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*Jihad in Islam: Just-war  
theory in the Qur'an and  
Sunnah*

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## Author Biography

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*In the name of Allah, the Gracious, the Merciful*

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## Abstract

Jihad in Islam, or warfare in defense of life and Muslim religious rights, is legally analogous to modern just-war theory as enshrined in international law. Jihad itself is a much broader concept in Islam, including difficult acts of charity and spiritual struggle against Satan and the lower self. In terms of warfare, jihad in the Qur'an and Sunnah foreshadows many features of the modern just-war theory concepts of *jus ad bellum* ("justice to war") as well as *jus in bello* ("justice in war"): non-aggression, proper declaration, right intention, war as a last resort, proportional retaliation, strict adherence to covenants, and protection of civilian lives and property. The primary goal of jihad is to protect the safety of the Muslim community and fulfill our obligation to practice Islam and share it with the world. It is not a tool of religious compulsion or forced conversion, nor is it a means of advancing purely political, ideological, or worldly goals. This article documents the principles of just war as they appear in Islamic source texts, and it places the classical Islamic legal framework on warfare in its proper historical context. The final section offers a detailed analysis and rebuttal of common "proof-texts" used to malign Islam as a politically aggressive, violently expansionist, or war-mongering religion.

## Introduction

International just-war theory crystalized after the Second World War with the signing of the United Nations Charter in 1945 and the subsequent Geneva Conventions of 1949. Article 2 of the Charter states:

All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered.<sup>1</sup>

This article enshrines *jus ad bellum* (“right to war”), or the principle of war as a last resort, that all non-violent means of conflict resolution must be exhausted before states enter into war with each other. Nevertheless, the Charter does not negate the right of states to defend themselves from attack, as stated in Article 51:

Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security.<sup>2</sup>

The Charter was originally ratified in 1945 by a number of leading Muslim-majority states including Saudi Arabia, Egypt, Iran, Iraq, Syria, and Turkey.<sup>3</sup> Other Muslim states would follow until a total of 57 Muslim-majority member states would come together to form the UN-affiliated Organization of Islamic Cooperation (OIC) (formerly Organization of the Islamic Conference) in 1969. The OIC Charter calls upon member Muslim states “to adhere our commitment to the principles of the United Nations Charter, the present Charter and International Law,” part of which is adherence to just-war theory.<sup>4</sup>

The ratification of the Charter was a milestone in the history of humanity as it established rules of war based upon humanitarian values common to nearly all religions and philosophies and established relatively stable international relations. At the time, these Muslim-majority states and their populations largely did not see any major conflict between the principles of the UN Charter and traditional conceptions of jihad, which is the Islamic equivalent of just-war theory.

The view of Islam in some parts of West, however, failed to make this important connection between traditional Islam and modern developments. Building upon

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<sup>1</sup> United Nations, Charter of the United Nations: Chapter I, [www.un.org/en/sections/un-charter/chapter-i/index.html](http://www.un.org/en/sections/un-charter/chapter-i/index.html).

<sup>2</sup> United Nations, Charter of the United Nations: Chapter VII, [www.un.org/en/sections/un-charter/chapter-vii/index.html](http://www.un.org/en/sections/un-charter/chapter-vii/index.html).

<sup>3</sup> United Nations, Member States, [www.un.org/en/member-states/](http://www.un.org/en/member-states/).

<sup>4</sup> Organisation of Islamic Cooperation, OIC Charter, [www.oic-oci.org/page/?p\\_id=53&p\\_ref=27&lan=en](http://www.oic-oci.org/page/?p_id=53&p_ref=27&lan=en).

centuries of bias, 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. This misperception is exacerbated by jihadist extremists who repeat the exact same scriptural and legal arguments as anti-Muslim Orientalists. The result is that common Muslims living in Western societies are not only considered foreign, but even dangerous members of a subversive global political movement. These negative stereotypes have led to real-world acts of violence against Muslims, hate crimes, government-sanctioned discrimination, and jingoistic militarism aimed at Muslim countries.

In reality, the basic source texts of Islam, the Qur'an and Sunnah, express the principles of *jus ad bellum* in a number of ways. Indeed, these principles were not invented by the West and adopted by Muslims later. Rather, a careful analysis will demonstrate that 'right to war' had been established by the Prophet ﷺ himself, with the aim of allowing, and sometimes obligating, warfare as required to preserve the freedom and security of the Muslim community and their rights within strict legal limits to preserve human life and property and to restrict violence only to what is absolutely necessary to fulfill Islam's religious objectives.

## Types of jihad

The technical word for just war in Islam is jihad, which comes from the root meaning "to endeavor, to strive."<sup>5</sup> It cannot be accurately translated as "holy war," a term that does not exist in Islamic heritage, since war in itself can never be holy; war is only either just or unjust. Classical Muslim jurists would discuss just war as a legal topic in the "books of jihad" or under the heading of *siyar*, which comes from the root meaning "to set out, to march."<sup>6</sup> The word conveys a sense of striving in a just cause against an enemy for the sake of God. However, jihad as a concept in Islam is much broader than warfare, as there are many other non-violent forms of jihad.

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<sup>5</sup> Hans Wehr and J. M. Cowan, *A Dictionary of Modern Written Arabic* (Urbana, IL: Spoken Languages Services, 2002), 168.

<sup>6</sup> Wehr and Cowan, 521.

Abū Hurayrah (d. 678) reports that the companions were sitting with the Prophet ﷺ when a young man approached them. They said, “If only this young man had given his youth and effort and strength in the path of Allah!” The Prophet ﷺ heard their conversation and he said:

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.<sup>7</sup>

According to Ibn al-Qayyim (d. 1350), there is jihad against four types of enemies: the lower self (*nafs*), Satan, the unbelievers, and the hypocrites.<sup>8</sup> The first two jihads are against the evil inclinations of the human soul and the dark whisperings of Satan, which are present within every human being. These are purely spiritual struggles that do not involve any fighting or violence. The Prophet ﷺ said, “The one who strives in jihad is he who strives against his lower self.”<sup>9</sup> The spiritual jihad is more important than the physical jihad because one must know and implement the faith-based moral values of Islam before setting out on the battlefield to defend them.

Ibn al-Qayyim writes:

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 to wage war against it for the sake of Allah, one cannot possibly strive against external enemies. How can one strive against his enemies and be just if his enemy within has overpowered him, dominated him, and he did not strive or wage war against it for the sake of Allah? Rather, he cannot go out against his enemies unless he gives precedence to striving against himself.<sup>10</sup>

<sup>7</sup> Aḥmad ibn al-Ḥusayn al-Bayhaqī, *al-Sunan al-kubrā* (Beirut: Dār al-Kutub al-‘Ilmīyah, 2003), 9:43, no. 17824.

<sup>8</sup> Ibn Qayyim al-Jawzīyah, *Zād al-ma‘ād fī hady khayr al-‘ibād* (Beirut: Mu’assasat al-Risālah, 1994), 3:9.

<sup>9</sup> Muḥammad ibn ‘Īsā al-Tirmidhī, *Sunan al-Tirmidhī* (Beirut: Dār al-Gharb al-Islāmī, 1998), 3:217, no. 1621; declared authentic (*ṣaḥīḥ*) by al-Tirmidhī in the comments.

<sup>10</sup> Ibn Qayyim al-Jawzīyah, *Zād al-ma‘ād*, 3:6.

For this reason, some scholars referred to spiritual jihad as the ‘greater jihad’ and physical jihad as the ‘lesser jihad.’ Ibrāhīm ibn Abī ‘Alqamah (d. 867) 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.”<sup>11</sup> A similar narration was recorded from the Prophet ﷺ by al-Bayhaqī (d. 1066), although he noted it has a weak chain of authorities.<sup>12</sup> It is possible that the saying of Ibrāhīm was confused as a prophetic tradition by later narrators. Some scholars are wary of this tradition because they understandably do not want to belittle the importance and divine reward of those who put their lives on the line to defend Muslims. Nevertheless, the primacy of the spiritual jihad is confirmed by numerous texts in Islam.

