Qur’ān itself says in the verse 13 of the same chapter, which states, “Will you not fight against those who violated their peace treaties, plotted the expulsion of the messenger, and initiated the fighting against you? and verse 36 further states, “and fight the Pagans all together as they fight you all together.”<sup>21</sup> Thus, Allah (SWT) gave them 4 months<sup>22</sup> in order to

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<sup>16</sup>Abdullāh Yūsuf ‘Alī, *The Meaning of the Holy Qur’ān*, Baqarah: 2:191, [http://www.muslimaccess.com/quraan/translations/yusufali/yusuf\\_ali.htm](http://www.muslimaccess.com/quraan/translations/yusufali/yusuf_ali.htm) (throughout the paper I have relied on this translation of the Qur’ān).

<sup>17</sup>Baqarah: 02:190.

<sup>18</sup>Baqarah: 02:193.

<sup>19</sup>Clinton Bennett and Geros Kunkel, “The Concept of Violence, War and *Jihād* in Islam,” in *Dialogue and Alliance*, 18(1): 31 51, 2004, 33; M. Nazir Khān, “Top Five Misquotations of The Qur’ān,” 2015, April 09, 2015 <http://spiritualperception.org/top-five-misquotations-of-the-quran/>

<sup>20</sup>Al-Qur’ān, *Tawbah*: 09:5.

<sup>21</sup>*Ibid.*, 09: 36.

<sup>22</sup>*Ibid.*, 09: 2.



amend the treaty or to submit. Verse *Tawbah*: 09:4 states that the punishment prescribed in 9:5 is only to those who broke the treaty and not to those who abided by the treaty.

Therefore, the textual context of *Tawbah*: 09:5 is not an arbitrary instruction out of the blue but relates to the pagan tribes of Arabia who broke the treaty yet refused to amend it in 4 months.<sup>23</sup> Moreover, Islamophobes remain shy of citing the next verse *Tawbah*: 09:6, as it makes ample clear that Islam promotes peace and avoids violence. The verse states, “If one amongst the Pagans ask thee for asylum [O Muhammad-(SAW)], grant it to him, so that he may hear the word of Allah (SWT); and then escort him to where he can be secure. That is because they are men without knowledge.”<sup>24</sup>

This command to protect and safeguard enemy combatants to a safe place makes it blatantly clear that the Qur’ān in no way can be construed as violent or aggressive rather the Qur’ān promotes peace even in the war.

3. Yet again, the verse *Nisā’*: 04:89 is quoted out of context, which states, “But if they turn renegades, seize them and slay them wherever ye find them; and [in any case] take no friends or helpers from their ranks.”<sup>25</sup>

When we read the whole passage of the Qur’ān from the verse 4:89 through to 4:91, it becomes obvious that the verse *Nisā’*: 04:89 does not relate to those “who join a group between whom and you there is a treaty [of peace], or those who approach you with hearts restraining them from fighting you as well as fighting their own people.”<sup>26</sup> This verse is only referring to those who “withdraw not from you nor give you [guarantees] of peace besides restraining their hands,”<sup>27</sup> because it is followed in the verse by the statement, “Therefore if they withdraw from you but fight you not, and [instead] send you [Guarantees of] peace, then Allah (SWT) Hath opened no way for you [to war against them].”<sup>28</sup>

Therefore, the verse *Nisā’*:04:89 only refers to self-defense against those who are in a continuous state of war and do not uphold the peace treaty.

4. Another misquoted verse, “when ye meet the Unbelievers [in fight], smite at their necks...”<sup>29</sup>

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<sup>23</sup>Khān, “Top Five Misquotations of the Qur’ān”.

<sup>24</sup>*Tawbah*: 09:6.

<sup>25</sup>*Nisā’*: 04:89.

<sup>26</sup>*Nisā’*: 04:90.

<sup>27</sup>*Nisā’*: 04:91.

<sup>28</sup>*Nisā’*: 04:90.

<sup>29</sup>*Muhammad*: 47:4.







Once again, this verse is one of the most outrageous of all misquotations. This statement is “cherry-picked” from the middle of a passage talking about a meeting in a mutual battle between warriors. Naturally, when the opposing forces meet in the battle, people would be expected to fight and kill. Therefore, this verse in no way speaks to fight and kill the innocent people.

