

CONTENTS

Acknowledgements vii

A Note on the Translation of the Qur'an viii

Foreword by HE the Sultan of Sokoto ix

Introduction by Professor Mohammad Hashim Kamali xi

About the Contributors xviii

Part I: War and Its Practice

Chapter 1	The Qur'an and Combat HE Grand Imam Mahmoud Shaltut (Translation: Lamya Al-Khraisha)	1
Chapter 2	Warfare in the Qur'an Professor Joel Hayward	28
Chapter 3	Jihad and the Islamic Law of War ¹ Dr Caner Dagli	56
Chapter 4	The Myth of a Militant Islam ² Dr David Dakake	99
Chapter 5	The Spirit of Jihad ³ Dr Reza Shah-Kazemi	132
Chapter 6	A Fatwa on Jihad HE Shaykh Ali Gomaa	153
Chapter 7	Body Count: A Comparative Quantitative Study of Mass Killings in History ⁴ Dr Naveed Sheikh	165

Part II: Peace and Its Practice

Chapter 8	Islam and Peace: A Survey of the Sources of Peace in the Islamic Tradition Professor Ibrahim Kalin	217
Chapter 9	The Concept of Peace/Security (<i>Salm</i>) in Islam Dr Karim Douglas Crow	250

Chapter 10	Human Dignity from an Islamic Perspective Professor Mohammad Hashim Kamali	269
Chapter 11	The People of the Book (<i>Ahl al-Kitāb</i>) in the Qur'an Professor Ismail Albayrak	282
Chapter 12	<i>Dhimmi</i> and <i>Musta'min</i> : A Juristic and Historical Perspective Professor Mohammad Hashim Kamali	304
Part III: Beyond Peace: Forbearance, Mercy, Compassion and Love		
Chapter 13	The Uncommonality of 'A Common Word' Dr Joseph Lombard	317
Chapter 14	Divine Mercy and Love in the Qur'an ⁵ HRH Prince Ghazi bin Muhammad	348
Chapter 15	Love of Others in the Qur'an ⁶ HRH Prince Ghazi bin Muhammad	378
Chapter 16	Mercy in the Hadith ⁷ Shaykh Sayyid Hassan Saqqaf and HRH Prince Ghazi bin Muhammad	392
Appendix	The Conditions Necessary for Just War in the Holy Qur'an HRH Prince Ghazi bin Muhammad	409

Notes 427

Qur'anic Index 491

General Index 501

INTRODUCTION

Professor Mohammad Hashim Kamali

The book before us is presented in three parts, namely ‘war and its practice’, ‘peace and its practice’, and ‘beyond peace: forbearance, mercy, compassion and love’. This volume’s range is evidently not confined to the study of jihad, yet jihad remains its central concern—as indicated by its title. The main issue concerning jihad has been eloquently stated by Seyyed Hossein Nasr, who wrote: ‘In modern times in the West no vocabulary in the Islamic religion has been so distorted, maligned, misunderstood, and vilified as the word jihad.’⁸ Nasr added that this is due not only to Western media’s demonising epithets and constructions, but also to those extremist Muslims who readily provide the latter with examples to justify their propagation of the distorted image of this term.

Taking a balanced approach to the understanding of words and concepts naturally begins with employing them for their true meanings. The essence of this requirement is captured in a Qur’anic directive to Muslims: *And when you speak—speak with justice (Al-An‘ām, 6:152).*⁹ Justice is inclusive of truth. The Qur’an seems here to be conveying the awareness that one can tell the truth in different ways, and that it is best if it is moderated with a sense of justice. The problem before us is one of widespread distortion in the uses of jihad, not just by the Western media, but by Muslims themselves, who have become a party to that distortion. The concept of *Jihad fī sabīl Allāh* (striving in the path of God) as contained in the Qur’an and Hadith has often been distorted and misused by the perpetrators of military violence and terrorism against Muslims and non-Muslims alike. Matters are made worse by the fact that the word has gained commercial appeal in Europe and the United States. A number of writers seeking to make their books commercially successful have been using jihad in their titles in any way possible. It is important therefore to explain what jihad stands for, through a careful reading of the Qur’an and Hadith. This is the basic

theme and message of the book before us, one which is articulated in the writings of a number of outstanding scholars and opinion leaders on the subject. To restore moderation and balance to a distorted picture, one needs to begin with what one believes to be the truth about jihad.