The Prophet ﷺ once said to his companions, “Shall I not tell you of the best of your deeds, which is the purest to your King, which raises you among your ranks, which is better for you than spending gold and money in charity, and which is better for you than meeting your enemy and striking the necks of each other?” They said, “Of course!” The Prophet ﷺ said, “It is the remembrance of Allah Almighty.”<sup>13</sup> The beloved Caliph ‘Umar ibn ‘Abd al-‘Azīz (d. 720) said, “The best jihad is jihad against whims.” Sufyān al-Thawrī (d. 778) said, “The most courageous of people are the strongest in restraint of their whims.”<sup>14</sup> It was said to Ḥasan al-Baṣrī (d. 728), “Which jihad is best?” Ḥasan said, “Your jihad against your whims.”<sup>15</sup> Ḥasan al-Baṣrī also said, “Your enemy is not the one from whom you are relieved if you killed him. Rather, your true enemy is your own soul within you.” al-Ṭabarī (d. 923) comments on this saying, “There is no doubt that it is greater in reward to Allah than jihad against the idolaters, whom it is authorized to kill.”<sup>16</sup> Ibn Taymīyah (d. 1328) subsequently confirms the central importance of

<sup>11</sup> Ibn Rajab, *Jāmi‘ al-‘ulūm wa-al-ḥikam* (Beirut: Mu’assasat al-Risālah, 2001), 1:489.

<sup>12</sup> Aḥmad ibn al-Ḥusayn al-Bayhaqī, *al-Zuhd al-kabīr* (Beirut: Mu’assasat al-Kutub al-Thaqāfiyah, 1996), 1:165, no. 373.

<sup>13</sup> al-Tirmidhī, *Sunan al-Tirmidhī*, 5:320, no. 3377; declared authentic (*ṣaḥīḥ*) by al-Albānī in *Ṣaḥīḥ al-jāmi‘ al-ṣaḥīr wa ziyādātihī* ([Damascus]: al-Maktab al-Islāmī, 1969), 1:513, no. 2629.

<sup>14</sup> Ibn Muflīḥ al-Maqdisī, *al-Ādāb al-shar‘īyah wa minaḥ al-mar‘īyah* (Riyadh: Dār ‘Ālam al-Kutub, n.d), 3:131.

<sup>15</sup> Ibn Qayyim al-Jawzīyah, *Rawḍat al-muḥibbīn wa nuzhat al-mushtāqīn* (Beirut: Dār al-Kutub al-‘Ilmīyah, 1983), 1:478.

<sup>16</sup> Abū Ja‘far Muḥammad ibn Jarīr al-Ṭabarī, *Tahdhīb al-āthār musnad ‘Umar* (Cairo: Maṭba‘at al-Madanī, 1982), 2:813.

spiritual jihad as a prerequisite to warfare, “Jihad against the lower self and whims is the foundation of jihad against the unbelievers and hypocrites, for a Muslim cannot wage jihad against them unless he has waged jihad against himself and his desires first, before he goes out against them.”<sup>17</sup>

Since moral and spiritual education is a prerequisite to engaging in combat, Allah commands the believers to allow a dedicated group of scholars to stay behind the frontlines and preserve the values of the religion:

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.<sup>18</sup>

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. Hence, scholars, preachers, and educators constitute a special class in Muslim society with the heavy responsibility of teaching lay Muslims about the moral values of Islam, conditions when war is appropriate, and what actions are permitted in a just war, warning soldiers sent to the battlefield to refrain from indulging their worst impulses for wrath and bloodlust.

## Just war in the Qur'an and Sunnah

Prophet Muhammad ﷺ received his first divine revelations in Mecca and he peacefully preached the message of Islam to the Meccans for thirteen years until an intolerable level of persecution forced him and his followers to flee to the nearby town of Yathrib, later known as Medina. This emigration marked the new ‘Medinan phase’ of the Prophet’s life ﷺ. Despite fleeing from Mecca, the Meccans headed by the Quraysh aristocracy vowed to exterminate the newly formed religious community in Medina. They wrote a threatening letter to the Prophet’s new allies, saying, “You have given protection to our companion. We swear by Allah that you must fight him or exile him, or else we will come at you in

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<sup>17</sup> Ibn Qayyim al-Jawzīyah, *Rawḍat al-muḥibbīn*, 1:478.

<sup>18</sup> Qur’an 9:122.

full force. We will kill your fighting men and take your women.”<sup>19</sup> Within this context, Allah revealed the first verses permitting warfare in self-defense:

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.’ 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.<sup>20</sup>

According to the classical exegete Ibn Kathīr (d. 1373), many of the early Muslim authorities considered this to be the first verse to be revealed about war.<sup>21</sup> The principle established here is that non-aggression is the general rule but retaliation is permissible if necessary to resolve an unbearable injustice. Muslims were now allowed to fight back as a direct response to prolonged religious persecution and violent threat, whereas previously they had been told to remain patient. This verse also establishes an inherent right of individuals to defend themselves if they are unjustly attacked in their places of worship. Such places must be considered safe zones as long as their occupants stay out of the fighting. The righteous Caliph Abū Bakr رضي الله تعالى عنه (d. 634) would say, “No doubt, the monk in his monastery may not be killed.”<sup>22</sup>

Another important verse revealed early in the Medinan phase reinforces the principle of non-aggression:

Fight in the way of Allah those who fight you, but do not transgress. Verily, Allah does not love transgressors.<sup>23</sup>

If one reads the Qur'an from the beginning, this is the first verse to mention warfare. In both Medinan verses, the legal justification for war is laid down as a

<sup>19</sup> Abū Dāwūd, *Sunan Abī Dāwūd* (Sidon, Lebanon: al-Maktabah al-Aṣṣrīyah, 1980), 3:156, no. 3004.

<sup>20</sup> Qur'an 22:39–40.

<sup>21</sup> Ismā'īl ibn Kathīr, *Tafsīr al-Qur'ān al-'Aẓīm* (Beirut: Dār al-Kutub al-'Ilmīyah, 1998), 5:380, verse 22:39.

<sup>22</sup> Ibn Abī Shaybah, *al-Muṣannaḥ* (Riyadh: Maktabat al-Rushd, 2004), 6:483, no. 33127.

<sup>23</sup> Qur'an 2:190.

proportionate response to enemy aggression. Non-aggression is the general ruling and war is the exception with conditions. As stated by Ibn Taymīyah, “The default rule (*asl*) is that the blood of the human being is inviolable except by right of justice.”<sup>24</sup> The key phrase “do not transgress” governs both when a war may be rightly declared and within what limits a military may prosecute it.

‘Abd Allāh ibn ‘Abbās رضي الله عنهما (d. 687), the cousin of Prophet Muhammad ﷺ and one of the earliest authorities in Qur’anic exegesis, interpreted this verse as prohibiting aggression against all categories of peaceful people, “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.”<sup>25</sup> The Caliph ‘Umar ibn ‘Abd al-‘Azīz interpreted the protected classes of people in this verse in a manner consistent with what we call ‘civilians’ today, “(Do not transgress) regarding women, children, and whoever is not waging war against you among them.”<sup>26</sup> The interpretations of these two major figures is clear evidence that the verse is still legally operative. In their opinion, it has not been nullified or cancelled by later verses, as explained by al-Ṭabarī, “Nothing from the ruling of this verse has been abrogated.”<sup>27</sup> Ibn Kathīr acknowledges the opinion that some commentators considered the verse to be ‘abrogated’ but he disagrees:

This opinion is in dispute because His statement ‘those who fight you’ is only an exhortation and incitement against enemies who are engaged in fighting against Islam and its people... meaning, let your energy be spent on fighting them, just as their energy is spent on fighting you, and drive them from your lands as they drove you from their lands, as a proportional response (*qiṣāṣ*).<sup>28</sup>

The Prophet ﷺ stated in several narrations that among the worst sinners are those who initiate hostilities or kill people without a just cause:

<sup>24</sup> Taqī al-Dīn ibn Taymīyah, *al-Ṣārim al-maslūl ‘alā shātim al-Rasūl* (KSA: al-Ḥaras al-Waṭanī al-Sa‘ūdī, 1983), 1:104.