5. The verse 29 of the chapter *Tawbah*: 09 is often taken at face value for its hostile attitude against the People of the Book, “Fight those who believe neither in Allah (*SWT*) nor the Last Day, nor hold that forbidden which hath been forbidden by Allah (*SWT*) and His Messenger (*SAW*), nor acknowledge the religion of Truth, (even if they are) of the People of the Book, until they pay the *Jizya* with willing submission, and feel themselves subdued.”<sup>30</sup>

Islam-critics generally translate this verse as, “Kill (instead of fight) those who believe not...”, and claim that it instructs the Muslims to kill the people of the Book until they pay *jizya* “poll tax” and feel subdued. Though, this verse clearly speaks the Islamic concept of *Jizya*, however, the historical context of the verse manifests that this fighting was revealed in reference to the Prophet Muhammad’s (*SAW*) campaign against the Byzantine empire when the latter killed al-Harith ibn Umayr al-Azdi, the companion of the Prophet Muhammad (*SAW*), when he was sent as an emissary to Byzantine vassal state of the Ghassanids. The hostility of this group of Byzantines is mentioned in this very Qur’ānic verse (*Tawbah*: 09:32) itself, which makes explicit that this instruction of fighting refers to those “who attempt to extinguish the light of Islam with their mouths.”<sup>31</sup>

Therefore, in practice, in the light of the verses quoted above, *Jihād* signifies largely a defensive in nature and every human being has a right to defend and to stop aggression against him and humanity at large. Same was true with the Muslims of Arab in the seventh century, when they went out for *Jihād* to defend and to fight the perpetual oppression and aggression of the Quraish and Jews of Arab. This has been clearly illustrated by the great European historian, Edward Gibbon, he relates,

In the state of nature every man has a right to defend by force of arms, his person and his possession; to repel, or even to repeat, the violence of his enemies, and to extend his hostilities to a reasonable measure of satisfaction and retaliation. In the free society of Arabs, the duties of subjects and citizens imposed a feeble restraint; and Mahummad (*SAW*), in the exercise of a peaceful and benevolent mission, had been despoiled and banished by the injustice of his countrymen.<sup>32</sup>

<sup>30</sup>Tawbah: 09:29.

<sup>31</sup>Khān, “Top Five Misquotations of the Qur’ān”

<sup>32</sup>Edward Gibbon, *History of the Decline and Fall of the Roman Empire*, vol. 5, April 18, 2015, <https://www.gutenberg.org/files/894/894-h/894-h.htm#link2HCH0007>.



This is not to suggest, however, that there is no concept of warfare in Islam. The point we want to illustrate here is that the *Jihād* is an institution in the whole regulated by certain stringent rules and principles. Islam is a complete system of beliefs, ritual and law and its legal system covers all spheres of life, including warfare. Many principles, rulings and attitudes relating to warfare are scattered throughout the Qur’ān, mainly in the Medinan sūras; and further explanation of the rules can be found in the Prophetic (SAW) traditions.<sup>33</sup> Nu‘mānī maintains that some Muslim intellectuals and apologetics,<sup>34</sup> under the pressure of adverse conditions and perpetual hostile propaganda (of the west), “have opted to find fault with their own faith” and, thus “they have sought to negate the very concept of *Jihād* or to interpret it in a way that suits the West and its followers.”<sup>35</sup> Shaikh Rāshid Al-Ghannoushī, the leader of the Tunisian *Al-Nahda* party, while reviewing *Fiqh al-Jihād* of Dr. Yūsuf al-Qaradāwī, laments on those who adopted the two extremes (apologetic and radical stand) of *Jihād*,

It [*Jihād*] has fallen into the two extremes of exaggeration and laxity. The latter is promoted by a group that wants to abolish *Jihād* from the life of the *Ummah*, spreading the spirit of submission and surrender, under the guise of various calls such as tolerance and peace, described by the author as “agents of colonialism whose hostility to *Jihād* is such that it has gone as far as creating groups which fabricated an Islam without *Jihād*, and devoted themselves to promoting it, such as Baha’is and Qadianis...At the other extreme, there is another group that makes of the concept of *Jihād* a raging war it wages against the whole world, taking the natural state of things in relation to non-Muslims to be that of war, and regarding all people as enemies of Muslims, as long as they are not Muslim.”<sup>36</sup>

Thus, instead of adopting an apologetic or defensive stance, Nu‘mānī insists, it is incumbent upon the Muslims to abide by the Qur’ān to speak the truth, to announce the message, that,

