

Jihad in Islam: Just-War Theory in the Quran and Sunnah	
Author	Justin Parrott - BA in Physics and English (Otterbein University), MLIS (Kent State University), and an MRes in Islamic Studies (University of Wales)
Goal of jihad	To protect the safety of the Muslim community and fulfill their obligation to practice Islam and share it with the world It is not a tool of religious compulsion or forced conversion
Orientalists	Some Orientalist scholars in the West portrayed Islam as an inherently expansionist and aggressive ideological religion that rejects the principles of jus ad bellum and religious freedom
Jus ad bellum "right to war"	The principle of war as being a last resort, that all non-violent means of conflict resolution must be exhausted before states enter into war with each other
Jihadist extremists	Repeat the exact same scriptural and legal arguments as anti-Muslim Orientalists
Effects of negative stereotypes	Real-world acts of violence against Muslims, hate crimes, government-sanctioned discrimination, and nationalistic militarism aimed at Muslim countries
Forms of jihad	Hadith: "Is there nothing in the path of Allah but killing? Whoever strives for his parents is in the path of Allah. Whoever strives for his family is in the path of Allah. Whoever strives for himself to be independent is in the path of Allah. Whoever strives to gain many possessions for himself is in the path of Satan." قَالَ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : وَمَا سَبِيلُ اللَّهِ إِلَّا مَنْ قَتَلَ؟ مَنْ سَعَى عَلَى الدِّينِ فِي سَبِيلِ اللَّهِ، وَمَنْ سَعَى عَلَى عِيَالِهِ فِي سَبِيلِ اللَّهِ، وَمَنْ سَعَى عَلَى نَفْسِهِ لِيَعْفَهَا فِي سَبِيلِ اللَّهِ، وَمَنْ سَعَى عَلَى التَّكَاثُرِ فَهُوَ فِي سَبِيلِ الشَّيْطَانِ
Ibn al-Qayyim	Jihad against the lower self precedes jihad against external enemies and is the basis for it. Indeed, if one does not strive against himself first to do what he has been commanded and avoid what he has been forbidden and wage war against it for the sake of Allah, one cannot possibly strive against external enemies
Spiritual jihad is before physical jihad	
Primacy of spiritual jihad	Ibrāhīm ibn Abī 'Alqamah of Medina used to say when his people returned from the battlefield, "You have come from the lesser jihad. What have you done in the greater jihad?" They asked, "What is the greater jihad?" Ibrāhīm said, "Jihad of the heart." قَالُوا: وَمَا الْجِهَادُ الْأَكْبَرُ؟ قَالَ: جِهَادُ الْقَلْبِ
Ḥasan al-Baṣrī	"Which jihad is best?" Ḥasan said, "Your jihad against your whims." أَيُّ الْجِهَادِ أَفْضَلُ؟ قَالَ جِهَادُكَ هَوَاكَ

Qur'an	<p>"It is not for the believers to go out altogether. For every division there should be a group remaining to instruct them in the religion and to warn their people when they return, that they might be cautious"</p> <ul style="list-style-type: none"> - In the heat of wartime, people can become very zealous, emotive, and be carried away by their passions, to the point that they transgress the objectives and laws of war - Scholars, preachers, and educators are charged with the responsibility of teaching lay Muslims the values and limits of the religion
<p>Self-defense</p> <p>Qur'an</p> <p>Ibn Kathīr</p> <p>Qur'an</p> <p>Abū Bakr</p> <p>Principle of non-aggression</p> <p>Ibn Taymiyyah</p> <p>Ibn 'Abbās</p> <p>Al-Ṭabarī</p> <p>Hadith</p>	<p>Despite the emigration of the Prophet ﷺ, the Quraysh aristocracy in Mecca vowed to exterminate the newly formed religious community in Medina and it is within this context Allah revealed the first verses permitting warfare in self-defense</p> <ul style="list-style-type: none"> - "Permission is given to those who are being fought because they have been wronged. Verily, Allah has power to give them victory. Those who have been driven from their homes without right, only because they said, 'Our Lord is Allah.'" - This was the first verse to be revealed about war <p>"If Allah did not check some people by means of others, many monasteries, churches, synagogues, and mosques, in which the name of Allah is often mentioned, would have been torn down"</p> <ul style="list-style-type: none"> - This verse establishes an inherent right of