Jihad derives from the root word *jahada*, which means to strive or to exert effort. Its translation in the Western media as ‘holy war’ would in Arabic be equivalent to *al-harb al-muqaddasah*, which is totally unfamiliar and unknown to Arabic speakers. Jihad consists of the effort one makes to do something good and to prevent or oppose evil. The effort may be directed towards oneself or the outside world. The struggle to control and refine one’s ego, to conquer ignorance, to discipline one’s own base desires, to excel in the work undertaken to the best of one’s ability are the jihad of the self (*jihad al-nafs*). In a similar vein, the Sufi contemplation used to combat the distractions of the soul is called *mujāhadah*. To combat poverty and disease, to build housing for the poor, or to fight corruption and abuse would all qualify as jihad that serves a social purpose of great benefit. We are cast into a world in which there is disequilibrium and disorder both externally and within ourselves. To create a life of equilibrium based on surrender to God and following His injunctions involves constant jihad. For ordinary Muslims, praying five times a day throughout their lives, or fasting from dawn to dusk during the month of Ramadan are certainly not possible without great effort, or jihad. A Muslim who works to earn a living and support his family is also engaged in jihad. It is now common to hear Muslim intellectuals speak of jihad in business, jihad in the acquisition of knowledge, and jihad against social ills afflicting young people, drug abuse and AIDS. Understood in its comprehensive sense, jihad is an inherent aspect of the human condition in facing the imperfections of this world. The Prophet Muhammad ﷺ has said that ‘the *mujāhid* is one who wages a struggle against himself.’¹⁰ The effort to facilitate a just system of rule is underscored in another hadith: ‘the best form of jihad is to tell a word of truth to an unjust ruler.’¹¹ In a hadith al-Bukhari and Muslim have recorded, a young man asked the Prophet: ‘Should I join the jihad?’ that was apparently in progress at the time. In response, the Prophet asked him a question: ‘Do you have parents?’, and when the man said ‘Yes’, the Prophet told him, ‘Then strive by serving them.’¹²

Introduction

The Qur'an refers to jihad in twenty-four verses, most of which emphasise the spiritual and non-violent manifestations of jihad, such as being steadfast in the faith and sacrifice in its cause, migration from Mecca to Medina, and peaceful propagation of the faith. The reader will find comprehensive coverage of the Qur'an in the various chapters of this book. It is worth mentioning, however, that jihad as armed struggle against the aggressor occurs only in the Medinan verses of the Qur'an. During the first thirteen years of his campaign in Mecca, the Prophet was not permitted to use force even for self-defence. Islam was propagated only through peaceful methods. The idolaters of Mecca persecuted and forced a number of the Prophet's companions to migrate, initially to Abyssinia, and later to Medina. The Meccans not only continued but stepped up their hostility and attacked the Muslims, some 270km away, in the battles of Badr (624 CE) and Uhud (625 CE), with superior forces, inflicting heavy casualties on them. Only then was permission granted to: *Fight in the way of God those who fight you, but begin not hostilities. Verily God loves not the aggressors* (*Al-Baqarah*, 2:190).

When a legitimate jihad is waged, it must not be based on anger and hatred. The Qur'an thus warns: *Let not your hatred of a people cause you to be unjust. You must do justice* (*Al-Mā'idah*, 5:8). The believers were also directed to *repel the evil deed with one that is better, then verily he, between whom and thee there was enmity (will become) as though he were a protective friend* (*Fuṣṣilat*, 41:34).

Islamic law provides a clear set of rules that regulate military engagement, which have not, however, been consistently followed. The Prophet ﷺ instructed the warriors to avoid harming women and children, the aged, monks and priests, the blind and the insane, and refrain from acts of brutality and maiming. Destruction of livestock, trees and crops was also forbidden unless it was for the purpose of sustaining life. Innocent human life should be immune from all forms of unlawful aggression, as the Qur'an proclaims: *Whosoever kills a human being for other than manslaughter or corruption in the earth, it shall be as if he had killed all humanity* (*Al-Mā'idah*, 5:32).

The majority of Sunni and Shi'i jurists have held that jihad is legitimate only in defence against aggression. They also maintain that jihad must be declared by the legitimate leader. Hence no group, party or

organisation has the authority to take up arms in the name of jihad without authorisation by lawful authorities. For there will otherwise be disorder and anarchy. This is the purport of the hadith which provides that: ‘A Muslim ruler is the shield [of his people]. A war can only be waged under him and people should seek his shelter [in war].’¹³

From his reading of the source evidence, Ibn Qayyim al-Jawziyyah (d. 1350 CE/751 AH) divided jihad into four main varieties: i) jihad against the self; ii) jihad against the unbelievers; iii) jihad against the hypocrites; and iv) jihad against the agents of corruption.¹⁴

Each of these has been subdivided into four types: a) jihad of the heart; b) jihad of the tongue; c) jihad by wealth; and d) jihad by person. Thus a total of sixteen varieties of jihad come into the picture, most of which consist of peaceful struggle for a good cause. The last variety, that is, of jihad in person, includes military jihad, but also actions such as care for the ill and personal service.¹⁵ Jihad against the self is the foundation of all jihad, for fighting an external enemy would not be possible without a successful engagement in inner jihad. Jihad by one’s words consists of education and advice given to promote good and prevent evil. This is known in the present-day Arab countries as *jihad al-tarbiyah* (the education effort). In the Twelver Imami Shi’i doctrine, to quote Nasr again, ‘all the eminent authorities have consequently maintained that jihad, except for self defence, is forbidden in the absence of the ma’sum, that is “the inerrant Imam”’.¹⁶