<sup>25</sup> Abū Ja‘far al-Ṭabarī, *Jāmi’ al-bayān ‘an ta’wīl al-Qur’ān* (Beirut: Mu’assasat al-Risālah, 2000), 3:563, verse 2:190.

<sup>26</sup> al-Ṭabarī, 3:562, verse 2:190.

<sup>27</sup> al-Ṭabarī, 3:561, verse 2:190.

<sup>28</sup> Ibn Kathīr, *Tafsīr al-Qur’ān al-‘Azīm*, 1:387, verse 2:190.

Verily, 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.<sup>29</sup>

The fourth righteous Caliph 'Alī ibn Abī Ṭālib رضي الله عنه (d. 661) reports that engraved upon the Prophet's صلى الله عليه وسلم sword were the sayings, "Maintain relations with those who cut you off, speak the truth even if it is against yourself, and be good to one who is evil to you."<sup>30</sup> 'Ā'ishah رضي الله عنها (d. 678) similarly reports that it was written on the handle of his sword, "Verily, the worst of people in insolence are those who strike at whoever did not strike at them and a man who kills those who did not fight him."<sup>31</sup> Ibn 'Umar رضي الله عنهما (d. 693) reports that a woman was found killed in one of the battles, so the Prophet صلى الله عليه وسلم openly condemned the killing of women and children.<sup>32</sup> In another narration of this incident, the Prophet صلى الله عليه وسلم said explicitly why he condemned her killing, "She was not fighting," and he gave a subsequent announcement, "Do not kill children or workers."<sup>33</sup> Ibn Taymīyah commented on this narration, writing, "That is because Allah Almighty only permitted taking lives to the extent it is necessary for the welfare of creation."<sup>34</sup> These well-established rules unequivocally and unmistakably outlaw military tactics we refer to as "terrorism" today.

Moreover, the Prophet صلى الله عليه وسلم forbade Muslims from desiring to fight anyone, "Do not wish to meet the enemy in battle, but if you meet them, be patient."<sup>35</sup> This statement describes war as a last resort, that it is something undesirable and evil in itself, even though at times it may be a necessary evil to prevent a greater harm. Unlike other texts that prohibit aggression, this tradition goes deeper to the level of

<sup>29</sup> Aḥmad ibn Ḥanbal, *al-Musnad* (Cairo: Dār al-Ḥadīth, 1995), 6:296, no. 6757; declared authentic (*ṣaḥīḥ*) by Aḥmad Shākir in the comments.

<sup>30</sup> Ibn al-A' rābī al-Baṣrī, *Mu'jam Ibn al-A' rābī* (Riyadh: Dār Ibn al-Jawzī, 1997), 2:744, no. 1507; declared authentic (*ṣaḥīḥ*) by al-Albānī in *Silsilat al-aḥādīth al-ṣaḥīḥah wa shay' min fiqhīhā wa fawā'idihā* (Riyadh: Maktabat al-Ma'ārif, 1996), 4:542, no. 1911.

<sup>31</sup> al-Bayhaqī, *al-Sunan al-kubrā*, 8:49, no. 15896; all of the narrators are reliable and have not been accused of weakness according to al-Haythamī in *Majma' al-zawā'id wa manba' al-fawā'id* (Cairo: Maktabat al-Qudsī, 1933), 6:292, no. 10743.

<sup>32</sup> Muḥammad ibn Ismā'īl al-Bukhārī, *Ṣaḥīḥ al-Bukhārī* (Beirut: Dār Ṭawq al-Najjāh, 2002), 4:61, no. 3014.

<sup>33</sup> Abū Dāwūd, *Sunan Abī Dāwūd*, 3:53, no. 2669; declared authentic (*ṣaḥīḥ*) by al-Albānī in the comments.

<sup>34</sup> Taqī al-Dīn ibn Taymīyah, *Majmū' al-fatāwā* (Medina: Majma' al-Malik Fahd li-Ṭibā'at al-Muṣḥaf al-Sharīf, 1995), 28:355.

<sup>35</sup> al-Bukhārī, *Ṣaḥīḥ al-Bukhārī*, 4:63, no. 3026.

the heart. A Muslim is not allowed to desire in his or her heart violent retaliation upon the enemy, although it is permissible and sometimes a duty. One can and should desire martyrdom, which is to die serving Allah in a just cause, but that is entirely distinct from being pleased with revenge, killing, and bloodshed. Ibn Taymīyah said, “Indeed, the matter of benevolence and forgiveness towards people takes precedence over the matter of vengeance and revenge.”<sup>36</sup> If there is a way to ensure the safety and freedom of Muslims without resorting to violence, that would obviously be a more desired course of action.

There are also some important symbolic meanings that express the spirit of jihad as one of justice and self-defense, not conquest or domination. The Prophet ﷺ described the leader of the Muslim army as a “shield” and not as a weapon:

Verily, the leader is only a shield behind whom they fight and he protects them. If he commands the fear of Allah Almighty and acts justly, he will have a reward. If he commands something else, it will be against him.<sup>37</sup>

A man asked al-Barā', “Was the face of the Messenger of Allah ﷺ like a sword?” al-Barā' رضي الله عنه said, “No, it was like the moon.”<sup>38</sup> This defensive imagery is a metaphorical way of conveying to Muslims the general attitude of Islam towards war. The leader of the Muslim army is a shield and a protector, not a tyrant; the face of the Prophet ﷺ was welcoming and inviting, not stern and intimidating. Symbolic meanings do not hold much weight in legal discussions, of course, but they are nonetheless important mechanisms for the transmission of religious meaning to the masses.

The key question in Islamic just-war theory is the issue of *'illah* (legal justification) or *casus belli* of jihad. What conditions determine when warfare is an appropriate response? According to Ibn Taymīyah, jihad is a legitimate reaction to military aggression by unbelievers and not merely religious difference with them.

<sup>36</sup> Taqī al-Dīn ibn Taymīyah, *Minhāj al-Sunnah al-Nabawīyah* (Riyadh: Jāmi'at al-Imām Muḥammad ibn Sa'ūd al-Islāmīyah, 1986), 4:327.

<sup>37</sup> Muslim ibn al-Ḥajjāj al-Qushayrī, *Ṣaḥīḥ Muslim* ([Beirut]: Dār Iḥyā' al-Kutub al-'Arabīyah, 1955), 3:1471, no. 1841.

<sup>38</sup> al-Tirmidhī, *Sunan al-Tirmidhī*, 6:33, no. 3636; declared authentic (*ṣaḥīḥ*) by al-Tirmidhī in the comments.

There is no evidence in the source texts of Islam that permits Muslims to attack or kill civilians or invade non-hostile nations for political or ideological motives alone. He asserts that this was the view of the majority of Muslim scholars:

As for the transgressor who does not fight, there are no texts in which Allah commands him to be fought. Rather, 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.<sup>39</sup>

Ibn Taymīyah's view on jihad, which he ascribes to the historical majority, is consolidated in a treatise entitled, "An abridged rule on fighting the unbelievers and making truces with them, and the prohibition of killing them merely because of their unbelief."<sup>40</sup> The title reveals that 'unbelief' (*kufr*) by itself is not a justification for violence, whether against individuals or nations. As he says elsewhere, "Whoever does not obstruct the Muslims from establishing the religion of Allah, his unbelief harms no one but himself."<sup>41</sup>

Some people have tried to discredit this work and to mistakenly ascribe an aggressively violent expansionist policy to Ibn Taymīyah. He certainly does authorize pre-emptive strikes or 'offensive jihad' (*jihād al-ṭalab*) against enemies who threaten the Muslim community or obstruct their citizens from freely accepting Islam, which was an ever-present reality during the harsh times in which he lived. However, the book's editor makes a compelling case for authenticating the text and cross-references the content with Ibn Taymīyah's confirmed works, conclusively demonstrating that he consistently held this view throughout his career. His most prominent student, Ibn al-Qayyim, expressed the same opinion regarding *casus belli*:

Killing is only necessary to confront war and not to confront unbelief. For this reason, women and children are not killed, neither are the elderly, the blind, or monks who do not participate in fighting. Rather, 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

<sup>39</sup> Taqī al-Dīn ibn Taymīyah, *Kitāb al-nubūwwāt* (Riyadh: Aḍwā' al-Salaf, 2000), 1:570.