individuals to defend themselves if they are unjustly attacked in their places of worship as such places must be considered safe zones as long as their occupants stay out of the fighting - "No doubt, the monk in his monastery may not be killed" <p>أَلَا لَا يُقْتَلُ الرَّاهِبُ فِي الصَّوْمَةِ</p> <p>"Fight in the way of Allah those who fight you, but do not transgress. Verily, Allah does not love transgressors"</p> <ul style="list-style-type: none"> - In this early Medinan verse, the legal justification for war is laid down as a proportionate response to enemy aggression - "Do not transgress" governs both when a war may be rightly declared and within what limits a military may prosecute it - "The default rule (aṣl) is that the blood of the human being is inviolable except by right of justice" <p>الأصل أن دم الأدمي معصوم لا يقتل إلا بالحق</p> <ul style="list-style-type: none"> - "Do not kill women, children, old men, or whoever comes to you with peace and he restrains his hand (from fighting), for if you did so, you would have certainly transgressed" - "Nothing from the ruling of this verse has been abrogated" <p>فلا شيء نُسخ من حكم هذه الآية</p> <p>"Indeed, the most tyrannical of people to Allah Almighty is one who kills in the sacred mosque, one who kills those who did not fight him, and one who kills with the vindictiveness of ignorance"</p> <p>إن أَعْدَى النَّاسِ عَلَى اللَّهِ مَنْ قَتَلَ فِي الْحَرَمِ، أَوْ قَتَلَ غَيْرَ قَاتِلِهِ، أَوْ قَتَلَ بِذُحُولِ الْجَاهِلِيَّةِ</p>

<p>Hadith</p> <p>Ibn Taymiyyah</p> <p>Terrorism</p>	<p>“Tell Khalid ibn al-Walid not to kill a woman or a laborer” قُلْ لَخَالِدٍ لَا يَقْتُلَنَّ امْرَأَةً وَلَا عَسِيفًا</p> <ul style="list-style-type: none"> - “That is because Allah Almighty only permitted taking lives to the extent it is necessary for the welfare of creation” وَذَلِكَ أَنَّ اللَّهَ تَعَالَى أَبَاحَ مِنْ قَتْلِ النَّفْسِ مَا يَخْتِاجُ إِلَيْهِ فِي صَلَاحِ الْخَلْقِ <p>These rules unequivocally and unmistakably outlaw military tactics we refer to as “terrorism” today</p>
<p>War is undesirable</p>	<p>Hadith: “Do not wish to meet the enemy in battle, but if you meet them, be patient” لَا تَمَنَّوْا لِقَاءَ الْعَدُوِّ فَإِذَا لَقِيتُمُوهُمْ فَاصْبِرُوا</p> <ul style="list-style-type: none"> - Not resorting to violence is a more desired course of action - Desiring martyrdom, which is to die serving Allah in a just cause, is entirely distinct from being pleased with revenge, killing, and bloodshed
<p>‘Illah (legal justification) of jihad</p> <p>Ibn Taymiyyah</p> <p>Ibn al-Qayyim</p> <p>Hadith</p> <p>Ibn Hajar</p>	<p>When is warfare an appropriate response?</p> <p>Jihad is a legitimate reaction to military aggression by unbelievers and not merely religious difference with them</p> <p>“The unbelievers are only fought on the condition that they wage war, as is practiced by the majority of scholars and is evident in the Book and Sunnah” الكُفَّارُ إِنَّمَا يُقَاتَلُونَ بِشَرْطِ الْحَرَابِ كَمَا ذَهَبَ إِلَيْهِ جُمْهُورُ الْعُلَمَاءِ وَكَمَا دَلَّ عَلَيْهِ الْكِتَابُ وَالسُّنَّةُ</p> <ul style="list-style-type: none"> - Ibn Taymiyyah wrote a work entitled: “An abridged rule on fighting the unbelievers and making truces with them, and the prohibition of killing them merely because of their unbelief” قَاعِدَةٌ مُخْتَصَرَةٌ فِي قِتَالِ الْكُفَّارِ وَمُهَاذَنَتِهِمْ وَتَحْرِيمِ قَتْلِهِمْ لِمَجَرَّدِ كُفْرِهِمْ <p>“We only fight those who wage war against us. This was the way of the Messenger of Allah ﷺ with the people of the earth. He would fight those who declared war on him until they accepted his religion, or they proposed a peace treaty, or they came under his control by paying tribute”</p> <p>It was asked, “A man may fight to be courageous, another may fight for zeal, and another may fight to show off. Which of these is fighting in the way of Allah?” The Prophet ﷺ said, “He who fights to raise the word of Allah is in the way of Allah.” مَنْ قَاتَلَ لِيَتَكُونَ كَلِمَةُ اللَّهِ هِيَ الْعُلْيَا فَهُوَ فِي سَبِيلِ اللَّهِ</p> <ul style="list-style-type: none"> - “The meaning of the ‘word of Allah’ is the invitation of Allah to Islam” الْمُرَادُ بِكَلِمَةِ اللَّهِ دَعْوَةُ اللَّهِ إِلَى الْإِسْلَامِ - Muslims are not allowed to fight for base motives like money, power, politics, revenge, or hatred - The only legitimate jihad is in the defense of the freedom to fully practice Islam and preach it to all humanity