The Qur’ān describes war as something bad or destructive, but, like other religions, it does not ignore the fact that, at times, groups, communities, or governments do resort to such terror and oppression that the only way to stop them is through talking up arms. Such brutal oppression on innocent people is true fact of life, and Islam is a religion of truth and is not blind to reality. It is not like the ‘Sermon on the Mount’ that insists that if someone hits you on one cheek, you must willingly offer your other cheek for him to slap. Instead, it calls for the hands of oppressors to be restrained, and considers this a way to serve humankind and to gain God’s favour.<sup>37</sup>

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<sup>33</sup>Landau-Tasseron, “*Jihād*,” in *The Encyclopedia of Qur’ān*, 35-46.

<sup>34</sup>Cook, *Understanding Jihād*, 39- 44.

<sup>35</sup>Nu‘mānī, *The Truth About Jihād*, xvii.

<sup>36</sup>Shaikh Rāshid Al-Ghannoushī, “What is New about Al-Qaradāwī’s *Fiqh of Jihād*?” May 2, 2015, <https://zulkiflihasan.files.wordpress.com/2008/06/Jihād-in-islam-by-qaradawi.pdf>.

<sup>37</sup>Nu‘mānī, *The Truth About Jihād*, 3.







Similarly, Khalīfa Abdul Hakīm (d. 1957) said that Islamic war (*Jihād*) is directed for the defense and protection of “essential human liberties” and this *Jihād* does not necessarily mean a defensive war in the sense that “you must wait till you are actually attacked.” Then it would be “a misinterpretation of the essential principles of Islam.”<sup>38</sup>

### 1.3. Objectives of *Jihād*

The aim of *Jihād*, unlike the Crusades or Christian holy war,<sup>39</sup> both past and present, was/is not to conquer lands or for Muslims to establish and secure political hegemony; or to forcibly convert the inhabitants of other lands to Islam. Rather, *Jihād* as an institution in Islam is to protect honour and life and to save humanity in the face of extreme oppression; and “to remove the hurdles placed in the path of inviting people to the path of God, to end persecution, and to enable the upholders of Truth to guide and save humanity.”<sup>40</sup> It is based on wisdom and justice, which promotes peace, protection of human life and freedom. Hakim adds that in Islam, “fighting in the way of the Lord means fighting for social justice; it does not mean fighting to spread a certain dogma.” For in the Qur’ān, there are countless instances, which commands, “fighting against tyranny and suppression of liberties” and this fighting should go on until “persecution stops and people are free to believe as they like and act in a free manner.”<sup>41</sup> The Qur’ān puts much emphasis and gives great value on the life of a single human being without any religious affiliation, as indicated in the verse, “On that account: We ordained for the Children of Israel that if any one slew a person - unless it be for murder or for spreading mischief in the land - it would be as if he slew the whole people: and if any one saved a life, it would be as if he saved the life of the whole people.”<sup>42</sup>

According to Nu‘mānī, all legal systems of the world, including Islamic *Sharī‘ah*, considers the killing of innocent people as a grievous crime. Apart from the legal protection of human life, Islam also seeks to develop in their hearts a deep respect for the sanctity of human life - Muslims and non-Muslims. This respect for human life is clearly stated in the words and examples of the Prophet Muhammad (SAW). In one of the Prophetic (SAW) traditions, which states that if someone kills a non-Muslim whom he is not engaged in an open war with, or who has the protection of a peace agreement with a Muslim government, he would never get to smell the fragrance of paradise, the *Hadith* narrated by ‘Abdullah bin ‘Amr: The Prophet (SAW) said, “Whoever killed a *Mu’ahid* (a person who is granted the pledge of protection by the Muslims) shall not smell the fragrance of Paradise though its fragrance can be smelt at a distance of forty years (of traveling).”<sup>43</sup> The Prophet (SAW) repeatedly prohibited the killing of women, children, old persons and/or innocents during war. It

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<sup>38</sup>Khalīfa Abdul Hakīm, *Islamic Ideology*, 10th edn. (Lahore: The Institute of Islamic Culture, 2006), 188.



is reported in another Hadith, which declares, “Do not kill any old person, nor any child or woman.”<sup>44</sup>

The Muslim is even strongly forbidden from destroying or pillaging the residential areas and/or harming the property of civilians by cutting down trees, vegetation, livestock and farmyards. He is also forbidden from destroying the streams, taking the war booty unjustly or treacherously, and mutilation of the enemy corpses.