<sup>40</sup> Ibn Taymīyah, *Qā'idah mukhtaṣarah fī qitāl al-kuffār wa muhādānatuhum wa tahrīm qatlahum li mujarrad kufrihim* (Riyadh: 'Abd al-'Azīz ibn 'Abd Allāh ibn Ibrāhīm al-Zayr Āl Ḥamad, 2004).

<sup>41</sup> Ibn Taymīyah, *Majmū' al-fatāwā*, 28:355.

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.<sup>42</sup>

As unbelief is not a good enough justification by itself for spilling blood, it follows that jihad is simply a means to a greater end. An important difference between Islamic law and a modern Western conception of just war is the objective of protecting Islam's mission to provide free access to the religion for all humanity. Someone came to the Prophet ﷺ and 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."<sup>43</sup> But what is the 'word of Allah' to be raised? Does it mean an Islamic political system? According to Ibn Hajar al-ʿAsqalānī, the outstanding commentator on *Ṣaḥīḥ al-Bukhārī*, the word of Allah here means the call to Islam (*daʿwah*):

The meaning of the 'word of Allah' is the invitation of Allah to Islam. It potentially means that jihad would not be in the cause of Allah unless the purpose of fighting is only to raise the word of Allah, such that if anyone were to add another reason to it among the reasons mentioned, that would violate it... In this tradition is blame for seeking worldly gains and for fighting to acquire personal fortune in disobedience to Allah.<sup>44</sup>

In other words, Muslims are not allowed to fight for base motives like money, power, politics, revenge, hatred, and so on. The only legitimate jihad is in the defense of Islam's missionary imperative, the freedom to fully practice Islam and preach it to all humanity.

Allah said:

What is the matter with you that you do not fight in the way of Allah for downtrodden men, women, and children who say, 'Our Lord, take

<sup>42</sup> Ibn Qayyim al-Jawzīyah, *Aḥkām ahl al-dhimmah* (Dammam: Ramādī lil-Nashr, 1997), 1:110.

<sup>43</sup> al-Bukhārī, *Ṣaḥīḥ al-Bukhārī*, 1:36, no. 123.

<sup>44</sup> Ibn Hajar al-ʿAsqalānī, *Fath al-Bārī bi-sharḥ al-Bukhārī* (Beirut: Dār al-Maʿrifah, 1959), 6:28–29.

us out of this city of oppressive people and appoint us a protector from You and appoint us a supporter from You?'<sup>45</sup>

If there was a hostile nation who prevented people from accepting Islam, such as the Byzantine Roman or Sasanian Persian empires, an offensive jihad would be warranted in order to deliver God's message to them and allow their people to freely embrace the religion without fear.

In the time of the Prophet ﷺ and his companions, the Romans had been executing their prominent citizens who embraced Islam. Farwah ibn 'Amr al-Judhāmī رضي الله عنه was one such subordinate of Caesar who wrote to the Prophet ﷺ to tell him he accepted Islam and even sent him gifts. When the Romans found out about Farwah's conversion, they imprisoned him, killed him, and displayed his body in public crucifixion-style.<sup>46</sup> This transgression signaled to everyone in the region that conversion to Islam was not tolerated in the Roman empire; the peaceful spread of Islam was under threat. Ibn Taymīyah mentions such incidents as the legal justification for the offensive military campaigns waged by the Prophet ﷺ and his companions:

The Christians waged war against the Muslims first, and they unjustly and oppressively killed those who accepted Islam among them; otherwise, messengers were sent to them to call people to Islam willingly, without compulsion, and no one was forced into Islam.<sup>47</sup>

Islam is the birthright of every human being to voluntarily accept or reject. The Romans and Persians had brutally persecuted new Muslims and the only way to save these oppressed converts and protect their rights was to take the initiative against those tyrannical empires.

By extension, jihad may be waged to protect human life and end injustice, because one cannot practice the religion if they are dead or greatly suffering. In this regard, Ibn Ḥajar al-Haytamī (d. 1566), citing scholars such as al-Zamakhsharī (d. 1144),

<sup>45</sup> Qur'an 4:75.

<sup>46</sup> Ibn 'Asākir, *Tārīkh Madīnat Dimashq* (Beirut: Dār al-Fikr, 1995), 48:270-274 #5594; Ibn Kathīr, *Al-Bidāyah wal-Nihāyah* (Cairo: Dār Hajr, 1997), 7:348; Ibn Ḥajar al-'Asqalānī, *Al-Iṣābah fī Tamyīz al-Ṣaḥābah* (Beirut: Dār al-Kutub al-'Ilmīyah, 2010), 5:295.

<sup>47</sup> Ibn Taymīyah, *Qā'idah mukhtaṣarah fī qitāl al-kuffār*, 1:136–37.

maintain that jihad is an obligation in so far as it achieves this primary religious objective, according to the principle, “Its necessity is the necessity of means, not ends.”<sup>48</sup> If the Muslim community and the mission to share Islam with the world can be protected without resort to warfare, then the way of non-violence is given precedence.

In practice, the early Muslims did not attack their peaceful neighbors. The best example of this is the amicable relations the Muslims had with Abyssinia (in present-day Ethiopia). Before the migration to Medina, some Muslims were granted asylum in Abyssinia. The generosity of the Abyssinians did not go unappreciated. The Prophet ﷺ encouraged Muslims to maintain peaceful relations with them as long as they remain friendly, and this instruction was taken seriously, “Leave the Abyssinians alone as long as they leave you alone, and leave the Turks alone as long as they leave you alone.”<sup>49</sup> Ibn Rushd (d. 1198), known in the West as Averroës, reported that the inhabitants of Medina never attacked the Abyssinians or the Turks, “Mālik was asked about the authenticity of this tradition. He did not acknowledge it, but said: People continue to avoid attacking them.”<sup>50</sup> It strains credulity to imagine the Prophet ﷺ commanded his weaker companions to migrate to Abyssinia, only to later attack their hosts just because they were not Muslims, as if he would have responded to their goodwill with backstabbing violence. On the contrary, 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.

We say Islam is the religion of peace and it truly is, even if that peace must sometimes be enforced by the sword. Peace, mercy, and justice are fundamental values in Islam, and this wider moral ethos cannot be separated from the objectives and practical rules of jihad. In one verse, the word “peace” is used as a synonym for Islam, “O you who have faith, surrender completely in peace (*silm*) and do not follow the footsteps of Satan, for he is your sworn enemy.”<sup>51</sup> Many early Muslims

<sup>48</sup> Ibn Ḥajar al-Haythamī, *Tuhfat al-muhtāj bi-sharḥ al-minhāj* (Beirut: Dār Sadir, 1972), 9:211.

<sup>49</sup> Abū Dāwūd, *Sunan Abī Dāwūd*, 4:112, no. 4302; declared fair (*hasan*) by al-Albānī in the comments.

<sup>50</sup> Ibn Rushd (Averroës), Imran A. K. Nyazee, and Muhammad Abdul-Rauf, *The Distinguished Jurist's Primer: A Translation of Bidāyat al-Mujtahid* (Reading, UK: Centre for Muslim Contribution to Civilization, 1994), 1:456.

<sup>51</sup> Qur'an 2:208.

considered the word “peace” in this verse to mean Islam itself.<sup>52</sup> Islam *is* peace. The Prophet ﷺ said, “The Muslim is the one from whose tongue and hand the people are safe.”<sup>53</sup> Put differently, 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.