Abyssinia	Islam could be safely practiced in their kingdom, so there was no legal justification for attacking them, even though the Abyssinians themselves did not rule by Sharī'ah law
Hadith	- "Leave the Abyssinians alone as long as they leave you alone"
Peace	Qur'an: "O you who have faith, surrender completely in peace (silm)"
Hadith	<ul style="list-style-type: none"> - Many of the Salaf considered the word "peace" in this verse to mean Islam itself - Islam is to be in a state of peace with the Creator and non-aggression towards His creation, surrendering to the will of God and not making war against Him - "The Muslim is the one from whose tongue and hand the people are safe" <p>الْمُسْلِمُ مَنْ سَلِمَ النَّاسُ مِنْ لِسَانِهِ وَيَدِهِ</p>
Qur'an	<p>"If they incline towards peace, you incline to it as well and put your trust in Allah."</p> <p>وَإِنْ جَنَحُوا لِلسَّلْمِ فَاجْنَحْ لَهَا وَتَوَكَّلْ عَلَى اللَّهِ</p> <p>"If they withdraw and do not fight you and offer you peace, Allah gives you no way against them"</p> <p>فَإِنْ اِعْتَرَلَوْكُمْ فَلَمْ يُقَاتِلْوْكُمْ وَالْقَوَا إِلَيْكُمُ السَّلَامُ فَمَا جَعَلَ اللَّهُ لَكُمْ عَلَيْهِمْ سَبِيلًا</p>
Violent Islam	Those who imagine a politically aggressive, violent, expansionist, and warmongering Islam are unable to convincingly reconcile the aforementioned texts with their ideology
Naskh	The standard response to the 'peaceful texts' is to invoke the doctrine of abrogation (naskh) in which it is claimed a handful of 'sword verses' cancel everything
Ibn Rushd	Stated that only a minority of classical jurists appealed to abrogation to justify their opinion that peace with non-Muslims was forbidden unless Muslims were too weak to fight. In contrast, the majority held that peaceful verses restricted verses of war. "They supported this interpretation with the act of the Prophet ﷺ in this case because his truce in the year of al-Hudaybiyyah was not based upon necessity"
Treaty of H.udaybiyyah	The Prophet ﷺ conducted a peace treaty with the Quraysh without it being based on dire necessity. This was a brilliant diplomatic move which allowed the message of Islam to spread peacefully until he gained so many converts the Quraysh had no choice but to yield
Summary	Muslims are allowed, even commanded in some circumstances, to fight back against aggressors to secure their lives and religious rights, and to remove tyrants who obstruct the right of all human beings to hear the message of Islam and accept it without compulsion
Wahbah al-Zuhaylī	Warfare is legislated in the cause of Allah to repel aggression, protect preaching of Islam, and freedom of divine religion

<p>Wahbah al-Zuhaylī</p>	<p>Non-combatants are not killed, nor are women, children, and those like them among monks, the disabled, the sick, and the elderly. Crops and fruits are not razed, nor are animals slaughtered except for food, as has come in the prophetic instructions and those of the righteous Caliphs</p> <p>Warfare is not to be employed for compelling people to embrace Islam, as that would defeat the principal ruling of the Qur'an in many verses</p>
<p>فَاقْتُلُوا الْمُشْرِكِينَ حَيْثُ وَجَدْتُمُوهُمْ</p> <p>Context</p>	<p>“Slay the idolaters wherever you find them...”</p> <p>The main clause of the sentence, ‘kill the polytheists,’ is singled out by some non-Muslims as representing the Islamic attitude to war and used to allege that this verse abrogated many other verses including, ‘There is no compulsion in religion.’ This far-fetched interpretation isolates and decontextualizes a small part of a sentence and of a passage which gives many reasons for the order to fight such polytheists: they continually broke their agreements and aided others against the Muslims, they started hostilities against the Muslims, barred others from becoming Muslims, expelled them from the Holy Mosque and even from their own homes. Consistent with the restrictions of war elsewhere in the Qur'an, the immediate context of this ‘sword verse’ exempts such polytheists who do not break their agreements and who keep peace with Muslims. It orders that those enemies seeking safe conduct should be protected and delivered to the place of safety they seek</p> <p>“You idolaters may move freely about the land for four months, but you should bear in mind both that you will not escape God, and that God will disgrace those who defy Him... As for those who have honored the treaty you made with them and who have not supported anyone against you: fulfill your agreement with them to the end of their term. God loves those who are mindful of Him... But once the Sacred Months have passed, kill the polytheists [who violated their treaties] wherever you find them, capture them, besiege them, and lie in wait for them everywhere. But if they repent, perform prayers, and pay alms-tax, then set them free. Indeed, Allah is All-Forgiving, Most Merciful. And if anyone from the polytheists asks for your protection [O Prophet], grant it to them so they may hear the Word of Allah, then escort them to a place of safety, for they are a people who have no knowledge. How can such polytheists have a treaty with Allah and His Messenger, except those you have made a treaty with at the Sacred Mosque [Treaty of Hudaibiyyah] So, as long as they are true to you, be true to them. Indeed Allah loves those who are mindful of Him. How can they have a treaty? When, if they were to get the upper hand over you, they would not respect any tie with you, of kinship or of treaty? They please you with their tongues, but their hearts are against you and most of them are lawbreakers... They do not honor the bonds of kinship or treaties with the believers. It is they who are</p>

	the transgressors. But if they repent, perform prayer, and pay Zakāh, then they are your brothers in faith”
Argument from abrogation	Those scholars who claimed the peaceful verses were abrogated did not necessarily mean they were canceled or negated altogether, but rather they were given as exceptions to previously general rules. The principle of non-aggression itself was not rendered obsolete. Only after the suffering of Muslims became intolerable were the ‘sword verses’ revealed as exceptions to the general rule of forgiveness, not for war to become the general rule
Baydāwī	<p>The verse “fight in the way of Allah those who fight you” was said to be abrogated by later verses to mean “those who fight you or from whom that is expected.”</p> <ul style="list-style-type: none"> - An understanding was added to the verse that Muslims need not wait to be attacked in their own lands, but instead could take the initiative against credible threats
فَقَاتِلُوا الَّذِينَ لَا يُؤْمِنُونَ بِاللَّهِ وَلَا بِالْيَوْمِ الْآخِرِ	“Fight those who do not believe in God and the Last Day, who do not forbid what Allah and His Messenger have forbidden and do not acknowledge the religion of truth, among those given the Book, until they pay tribute and are humbled”
Asbāb al-nuzūl	Of the principles of Qur’anic exegesis is to consider the ‘causes of revelation’ (asbāb al-nuzūl). The specific situational context must be examined first before deriving a general rule from it
Al-Ṭabarī	<p>This verse was revealed prior to the expedition of Tabūk. The reason for the Tabūk campaign was due to assassination of one of the Prophet’s ﷺ ambassadors at the hands of a Roman ally, leading to the battle of Mu’tah</p> <ul style="list-style-type: none"> - And so, the Romans committed the first act of war that led to the confrontations at Mu’tah and Tabūk <p>The Prophet ﷺ said, “There is no faith for one who cannot be trusted. There is no religion for one who cannot keep a promise.” Hence, the verse was revealed in response to this betrayal, consistent with the rules of war laid down in previous verses</p>
وَقَاتِلُوهُمْ حَتَّى لَا تَكُونَ فِتْنَةٌ وَيَكُونَ الدِّينُ كُلُّهُ لِلَّهِ	<p>“Fight them until there is no more persecution and the religion is entirely for Allah”</p> <p>The verse appears to endorse open-ended war against unbelievers, but the verse continues, “If they cease, there is no hostility except against wrongdoers.”</p> <p>The verse explicitly states that the purpose of fighting is to end the idolaters’ persecution of the Muslims. If they stopped their oppression, there would be no justification for war against them</p>