Numerous traditions (*ahādith*) of the Messenger of God (SAW) provide ample and clear guidance and rules of war; whenever the Prophet Muhammad (SAW) appointed any leader of an army or detachment or *Sariyah*, he would especially instruct him to fear Allah (SWT), be good with fellow Muslims and “Do not practice treachery or mutilation [of enemy corpse].”<sup>45</sup> Yet, in another tradition, it is reported

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<sup>39</sup>There has also been a trend in historiography to discuss the Crusades in relation to the Islamic military tradition, as analogous to Islamic “holy war.” But *Jihād* cannot properly be defined as holy war because “Muslims’ wars for religious reasons were not conducted on the ‘level of the state,’ they were in a strict sense not ‘holy wars’ but ‘holy battles.’ And “the crusade is not a general doctrine of Christian holy war, while *jihād* is a doctrine of spiritual effort of which military action is only one possible manifestation, the crusade and jihad are, strictly speaking, not comparable.” Moreover, some western historians, especially earlier ones, used to represent “the Crusades as a response of Latin Christians to Jihād”; but this apologetic view has been quite convincingly rejected (Tomaz Mastnak, *Crusading Peace: Christendom, the Muslim World, and Western Political Order* (Berkeley, Los Angeles and London: University of California Press, 2002), 64-65; Sam Harris and Maajid Nawaz, *Islam and the Future of Tolerance: A Dialogue* (London: Harvard University Press, 2015), 100; for an excellent discussion on the difference among Just war, holy war, and Jihād, see, Sohail H. Hashmi and James Turner Johnson, “Introduction,” in *Just Wars, Holy Wars, and Jihads: Christian, Jewish, and Muslim Encounters and Exchanges*, ed., Sohail H. Hashmi (New York: Oxford University Press, 2012), 3-24; Even, Bernard Lewis (b. 1916), one of the most influential postcolonial historian of Islam and the Middle East, vividly compared and contrasted between *Jihād* and Holy war as he writes, “*Jihād* is sometimes presented as the Muslim equivalent of the Crusade, and the two are seen more or less equivalent... But there is a difference. The Crusades is a late development in Christian history and, in a sense, marks a radical departure from basic Christian values as expressed in the Gospels... [And] *Jihād* is present from the beginning of Islamic history—in scripture, in the life of the Prophet, and in the actions of his companions and immediate successors,” on this, see, Bernard Lewis, *The Crisis of Islam: Holy War and Unholy Terror* (New York: The Modern Library, 2003), 37.

<sup>40</sup>Nu’ mānī, *The Truth About Jihād*, 112; see also, 1-11, 17, 64, 71-72, 121; Rudolph Peters, *Jihād in Medieval and Modern Islam* (trans. and annotated), (Leiden: Brill, 1977), 39-52.

<sup>41</sup>Hakīm, *Islamic Ideology*, 189.

<sup>42</sup>Al-Qur’ ān, Mā’idah: 5: 32.

<sup>43</sup>Imām Abū ‘Abdul Allāh Muhammad bin Ismā’īl al-Bukhārī, *Sahīh al-Bukhārī*, 9 vols. eng. tr. Dr. Muhammad Mohsin Khān (Riyādh, KSA: Dār al-Salām, 1997), vol. 4, 247, Hadīth 3166.

<sup>44</sup>Imām Hāfiz Abū Dāwūd, *Sunan Abū Dāwūd*, 5 vols., eng. tr. Nasīr al-Dīn al-Khattāb Hadīth (Riyadh, KSA: Dār al-Salām, 2008), vol. 3, Hadīth 2613-14, 264; Imām Muhammad bin Yazīd ibn Mājah, *Sunan Ibn-i-Mājah*, 5 vols., eng. tr. Nasīr al-Dīn al-Khattāb (Riyadh, KSA: Dār al-Salām, 2007), vol.4, 98-99, Hadīth 2857.