Peace itself is one of the attributes of God in Islam. The Prophet ﷺ instructed Muslims to pray for peace after every prayer, saying, “O Allah, You are peace and from You is peace. Blessed are You, the Majestic and Generous.”<sup>54</sup> In fact, the first sermon of the Prophet ﷺ upon arrival in Medina exhorted Muslims to spread peace, as recalled by ‘Abd Allāh ibn Salām (d. 630):

I came along with the people to see him and when I looked at the face of the Messenger of Allah ﷺ, I realized that his face was not the face of a liar. The first thing he said was this, ‘O people, spread peace, feed the hungry, and pray at night when people are sleeping and you will enter Paradise in peace.’<sup>55</sup>

Consider the context of this tradition. As mentioned earlier, the Quraysh had sent a threatening letter to the people of Medina, promising to kill their men and take their women and children prisoner if they did not give up the Prophet ﷺ. But how did he respond to their intimidation? Was his first sermon a rousing call for war and revenge? No, rather, it was a calm appeal for peace, charity, and worship of the Lord as a way for believers to achieve peace in this life and the next.

As a legal matter, other verses instruct Muslims to accept peace offerings from their enemies. If the enemy proposes reasonable terms of peace, there is no legal justification for hostilities:

But as for those who seek refuge with people with whom you have a treaty, or who come to you because their hearts were strained from fighting against you or their own people, Allah could have given them

<sup>52</sup> al-Ṭabarī, *Jāmi‘ al-bayān ‘an ta’wīl al-Qur’ān*, 4:251, verse 2:208.

<sup>53</sup> al-Nasā’ī, *Sunan al-Nasā’ī* (Aleppo: Maktab al-Maṭbū‘āt al-Islāmīyah, 1986), 8:104, no. 4995; declared authentic (*ṣaḥīḥ*) by al-Albānī in the commentary.

<sup>54</sup> Muslim, *Ṣaḥīḥ Muslim*, 1:414, no. 592.

<sup>55</sup> al-Tirmidhī, *Sunan al-Tirmidhī*, 4:233, no. 2485; declared authentic (*ṣaḥīḥ*) by al-Tirmidhī in the comments.

power over you and they would have fought you. If they withdraw and do not fight you and offer you peace, Allah gives you no way against them.<sup>56</sup>

In another verse, “If they incline towards peace, you incline to it as well and put your trust in Allah.”<sup>57</sup> The Prophet ﷺ instructed ‘Alī ibn Abī Ṭālib رضي الله عنه to seek peaceful resolutions to conflicts whenever possible, “Verily, after me there will be conflicts or affairs, so if you are able to end them in peace, then do so.”<sup>58</sup> Again, this is an explicit statement of limiting war as a last resort, exactly because peace is an essential value in Islam. In this regard, the companion ‘Ammār ibn Yāsir رضي الله عنهما (d. 657) considered the message of world peace to be integral to Islamic faith, “Whoever has three qualities will have completed the faith: fairness from yourself to others, offering peace to the world, and spending in charity even while poor.”<sup>59</sup>

Not only should avenues of peace and reconciliation be pursued as much as possible, but covenants, promises, and truces with the enemy must be strictly upheld. The Prophet ﷺ said, “Whoever kills a person protected by a treaty (*mu‘āhid*) will never smell the fragrance of Paradise.”<sup>60</sup> Those who use treachery to gain an advantage in warfare will be exposed, humiliated, and punished on Judgment Day. The Prophet ﷺ said:

When Allah gathers together the earlier and later generations on the Day of Resurrection, He will raise a banner for every treacherous person. It will be announced that this is the treachery of this person, the son of this person.<sup>61</sup>

In one incident, there was a peace treaty between the Caliph Mu‘āwiyah رضي الله عنه (d. 680) and the Romans. Mu‘āwiyah was marching his army towards their country so that when the covenant came to an end, he would take the initiative in attacking them. A man came riding on a horse, saying, “Allah is Most Great! Allah is Most

<sup>56</sup> Qur’an 4:90.

<sup>57</sup> Qur’an 8:61.

<sup>58</sup> Aḥmad ibn Ḥanbal, *al-Musnad*, 1:649, no. 695; declared authentic (*ṣaḥīḥ*) by Aḥmad Shākir in the comments.

<sup>59</sup> al-Bukhārī, *Ṣaḥīḥ al-Bukhārī*, 1:15, no. 28.

<sup>60</sup> al-Bukhārī, *Ṣaḥīḥ al-Bukhārī*, 9:12, no. 6914.

<sup>61</sup> Muslim, *Ṣaḥīḥ Muslim*, 3:1359, no. 1735.

Great! Let there be faithfulness and not treachery!” Mu‘āwiyah sent for him and questioned him, so the man said he heard the Prophet ﷺ say, “If one has a covenant with people, he must not (unilaterally) modify it until its term comes to an end, or he brings it to an end in agreement with them.” Thus, Mu‘āwiyah returned with his army.<sup>62</sup> Dispatching the troops before the end of the treaty was an unlawful act of war itself, and a surprise attack would inevitably undermine any possibility of reconciliation, so Mu‘āwiyah recognized his mistake and pulled back his troops. Fidelity to Islamic values is far more important than any tactical military advantage. In this regard, ‘Umar ibn Abd al-‘Azīz used to say, “I am more afraid of sins for people than the plots of their enemies.”<sup>63</sup>

Those who imagine a politically aggressive, violent, expansionist, and warmongering Islam are unable to convincingly reconcile these texts with their ideology. While some of these texts could be explained away, certainly not all of them can be without resorting to completely implausible interpretive mechanisms. 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 we have cited to this point. Many classical jurists rejected this sweeping view of abrogation, including Abū Ja‘far al-Naḥḥās (d. 949), Ibn al-Jawzī (d. 1201), and al-Suyūṭī (d. 1505).<sup>64</sup> A more detailed analysis and rebuttal of this claim has been offered in our paper about abrogation in the Qur’an.<sup>65</sup> According to Ibn Rushd, 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:

Those who upheld the permission of making a truce (*ṣulh*) when the Imam saw an interest (of the Muslims) in this are Mālik, al-Shāfi‘ī, and Abū Ḥanīfah...<sup>66</sup> Those who maintained that the verse implying

<sup>62</sup> al-Tirmidhī, *Sunan al-Tirmidhī*, 3:195, no. 1580; declared authentic (*ṣaḥīḥ*) by al-Tirmidhī in the comments.

<sup>63</sup> Abū Nu‘aym, *Ḥilyat al-awliyā’ wa ṭabaqāt al-aṣfiyā’* (Egypt: Maṭba‘at al-Sa‘ādah, 1974), 5:302.

<sup>64</sup> Khalid Yahya Blankinship, “Sword Verses,” in *The Oxford Encyclopedia of the Islamic World*, Oxford Islamic Studies Online, accessed September 5, 2016, [www.oxfordislamicstudies.com/article/opr/t236/e0979](http://www.oxfordislamicstudies.com/article/opr/t236/e0979).

<sup>65</sup> Justin Parrott, “Abrogated Rulings in the Qur’an: Discerning their Divine Wisdom,” *Yaqeen*, November 15, 2018, [yaqeeninstitute.org/justin-parrott/abrogated-rulings-in-the-quran-discerning-their-divine-wisdom/](http://yaqeeninstitute.org/justin-parrott/abrogated-rulings-in-the-quran-discerning-their-divine-wisdom/).