Ibn 'Umar	<p>When asked about this verse he responded, “Do you know what persecution is? May your mother be bereaved of you! Muhammad ﷺ only fought the idolaters as there was persecution to make them accept their religion. It was not like your fighting over dominion.”</p> <p>هَلْ تَذَرِي مَا الْفِتْنَةُ تَكِلْتُكَ أُمُّكَ إِنَّمَا كَانَ مُحَمَّدٌ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يُقَاتِلُ الْمُشْرِكِينَ وَكَانَ الدُّخُولُ فِي دِينِهِمْ فِتْنَةً وَلَيْسَ كَقِتَالِكُمْ عَلَى الْمُلْكِ</p>
Compulsion in religion	It is not humanly possible in the first place, and it defeats the purpose of this life as a test of faith for the Day of Judgment
Ibn al-Qayyim	<p>Whoever ponders over the biography of the Prophet ﷺ, it will be clear to him that he never compelled anyone to accept his religion, and that he only fought those who fought him. As for those who conducted a truce with him, he never fought them as long as they upheld their truce</p> <p>وَمَنْ تَأَمَّلَ سِيرَةَ النَّبِيِّ ﷺ تَبَيَّنَ لَهُ أَنَّهُ لَمْ يُكْرِهْ أَحَدًا عَلَى دِينِهِ قَطُّ، وَأَنَّهُ إِنَّمَا قَاتَلَ مَنْ قَاتَلَهُ، وَأَمَّا مَنْ هَادَنَهُ فَلَمْ يُقَاتِلْهُ مَا دَامَ مُقِيمًا عَلَى هُدُنِهِ</p>
أُمِرْتُ أَنْ أُقَاتِلَ النَّاسَ حَتَّى يَشْهَدُوا	<p>“I have been commanded to fight people until they say there is no God but Allah”</p> <p>The command to fight “the people” refers to specific people in a specific circumstance, and it certainly does not permit conversion by force. To fight them until they declare the testimony of faith establishes the rule that the enemy’s conversion to Islam would immediately end the battle, among other possible legitimate means to cease hostilities</p>
Historical geopolitical realities	<p>Historically, war was the general rule and the norm of international relations, while peace was the rare and temporary exception</p> <ul style="list-style-type: none"> - Every nation was assumed to be at war with every other nation by default
United Nations Charter	It is because of the Charter that nation-states have stable relations with each other today; in its absence, conflict would become the international norm again
Al-Shāfi‘ī	<p>In light of this pre-modern context, his legal theory of war was based on the assumption that other nations must be considered hostile to Muslims unless an explicit peace treaty had been ratified</p> <ul style="list-style-type: none"> - Muslims were expected to be at war with the non-Muslim world in general but he permitted Muslim leadership to negotiate peace agreements as was done at Ḥudaybiyyah - It was too dangerous to assume other nations were peaceful
Sherman Jackson	Muslim juristic writings continued to reflect the logic of the ‘state of war’ and the assumption that only Muslims would permit Muslims to remain Muslims. They continued to see jihad as the only means of guaranteeing the security and freedom of the Muslims

<p>Offensive jihad</p> <p>President George Washington</p> <p>Classical jurists</p>	<p>Because of this geopolitical reality, jurists authorized 'offensive jihad' against credible threats to the Muslim community or their freedom to practice and share Islam</p> <ul style="list-style-type: none"> - Such offensive operations fell within an overall defensive strategy <p>"Offensive operations, oftentimes, is the surest, if not the only means of defense"</p> <p>The works of early jurists on jihad were <i>describing</i> the constant state of war in which they lived, rather than <i>prescribing</i> it as the preferred state of affairs</p> <ul style="list-style-type: none"> - It is misleading to cite their statements without placing those statements within the context of history, their society, and the greater legal system in which they articulated the rules of war and peace
<p>Purpose of jihad</p>	<p>Warfare is strictly limited to the purpose of preserving the security of the Muslim community, the freedom to practice Islam, and the mission to freely spread the message of Islam to the world</p>