<sup>45</sup>Imām Abul Hussain Muslim, *Sahīh Muslim*, 7 vols., eng. tr. Nasīr al-Dīn al-Khattāb (Riyadh, KSA: Dār al-Salām, 2007), vol. 5, 16-17, Hadīth 1731; Imām Hāfiz Abū ‘Īsā Mohammad Ibn





that the Prophet (SAW) strongly forbade killing and/or attacking the monks or clerics of other faiths, even during the course of war: “Do not kill...or those who dwell in hermitages (i.e., monks).”<sup>46</sup>

The rules and guidance as prescribed by the Islamic sources and the practices of the Prophet Muhammad (SAW) were followed in letter and spirit by the companions of the Prophet after him. It is recorded that when the first rightly-guided caliph, Abū Bakr (RA) (d. 643 CE) dispatched the first Muslim army after the demise of the prophet, headed by Usāma Ibn-e-Zayd (RA), he instructed him, “Do not betray or be treacherous or vindictive. Do not mutilate. Do not kill the children, the aged or the women. Do not cut or burn palm trees or fruitful trees. Don’t slay a sheep, a cow or camel except for your food. And you will come across people who confined themselves to worship in hermitages, leave them alone to what they devoted themselves for.”<sup>47</sup>

Similarly, on another occasion when Abū Bakr (RA) dispatched Yazīd Ibn Abū Sufyān to Syria on a military campaign, he would instruct him, “I give you ten Commandments: don’t kill a woman or a child or an old person, and don’t cut trees or ruin dwellings or slay a sheep but for food. Don’t burn palm trees or drown them. And don’t be spiteful or unjust.”<sup>48</sup>

These examples, among many others, clearly reflect the high moral standards and ethics of Islam at all times and places, and especially during times of war. Furthermore, it appears that Islam lays emphasis as much as to avoid the conflict or warfare. In *Sahīh Muslim*, it is reported that the Prophet (SAW) said, “Do not wish to meet the enemy, and ask Allah (SWT) to keep you safe and sound. When you do meet them, then be steadfast [i.e., exercise patience].”<sup>49</sup>

Therefore, *Jihād* by means of exhorting force or arms may be either defensive – to defend oneself from attack – or offensive – to liberate the oppressed or to protect once faith. Modern Islamic scholars, however, emphasize the defensive<sup>50</sup> aspect of

<sup>46</sup>‘Īsā al-Tirmidhī, *Jāmi‘ Tirmidhī*, 6 vols., eng. tr. Abū Khalīl (Riyadh, KSA: Dār al-Salām, 2007), vol. 3, 214, Hadīth 1617.

<sup>47</sup>Ahmad bin Muhammad bin Hanbal Al- Shaybānī, *Musnad Ahmad Ibn Hanbal*, 3 vols. eng. Tr. Nasīr al-Dīn al-Khattāb (Riyadh, KSA: Dār al-Salām, 2012), vol. 2, 578, Hadīth 2728.

<sup>48</sup>Abū Ja‘far Muhammad bin Jarīr al-Tabarī, *Tārīkh al-Rusl wa al-Mulūk (=Tārīkh Al-Tabarī)*, 10 vols. (Beirut: Dār al-Kitāb al-‘Arabi, 1997), vol. 2, 196.

<sup>49</sup>Imām Mālik bin Anas, *Al-Muwatta*, 2 vols. (n.d.: Mu’ssasat al-Risāla, 1412 AH-1991 CE), vol. 1, 357, Hadīth 918.

<sup>50</sup>Muslim, *Sahīh Muslim*, 24.

<sup>50</sup>On the defensive nature of *Jihād*, one of the best expositions to be seen in the modern times when the Muslim world was adversely colonialised by the Western Europe, see for instance, Moulvi Cheragh ‘Alī, *A Critical Exposition of the Popular Jihād* (Delhi: Idarah-I Adabiyat-I Delli, 1984), especially see, 25-34, 55-60, 114-134; Cf., Brigadier S. K. Malik, *The Qur’ānic Concept of War* (Delhi: Adam Publishers and Distributors, 1992); it, among other aspects, demonstrates the nature, ethics,