<sup>66</sup> Ibn Rushd used to practically consider these three schools as the main representatives of orthodoxy, so he often ignored the Ḥanbalīs even though he would sometimes mention Imam Aḥmad's positions. This statement of his might sound like Hanbalis do not allow peace treaties when they actually do, as mentioned by Ibn Taymīyah.

peace has restricted [*mukhaṣṣaṣah*] the other said that truce is permitted if the Imam considers it proper. They supported this interpretation with the act of the Prophet ﷺ in this case because his truce in the year of al-Ḥudaybiyah was not based upon necessity.<sup>67</sup>

The Prophet ﷺ himself conducted a peace treaty with the Quraysh and, rather than being a sneaky tactic based on dire necessity, it was a brilliant diplomatic move in the best interest of Islam and Muslims. He took advantage of the truce to spread the message of Islam peacefully until he gained so many converts the Quraysh had no choice but to yield. Some jurists placed limits on the allowable time period for a peace treaty, which was a common practice in the pre-modern world. al-Shāfi'ī (d. 820), for instance, did not allow a treaty to be set for longer than ten years. This condition did not preclude the treaty from being renewed, of course, if it was for the benefit of Muslim society. Plenty of other jurists allowed peace treaties for an indefinite length of time. Imam Mālik said, “It is permissible to conduct a peace treaty with the idolaters for one, two, or three years, or without any duration.”<sup>68</sup> There is absolutely nothing in Islam to prevent lasting peace with non-Muslims as long as the security and freedom of Muslims is guaranteed.

To recap, the Islamic approach to war is concisely encapsulated in the verse, “Fight in the way of Allah those who fight you, but do not transgress.”<sup>69</sup> 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. It is decisively forbidden in Islam to kill civilians and non-combatants, or to conduct ‘terrorist’ military operations that result in wanton death and destruction. Wahbah al-Zuhaylī, a contemporary traditional scholar and leading expert on Islamic international law, summarizes the aims and limits of jihad in his erudite commentary on the Qur'an:

<sup>67</sup> Ibn Rushd, *Distinguished Jurist's Primer*, 1:463–64.

<sup>68</sup> Muḥammad ibn Aḥmad al-Qurtubī, *Jāmi' li-aḥkām al-Qur'ān* (Cairo: Dār al-Kutūb al-Miṣrīyah, 1964), 8:41, verse 8:61.

<sup>69</sup> Qur'an 2:190.

The lessons derived from this verse (“Fight in the way of Allah those who fight you...”) and others related to the legislated conditions of warfare and the permissible rulings in jihad are as follows:

- 1) Warfare is legislated in the cause of Allah to repel aggression, protect preaching of Islam, and freedom of divine religion.
- 2) This legislation is characterized by justice and truth, in which there is no transgression against anyone, nor overlooking what is necessary in war. The aim is not to demolish and tear down, nor merely to terrorize. Thus, 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.
- 3) 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.<sup>70</sup>

## Answering proof-texts

As we have seen, a large amount of evidence in Islamic texts can be marshalled in support of the principles of *jus ad bellum*, that war is a last resort to remedy injustice and end oppression. However, a common tactic of anti-Muslim extremists, and even some militant Muslims, is to cite a number of martial texts without the broader historical, legal, and moral context that has been detailed here. This is a way of bullying, intimidating, and shaming Muslims into accepting a false view of their own religion. It is cynical for Jews, Christians, and other religious groups to discard nuance when interpreting Islamic texts, while they demand it for themselves when approaching similar or even more ‘difficult’ passages in their own scriptures. There even exists a class of memes with dozens of Qur’anic verses and prophetic traditions presented in bullet-point form to be used as bullets against Muslims but the basic background information needed to understand them is left unstated. The most common ‘proof-texts’ employed in this manner will be

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<sup>70</sup> Wahbah al-Zuhaylī, *al-Tafsīr al-munīr* (Beirut: Dār al-Fikr al-Mu‘āşir, 1997), 2:183, verse 2:190.

examined here as examples of how extremists distort the meaning of the Qur'an and Sunnah.

**“Slay the idolaters wherever you find them...”**

The advocates of a violent expansionist Islam usually refer to isolated verses in Sūrat al-Tawbah, one of the last complete chapters to be revealed, as setting the alleged tone of implacable hostility of Muslims towards non-Muslims. Critical and contextual analysis of this chapter, however, demonstrates that just-war principles in previous verses continued to remain operative. The most commonly cited ‘sword verse’ is usually half-cited, “Slay the idolaters wherever you find them.” In reality, the complete version in context of the whole chapter commands Muslims to fight in self-defense against enemies who habitually broke their peace treaties:

When the sacred months have passed, then kill the idolaters wherever you find them, seize them, besiege them, and lie in wait for them in every place of ambush. But if they repent, perform prayer, and give charity, let them go on their way. Verily, Allah is Forgiving and Merciful.<sup>71</sup>

The phrase “kill them, seize them,” is usually cited alone without reference to surrounding verses, the first part of the verse setting up the context, or the second part that emphasizes Allah’s mercy. The next verse offers asylum and safe passage to any enemy who laid down their arms, regardless of whether they accepted Islam or not, “If any of the idolaters asks for your protection, grant them protection until they hear the word of Allah, then deliver them to their place of safety. That is because they are people who do not know.”<sup>72</sup> In one incident, an idolater snuck up to the Prophet ﷺ to kill him but eventually lost his sword to him. When the Prophet ﷺ pointed the weapon at him and asked him to become Muslim, the man refused to convert to Islam but he said, “I pledge not to fight you and not to

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<sup>71</sup> Qur’an 9:5.

<sup>72</sup> Qur’an 9:6.

join anyone who fights you.” The Prophet ﷺ accepted these terms and let him go.<sup>73</sup>

Furthermore, the subsequent passage in the chapter states clearly the reasons that war against these specific idolaters was justified: they violated their promises and traditional Arab sense of familial solidarity<sup>74</sup> and “they attacked you first.”<sup>75</sup> Allah commanded Muslims to fight them so “that they will cease” their aggression.<sup>76</sup> Nevertheless, existing treaties with idolaters who kept their promises should be upheld, “As long as they are upright with you, be upright with them.”<sup>77</sup> Only by ignoring this greater context can anti-Muslim writers paint Islam as a violent religion. M. A. S. Abdul Haleem points out the fatal flaw in this interpretation:

The main clause of the sentence, ‘kill the polytheists,’ is singled out by some non-Muslims as representing the Islamic attitude to war. Even some Muslims take this view and allege that this verse abrogated many other verses including, ‘There is no compulsion in religion,’ and even according to one solitary extremist, ‘God is forgiving and merciful.’

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. At least eight times the passage mentions the misdeeds of these people against the Muslims.

Moreover, 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. The

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<sup>73</sup> Aḥmad ibn Ḥanbal, *Musnad al-Imām Aḥmad ibn Ḥanbal* (Beirut: Mu'assasat al-Risālah, 2001), 23:193, no. 14929; declared authentic (*ṣaḥīḥ*) by al-Arna'ūṭ in the comments.

<sup>74</sup> Qur'an 9:8.

<sup>75</sup> Qur'an 9:13.

<sup>76</sup> Qur'an 9:12.

<sup>77</sup> Qur'an 9:7.

whole of this context to verse 9:5, with all its restrictions, is ignored by those who simply isolate one part of a sentence to build on it their theory of violence in Islam.<sup>78</sup>

As mentioned earlier, many jurists and scholars did not accept that these ‘sword verses’ abrogated peaceful verses. Yet even those who claimed peaceful verses were abrogated did not necessarily mean they were cancelled or negated altogether, but rather they were given as exceptions to previously general rules. As explained by the commentator al-Baydāwī, 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.”<sup>79</sup> 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. The principle of non-aggression itself was not rendered obsolete. Muslims were commanded to pre-empt actual threats to their safety, namely the Roman and Persian empires, such that the two sets of verses complement each other in meaning. In the case of Sūrat al-Tawbah, several earlier verses ordered Muslims to forgive and patiently endure their persecution. Only after their suffering became intolerable were the ‘sword verses’ revealed as *exceptions* to the general rule of forgiveness, not for war to become the general rule.

### **“Fight those who do not believe in God and the Last Day...”**

One verse, at least on the surface, appears to encourage all-out warfare against Jews and Christians due to their lack of faith in Islam:

Fight those who do not have faith in Allah 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 (Jews and Christians), until they pay tribute and are humbled.<sup>80</sup>

There is a particular historical reason why this verse was revealed. An important principle of Qur’anic exegesis is to consider the ‘causes of revelation’ (*asbāb*

<sup>78</sup> M. A. S. Abdel Haleem, *The Qur’an: English Translation and Parallel Arabic Text* (Oxford: Oxford University Press, 2010), xxiii.