*Jihād* rather than offensive. Nevertheless, any sort of fighting that is regarded as legitimate in Islam, writes Nu‘mānī, has been described in the Qur’ān as the “struggle in the path of God.” Such fighting cannot be for communal or worldly interests or for the defence of Muslims or for advancing their power and glory. Rather, he adds, *Jihād* must be fought to gain God’s pleasure and acceptance, “to protect His faith, to guide humanity, to promote its welfare, and to save it from oppression and strife. For the Prophet Muhammad (SAW) warned that those who fight for their communal interests are not *mujāhids*.”<sup>51</sup> Nu‘mānī raises an important issue about the applicability of the offensive nature of *Jihād* in the contemporary times. Given the *Jihād*’s logic and wisdom—undertaken in defence and for ending oppression—he asks can offensive war/*Jihād*, as permissible in some cases, “be declared against the non-Muslim state or government that does not in any way oppress Muslims?” Again, given the Islam’s justice, how can it call upon the Muslims to overthrow and replace a non-Muslim government with Muslim rule when the former does not resort to any sort of aggression, oppression and injustice and that does not put any hurdles in the path of Islamic call?<sup>52</sup>

One of the common misunderstandings and misconceptions about the “offensive” nature of *Jihād*/warfare is that scholars and/or extremists attempt to view present situation through the eyes of the Medieval Muslim conduct of warfare. For example, Mājid Khaddurī in his *War and Peace in the Law of Islam* (1955) wrote, “The *Jihād* may be regarded as Islam’s instrument for carrying out its ultimate objective by turning all people into believer...The universality of Islam, in its all embracing creed, is imposed on the believers as a continuous process of warfare, psychological and political if not strictly military...The *Jihād*, accordingly, may be stated as a doctrine of a permanent state of war, not continuous fighting.”<sup>53</sup>

Many refer that after the demise of the Prophet Muhammad (SAW), his companions (RA) led *Jihād* into the non-Muslim land to conquer and establish Islam there. However, Nu‘mānī contends that those wars were not “simply meant to put an end to non-Muslim government and to establish Islamic rule in their place.”<sup>54</sup> He explains that in those days, states/empires (like Roman and Persian) were identified with a particular religious view, and so it was simply inconceivable that any non-

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strategy, conduct of war in the Qur’ānic perspective; and there is another important work which has emphatically demonstrated the wider perspectives on the law of war in Islam. It especially highlights among other things the Islamic international humanitarian law, for more on this, see, for example, Ahmed Mohsen Al-Dawoody, *The Islamic Law of War* (UK and New York: Palgrave Macmillan, 2015).

<sup>51</sup>Nu‘mānī, *The Truth About Jihād*, 16.

<sup>52</sup>Nu‘mānī, *The Truth About Jihād*, 20-21.

<sup>53</sup>Mājid Khaddurī, *War and Peace in the Law of Islam* (Baltimore: John Hopkins University Press, 1955), 64.

<sup>54</sup>Nu‘mānī, *The Truth About Jihād*, 22.





Muslim government would allow Muslims to freely practice and invite its subjects to God's path. Hence, it was necessary that such rulers/governments must be overthrown, through war if necessary, so that its subjects have no problems in hearing and practicing the call of Islam. "This was a very reasonable position"<sup>55</sup> of the Muslims of earlier times-Prophetic and his companions, maintains Nu'mānī. Therefore, it is not legitimate for the Muslims to call a war against any non-Muslim government/state that does not pose any hurdles in the path calling to Islam, as the situation is completely different today. However, not all the later wars that Muslim fought were wholly in accordance with the rules and principles as put in by the Islamic sacred texts and the Prophetic (SAW) examples; rather they were mainly shaped by a particular environment – expanding the Muslim territory.

The UN Charter grants individual freedom of faith. It is mentioned in Article 18 of the Universal Declaration of Human Rights; "Everyone has the right to freedom of thought, conscience and religion...in public or private, to manifest his religion or belief in teaching, practice, worship and observance."<sup>56</sup> Therefore, in the present world of religious freedom, at least in theory "there is no official restriction to convey the message of Islam through preaching, hence there is no need to wage war on this pretext."<sup>57</sup>

Hence, keeping in view the present environment, and without invalidating the arguments and views of the Medieval scholars<sup>58</sup> on war/*Jihād*, it is important to adopt

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<sup>55</sup>Ibid., 23.

<sup>56</sup>"Universal Declaration of Human Rights," April 29, 2015,

<http://www.un.org/en/documents/udhr/>.

<sup>57</sup>Brigadier (R) Aftāb Ahmad Khān, "A Subjective Inquiry into Islam What Makes Islam so Successful? An Objective Rebuttal," 17, April 29, 2015, <https://faithforum.wordpress.com/islamophobia/rebuttle/>; Khan, Like Nu'mānī, speaks almost in same tone about the war waged by the earlier Muslims against the tyrant governments." Just few centuries back the freedom of choice of faith was not available to the people as it is now. The tyrant rulers did not allow their people to accept any different faith, so they had to be subdued to provide freedom of choice of faith to the people. Those who did not accept Islam continued to live as peaceful citizens; the millions of Coptic Christians still living in the Arab world are testimony to this fact of history. If some one indulged in coercion it is individual act, Islam does not teach so," on this, see Khan, "A Subjective Inquiry into Islam,"

<sup>58</sup>"Relying on Islam's primary sources of law and doctrine, the Holy Qur'ān and traditions of the Prophet Muhammad (SAW)... classical Muslim jurists extrapolated an organized body rules that may be termed the 'laws of war.' The cumulative literature on this subject is vast and highlights the rich diversity of voices that characterized Islam's internal debate on war and peace. In spite of frequent disagreement among Muslim jurists on the precise contours of the rules of engagement, particularly the circumstances under which war could be entered into (*jus ad bellum*), basic foundational principles were shared by virtually all medieval scholastics, the most important of which was Islam's clear and categorical prohibition against the taking, indeed harming, of innocent civilian life (*jus in bello*)," on this, see, "Islam's View on War and Terrorism: A Survey of The Qur'ān And Prophetic Traditions,"





a moderate view<sup>59</sup>; Muslims must adopt the path of peacefully inviting others to the faith as non-Muslim states allow for full opportunities to do so.<sup>60</sup> Moreover, the present situation demands serious consideration towards the understanding of *Jihād* as a more spiritual and peaceful pursuit away from its military understanding – meaning fighting against enemies who attack Muslims, which necessitates preparing for it when there is a need; this type is a matter for states and requires an authority. While the spiritual *Jihād*, which al-Qaradāwī denotes with Civil *Jihād* as the one that “encompasses the academic, scientific, cultural, social, economic, educational, health, medical, environmental and civilisational fields. The objective of this civil *Jihād* is to exert oneself for Allah (SWT)’s sake in order to educate the ignorant, employ the unemployed, train workers, feed the hungry, clothe the naked, house the homeless, treat the ill, achieve self-sufficiency for the needy, build schools for pupils,

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N.p., 2011, <https://abidnyc.wordpress.com/2011/03/28/islam%E2%80%99s-view-on-war-and-terrorism-a-survey-of-the-quran-and-prophetic-traditions/>.

<sup>59</sup>There has been a recent endeavor towards a moderate view on *Jihād* by one of the erudite global Muslim scholar Dr. Shaikh Yusuf Al-Qaradāwī in his *Fiqh al-Jihād*. According to the Dr. Rajab Abu Maleeh, the reviewer of *Fiqh al-Jihād*, Sheikh al-Qaradāwī has categorized the people’s stance on *Jihād* and divided them into three categories. About the first category, he says, “It is a category that seeks to cast a veil of oblivion on *Jihād* and drop it from the life of the *Ummah*. They, instead, assume as their major concern and role raising the *Ummah* – as they claim – spiritual values and behavioral virtues, considering this to be the major *Jihād*: ongoing struggle against Satan and one’s vain desires.” Regarding the second category, he says, “As opposed to this category, there is another one that perceives *Jihād* as a ‘fight against the whole world’... According to this category, all disbelievers are alike. They believe that whenever the Muslims have the capability, they are obligated to fight the disbelievers merely on account of their disbelief, which they regard as sufficient reason for fighting them.” He then, writes Abu Maleeh, opts for the moderate approach that is represented by the third category, saying, “The third category is the ‘moderate *Ummah*’ which Almighty Allah (SWT) has guided to the approach of moderation and granted knowledge, wisdom, and deep understanding of the *Shari’ah* and reality. Hence, it has not slipped into the negligence of the first category that seeks to keep the right of the *Ummah* unarmed with power, its Qur’ān unguarded by the sword, and its home and sanctuaries with no guards to protect and defend them.” Likewise, it has not fallen into the excess and extremism of the second group that seeks to fight those who are peaceful and declare war against all people without discrimination; white and black, in the East or in the West. Their alleged aim by doing so is to shepherd people to (the way of) Almighty Allah (SWT), drive them shackled toward Paradise and take them coercively by the hand to the Straight Path. They further add that their aim is to remove the obstacles set in front of those people by despotic regimes that do not allow them to convey the Word of Allah (SWT) and the Call of His Messenger to the people, so that they can hear it loud and clear and free from all stains; see, Dr. Rajab Abu Maleeh, “Al-Qaradawi’s Fiqh of *Jihād* (series),” *Book Review*, Thursday, April 26, 2012, <http://www.onislam.net/english/shariah/contemporary-issues/interviews-reviews-and-events/412132-al-qaradawis-fiqh-of-jihad-book-review-17-.html?Events=>; for more details on moderate Muslim scholars on war and peace, see for example, Clinton Bennett, *Muslims and Modernity: An Introduction to the Issues and Debates* (London and New York: Continuum, 2005), 219-223.