<sup>79</sup> al-Baydāwī, *Anwār al-tanzīl wa asrār al-ta’wīl*, (Beirut: Dār Ihyā’ al-Turāth al-‘Arabī, 1998), 1:270.

<sup>80</sup> Qur’an 9:29.

*al-nuzūl*) when deriving meaning from the text.<sup>81</sup> That is, we need to examine the specific situational context first before deriving a general rule from it.

According to al-Ṭabarī, this verse was revealed prior to the expedition of Tabūk.<sup>82</sup> 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. According to Ibn al-Qayyim, the Romans committed the first act of war that led to the confrontations at Mu'tah and Tabūk:

The cause of the battle was that the Messenger of Allah ﷺ sent Ḥārith ibn 'Umayr al-Azdī of the tribe of Lihb with his letter to Syria for the Roman king of Busra. He presented it to Sharaḥbīl ibn 'Amr al-Ghassānī and he bound him and struck his neck. Never had an ambassador of the Messenger of Allah ﷺ been killed before him. He was upset by that when news reached him and he dispatched an expedition.<sup>83</sup>

This disturbing incident made clear that peaceful relations with the Romans were not possible at the time. The Romans had just finished a major war with the Persians and the assassination undoubtedly telegraphed their intention that the Muslims were likely the next target. Their lack of faith mentioned in the verse is a reference to their unwillingness to uphold a peace treaty, as the Prophet ﷺ said, "Faith has restrained assassination. A believer does not assassinate."<sup>84</sup> And 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."<sup>85</sup> Hence, the verse was revealed in response to this betrayal, consistent with the rules of war laid down in previous verses.

**“Fight them until there is no more persecution...”**

<sup>81</sup> Yasir Qadhi, *An Introduction to the Sciences of the Qur'aan* (Birmingham, UK: al-Hidaayah Publishing and Distribution, 1999), 107.

<sup>82</sup> al-Ṭabarī, *Jāmi' al-bayān 'an ta'wīl al-Qur'ān*, 14:200, verse 9:29.

<sup>83</sup> Ibn Qayyim al-Jawzīyah, *Zād al-ma'ād*, 3:336.

<sup>84</sup> Abū Dāwūd, *Sunan Abī Dāwūd*, 3:87, no. 2769; declared authentic (*ṣaḥīḥ*) by al-Albānī in the comments.

<sup>85</sup> Aḥmad ibn Ḥanbal, *Musnad al-Imām Aḥmad ibn Ḥanbal*, 19:376, no. 12383; declared fair (*ḥasan*) by al-Arna'ūt in the comments.

Another verse commonly misquoted is the statement of Allah:

Fight them until there is no more persecution and the religion is entirely for Allah.

If half of the verse is cited by itself, it appears to endorse open-ended war against unbelievers, but the verse continues, “If they cease, there is no hostility except against wrongdoers.”<sup>86</sup> 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.

This verse has been interpreted incorrectly since the time of the companions. A man came to Ibn ‘Umar رضي الله عنهما when the Muslim community was enduring its first major internal conflict and he said to him, “Tell us about fighting during times of persecution, as Allah said: Fight them until there is no more persecution.” The man was baiting Ibn ‘Umar to take sides in the conflict, so he replied, “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.”<sup>87</sup> In another narration, Ibn ‘Umar said, “A man used to be persecuted for his religion, whether they killed him or tortured him, until the followers of Islam became plentiful and there was no longer persecution.”<sup>88</sup>

The persecution that must be stopped was the violence meted out against Muslims just because they refused to worship idols. Ibn Taymīyah confirms this understanding:

That is because the objective of fighting is for the word of Allah to be made highest, the religion to be entirely for Allah, and for there to be no more persecution, meaning no one is persecuted into abandoning the religion of Allah. Indeed, only those who obstruct this (objective) are fought for it, those who are combatants. As for those who do not

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<sup>86</sup> Qur’an 2:193.

<sup>87</sup> al-Bukhārī, *Ṣaḥīḥ al-Bukhārī*, 9:54, no. 7095.

<sup>88</sup> al-Bukhārī, 6:26, #4514.

fight for that, there is no justification for killing them, such as women, old men, monks, and so on.<sup>89</sup>

Ibn 'Umar also denies that 'dominion' (*mulk*), which is political power or kingdom, is a sufficient reason in itself to declare war. Indeed, the lure of dominion is one of the primary weapons of Satan against humankind, as Allah told us he whispered to our forefather, "O Ādam, shall I lead you to the tree of eternity and a dominion that will never perish?"<sup>90</sup> If the temptation of dominion is what caused the fall of Ādam and his children, how could it possibly be an objective of jihad? Rather, political power is only important insofar as it protects the essential aim of jihad: the mission to protect Muslims and afford all people the right to worship their Lord without fear.

Some people also misunderstand the way some of the righteous predecessors explained the verse. Ibn 'Umar explained 'persecution' as the torture endured by Muslims to force them to renounce their religion, but another common explanation is that persecution is simply 'idolatry' (*shirk*) itself. The interpretation of the verse would then mean, "Fight them until there is no idolatry." This reading of the verse is brought to support the idea that *casus belli* in Islam is merely being a non-Muslim, that the entire unbelieving world is fought until they come under the domination of Sharī'ah law. On the contrary, Ibn al-Qayyim explains what the predecessors meant by equating persecution with idolatry, "The reality is that it is idolatry which its practitioners call to, fight for, and punish whoever is not tempted into it... they tortured the believers to tempt them away from their religion. This is the 'persecution' attributed to the idolaters."<sup>91</sup> As such, the verse is not commanding the complete eradication of idolatry from the face of the earth. This would not be humanly possible in the first place, and it defeats the purpose of this life as a test of faith for the Day of Judgment. Rather, it means fight the idolaters until they stop oppressing Muslims and allow people to embrace Islam free from compulsion.

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<sup>89</sup> Ibn Taymīyah, *al-Šārim al-maslūl*, 1:282.

<sup>90</sup> Qur'an 20:120.

<sup>91</sup> Ibn Qayyim al-Jawzīyah, *Zād al-ma'ād*, 3:151–52.

### “I have been commanded to fight the people...”

Another prophetic tradition cited to make Islam appear inherently violent is the following:

I have been commanded to fight the people until they say there is no God but Allah.<sup>92</sup>

Again, a surface reading without context will cause an unsettling misinterpretation. Some people even wrongly translate it as “fight all mankind.” Does the Prophet ﷺ command fighting against all non-Muslims in every circumstance until they become Muslims?

A general statement from the Prophet ﷺ or the Qur'an sometimes requires context to implement correctly. For example, Allah says, “Those to whom the people said: Indeed, the people have gathered against you, so fear them.”<sup>93</sup> Allah uses the general word “the people” in the same sentence to refer to two different groups: one led by Nu‘aym ibn Mas‘ūd and another led by Abū Sufyān. Making a distinction is critical to interpreting the verse correctly. This shows us that the word “the people” does not necessarily mean all people in all situations and all times. In this tradition, the Prophet ﷺ was talking about fighting “the people” in a certain context—those who were waging an active war against Muslims. As Ibn Taymīyah said, “The meaning of this tradition is to fight those who are waging war whom Allah has called us to fight, and it does not mean to fight those who have made peace with whom Allah has commanded us to fulfill their peace.”<sup>94</sup>

Other variant wordings of this tradition provide qualifying aspects that specify “the people” who should be fought. In the narration of Anas ibn Mālik (d. 709), the Prophet ﷺ said he was commanded to fight “the idolaters,” which would exclude Jews, Christians, and other people of the Book.<sup>95</sup> Ibn Kathīr suggests that the Prophet ﷺ said this in connection with the revelation of Sūrat al-Tawbah, which we noted was sent down in regards to the idolaters who were habitually

<sup>92</sup> al-Bukhārī, *Ṣaḥīḥ al-Bukhārī*, 1:14, no. 25.