<sup>60</sup>Nu‘mānī, *The Truth about Jihād*, 23.







universities for students, mosques for worshippers, clubs for sports lovers to practice their hobbies.”<sup>61</sup>

Muhammad Hāshim Kamālī also demonstrates that, in the course of time, the extensive writings on *Jihād* mainly focused on the military aspects virtually equated *Jihād* with war while ignoring the important and wider connotations; this has lent support to the common misconception about *Jihād*.<sup>62</sup> He even emphasizes that the greatest *Jihād*, as mentioned in the Qur’ān, is the *Jihād* of enlightenment and education that is guided by the Qur’ānic values. As the Qur’ān says, “Listen not to the Unbelievers, but strive against them with the utmost strenuousness (*Jihādan kabīran*), with the (Qur’ān).”<sup>63</sup>

The non-martial connotations of *Jihād* are also evident in many Prophetic traditions. For instance, the Prophet Muhammad (SAW) is reported to have said, “The *mujāhid* is he who wages a struggle against himself (*‘al-mujāhidu man jāhada nafsahu*)”<sup>64</sup> Therefore, “*Jihād* against the self” writes Hāshim, is “the struggle to subjugate the temptation to sin within oneself, the constant striving to obtain the pleasure of God,” and, he adds, “this is the foundation of all *Jihād*, for fighting an external enemy would not be possible without a successful engagement in this inner *Jihād*.”<sup>65</sup>

## 2. Conclusion

From the above discussion, it has become crystal clear that *Jihād* in Islam has much broader connotations; the ultimate aim of which is to extirpate oppression, aggression, *fitnah/fasād* (disorder; persecution; corruption on earth). It does not necessarily mean a war rather the spiritualized combat against the self and its base impulses, regarded as the “greater *Jihād*”— for this is a “struggle essentially directed inward, towards holiness, right thinking and right living, and the straight path towards salvation.”<sup>66</sup> In this perspective, it is safe to ascertain that there is no Islam without *Jihād* or vice versa. *Jihād* does not aim to expand the Muslim territory into the lands of non-Muslims and to convert all unbelievers into Islam by the use of force. This then sharply contradicts with the principle of freedom of religion as endorsed in the categorical pronouncement of the Qur’ān that “there shall be no compulsion in religion,”<sup>67</sup> which clearly manifests that the use of any sort of force in the propagation

<sup>61</sup>Maleeh, “Al-Qaradawi’s Fiqh of *Jihād* (series).”

<sup>62</sup>Kamālī, “Issues in the Understanding of *Jihād* and *Ijtihād*,” 620-621.

<sup>63</sup>Al- Furqān: 25:52.

<sup>64</sup>Imām Hāfiz Abū ‘Īsā Mohammad Ibn ‘Īsā al-Tirmidhī, *Sunan Tirmidhī*, second edition, 5 vols. (Misr: Shirkata maktaba, 1975), vol. 4, 165, Hadīth 1621.

<sup>65</sup>Kamālī, “Issues in the Understanding of *Jihād* and *Ijtihād*.” 619.

<sup>66</sup>Richard Bonney, *Jihād: From Qur’ān to bin Laden* (UK: Palgrave Macmillan, 2004), 408.

<sup>67</sup>Baqarah: 2:256.



of religion is strictly forbidden. Nonetheless, contrary to the view of many Muslim and non-Muslim apologetics, Islam, under certain conditions, allows fighting to defend its faith, territory on being attacked by the enemy. For al-Qaradāwī remarks, “Islam is a call to peace; it abhors war, but cannot prevent it, hence it prepares for it, but does not wage it unless it is forced upon it.”<sup>68</sup>

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<sup>68</sup> Al-Ghannoushī, “What is New about Al-Qaradāwī’s Fiqh of *Jihād*?”.





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