<sup>93</sup> Qur'an 3:173.

<sup>94</sup> Ibn Taymīyah, *Majmū' al-fatāwā*, 19:20.

<sup>95</sup> al-Nasā'ī, *Sunan al-Nasā'ī*, 7:75, no. 3966.

violating the peace.<sup>96</sup> The Qur'an, in this case, provides us with the necessary situational context in which its implications can be properly understood.

What is more, the narration of Jābir (d. 697) adds that the Prophet ﷺ recited immediately after this statement the following verses, “So remind them, for you are only there to remind. You are not a dictator over them.”<sup>97</sup> This authentic narration demonstrates that such verses prohibiting compulsion in religion are not nullified by ‘sword verses,’ as the initial statement of the Prophet ﷺ is further restricted by them. Ibn al-Qayyim confirms that the Prophet ﷺ never used violence or physical threats to make people become Muslims:

He never forced the religion upon anyone, but rather he only fought those who waged war against him and fought him first. As for those who made peace with him or conducted a truce, he never fought them and he never compelled them to enter his religion, as his Lord the Almighty had commanded him, ‘There is no compulsion in religion, for right guidance is distinct from error...’<sup>98</sup> 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.<sup>99</sup>

Therefore, 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.

## Structure of classical legal texts

Finally, we need to appreciate something about the structure of classical Islamic legal theories and the historical context in which they operated. In the ancient

<sup>96</sup> Ibn Kathīr, *Tafsīr al-Qur’ān al-‘Azīm*, 4:98, verse 9:5.

<sup>97</sup> Qur’an 88:21–22.

<sup>98</sup> Qur’an 2:256.

<sup>99</sup> Ibn Qayyim al-Jawzīyah, *Hidāyat al-ḥayārā fī ajwibat al-yahūd wa-al-naṣārā* (Damascus: Dār al-Qalam, 1996), 1:237–38.

world, war was the general rule and the norm of international relations; peace was the rare and temporary exception. Freedom of religion or religious tolerance was very uncommon and, in fact, non-existent in many places. English political theorist Thomas Hobbes (d. 1679) asserted that, without any legal authority to enforce peace, all people “are in that condition which is called war, and such a war is of every man against every man.”<sup>100</sup> In other words, every nation was assumed to be at war with every other nation *by default*. The Arabs used to say, “When the Romans are not campaigned against, they campaign (against you).”<sup>101</sup> If you were not putting pressure on your rivals, they were almost certainly preparing to conquer you.

As a matter of fact, nation-states today would still be in a constant state of war if it were not for the United Nations Charter. People born after World War II take for granted the fact that 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. Peace among nations only became a relatively normal state of affairs after generations and generations of violent conflict, culminating in a horrific global conflict that killed millions and millions of people. Moreover, the cost-to-benefit ratio of modern war is much lower now with the advent of massively destructive weaponry. If even Ibn Taymīyah ruled that a catapult (the most indiscriminate weapon in his time) could not be used except as a dire necessity to repel an invading force, what would he say about missiles and bombs?<sup>102</sup> Would high-grade explosives not make modern warfare an even more remote possibility to him as a last resort?

The founding jurist al-Shāfi‘ī constructed his legal theory of war within this grim Hobbesian social context. The general rule in pre-modern international relations was, he correctly assumed, that other nations must be considered hostile to Muslims unless an explicit peace treaty had been ratified. As documented by Ibn Rushd, “The principle of al-Shāfi‘ī is the command to fight until they believe or

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<sup>100</sup> Thomas Hobbes and E. M. Curley, *Leviathan: With Selected Variants from the Latin Edition of 1668* (Indianapolis: Hackett Pub. Co, 1994), 76.

<sup>101</sup> al-Dhahabī, *Siyar a ‘lām al-nubalā’* (Cairo: Dār al-Ḥadīth, 2006), 14:85.

<sup>102</sup> Ibn Taymīyah, *Majmū‘ al-fatāwā*, 24:69.

pay *jizyah* (tribute), and this, in his view, was restricted by the act of the Prophet صلى الله عليه وسلم in the year of al-Ḥudaybiyah.”<sup>103</sup> In his articulation of the law, Muslims were expected to be at war with the non-Muslim world in general, which was not an inaccurate description of geopolitical reality at that point in history, but this was mitigated by the fact that he permitted Muslim leadership to negotiate peace agreements. Nations had to necessarily and explicitly enter into such treaties with each other to avoid hostilities because it was simply too dangerous to assume other nations were peaceful.

Dr. Sherman Jackson explains the context of this early legal thinking:

While the imperial quest for empire invariably informed the policies of every Muslim state, 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 not only as a means of guaranteeing the security and freedom of the Muslims but as virtually the *only* means of doing so. For even peace treaties were usually the result of one's surrender to demands that had been imposed by a real or anticipated defeat by the sword... The purpose of jihad, in other words, is to provide for the security and freedom of the Muslims in a world that kept them under constant threat.<sup>104</sup>

Because of this geopolitical reality, jurists authorized ‘offensive jihad’ against credible threats to the Muslim community or their freedom to practice and share Islam. Such preemptive strikes in jihad are mainly offensive tactics within an overall defensive strategy, or as one says, “The best defense is a good offense.” This idea is no different than what was stated by the first US President George Washington “that offensive operations, oftentimes, is the *surest*, if not the *only* (in some cases) means of defence.”<sup>105</sup> Therefore, one can find many statements of the classical jurists that appear to endorse open-ended offensive warfare against unbelievers, but those statements are always qualified and restricted by the

<sup>103</sup> Ibn Rushd, *Distinguished Jurist's Primer*, 1:464.

<sup>104</sup> Sherman Jackson, “Jihad and the Modern World,” Oxford Islamic Studies Online, accessed September 5, 2016, [www.oxfordislamicstudies.com/article/book/islam-9780195174304/islam-9780195174304-chapter-61](http://www.oxfordislamicstudies.com/article/book/islam-9780195174304/islam-9780195174304-chapter-61).

<sup>105</sup> George Washington, letter to John Trumbull, June 25, 1799, *Founders Online*, [founders.archives.gov/documents/Washington/06-04-02-0120](http://founders.archives.gov/documents/Washington/06-04-02-0120).

jurisprudence of peace treaties, usually found within the same books or compendiums.

This is not to say that al-Shāfi‘ī and the jurists who followed him encouraged hostility and discouraged peace. On the contrary, many of al-Shāfi‘ī’s personal sayings eschew unjust violence, “The most beneficial of provisions is the fear of Allah, and the most harmful of them is aggression.”<sup>106</sup> Rather, the political realities of the ancient world forced Muslim jurists to construct a legal framework that accurately depicted the default state of war in which they lived. To put it another way, the works of early jurists on jihad were *describing* the constant state of war in which they lived, rather than *prescribing* it as the preferred state of affairs. It is simply unfair to our scholars, and to Islam, to cite their statements that only apparently endorse open-ended war-making, but not place those statements within the context of history, their society, and the greater legal system in which they articulated the rules of war and peace.

## Conclusion

The normative view of jihad in Islam, historically and today, is largely consistent with modern international norms of non-violence. The Qur’an and Sunnah permit Muslims, and sometimes commands them, to defend themselves from aggression and to defend innocent Muslims subject to religious persecution. 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 Islam to the world. The classical jurists permitted offensive operations, in the context of the Hobbesian ‘state of war,’ as tactics within an overall defensive strategy. The goal is jihad is never to attain political power or conquest in itself. Clarity on this issue will hopefully help remove the widespread misperception that Islam is an inherently aggressive or terrorist political ideology that threatens public safety.

*Success comes from Allah, and Allah knows best.*

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<sup>106</sup> Aḥmad ibn al-Ḥusayn al-Bayhaqī, *al-Madkhal ilá al-sunan al-kubrâ* (Kuwait: Dār al-Khulafâ’, n.d), 1:326, no. 517.