Western media is apt to associate war and violence with Islam. The book before us forcefully refutes this through a reading mainly of the Qur’an and Hadith—letting these sources speak for themselves, as it were, before the learned authors advance their own interpretations and insights. Some sections of the present volume also review factual historical evidence on warfare. ‘The fact is,’ as Ali Mazrui wrote, that ‘in the last 100 years, western civilisation has killed millions more people than any other way of life in the annals of man in a comparable unit of time ... It has also been the West in the last 100 years which had made warfare less and less respectful of civilian life.’¹⁷

Mahmud Shaltut, the late Shaykh of al-Azhar from 1958 to 1963, and the contemporary Grand Mufti of Egypt, Shaykh ‘Ali Gomaa, have shown in their writings in the book before us that the Qur’an only

allows war for self-defence. Another Shaykh of al-Azhar, Muhammad Sayyid Tantawi, issued a fatwa in 2001 to condemn hostage taking in the Philippines: 'Islam rejects all forms of violence. These acts of violence have nothing to do with Islam.' He also condemned the terrorist act of September 11, 2001 in the United States.¹⁸ The Chief Mufti of Saudi Arabia, Abdulaziz bin Abdallah Āl al-Shaykh, similarly declared in 2004:

You must know Islam's firm position against all these terrible crimes. The world must know that Islam is a religion of peace ... justice and guidance ... Islam forbids the hijacking of airplanes, ships and other means of transport, and it forbids all acts that undermine the security of the innocent.¹⁹

Seyyed Hossein Nasr added his voice to say:

Those who carry out terrorism in the West or elsewhere in the name of jihad are vilifying an originally sacred term, and their efforts have not been accepted by established and mainstream religious authorities as jihad.²⁰

The Jeddah-based Islamic Fiqh Academy affiliated to the Organisation of the Islamic Conference (OIC), in its sixteenth session (5–10 January 2002) vehemently condemned all manifestation of terrorism and its attributions to Islam:

Terrorism is an outrageous attack carried out either by individuals, groups or states against the human being. It includes all forms of intimidation, harm, threats, killing without a just cause, all forms of armed robbery, banditry, every act of violence or threat intended to fulfil a criminal scheme individually or collectively, terrify and horrify people by hurting them or by exposing their lives, liberty, and security to danger. It can also take the form of inflicting damage on the environment, a public or private utility— all of which are resolutely forbidden in Islam.

In her article *The Revolt of Islam*, Nikkie Kiddie, a US professor of Middle Eastern history, explains the rise of militancy among Muslims. She notes that with the exception perhaps of Wahhabism, militant jihad movements in the modern era began and grew mostly as a response to Western colonialism. The earliest examples in the eighteenth century in Sumatra and West Africa emerged in the face of 'disruptive economic change influenced by the West'. In the nineteenth century, broader waves

of jihad movements cropped up in Algeria, Sudan, the Caucasus, and Libya as 'a direct response to French, British, Russian and Italian colonial conquest'.²¹

The remainder of this Introduction consists of a summary of the conditions under which military jihad may legitimately be waged. But it may be said in passing that the relationship of jihad to peace is one of means and end. Jihad is not an end in itself but a means towards peace, freedom of conscience and justice. Unlike the Romans, for example, who subscribed to the notion that *silent enim legis enter arma* (laws are silent during wars), Islamic law regulated war and proscribed acts of oppression and injustice in the name of jihad. A set of rules were thus formulated to be observed before the onset of war, during it, and after the war ends—which manifest in principle that laws are not silent during war. The book before us is an articulation of the conditions and restraints that the shari'ah imposes on jihad, just as it also underlines the message that the quest for peace and justice must be the overriding purpose of all jihad. Whereas jihad has been widely covered in the existing literature, this book is distinguished by the insight it offers into the source evidence, not only on jihad, but also on Islam's teachings on peace, fraternity and love.

To summarise the conditions of jihad:

- 1) First and foremost, every effort must be made to avoid war. War can only take place after all peaceful efforts to prevent it fail.
- 2) All war in Islam is defensive, a struggle for liberation to defend one's freedom of conscience, home, property or homeland from aggression.
- 3) Jihad must not be waged for ignoble purposes, personal objectives and revenge. No personal interest or private gain should be the aim of jihad.
- 4) Jihad must be declared by a legitimate ruler, but only after necessary consultation with people of specialised knowledge and technical know-how.
- 5) Justice must prevail during armed jihad. Excessive violence and acts of brutality, maiming and dishonouring the human dignity of the deceased must be avoided.
- 6) Action may be taken only against armed combatants. Civilians and persons who are neither involved nor trained to be engaged

Introduction

in combat may not be targeted. Killing and harming women and children is prohibited.

- 7) Animals, crops and trees are to be spared unless it be for sustaining life. Polluting the environment, rivers, wells and demolition of houses is prohibited.
- 8) Treachery and deception, killing and attacking people by surprise is prohibited.
- 9) Looting and plunder are prohibited, and people's rights and properties may not be violated.
- 10) The enemy must be among those with whom fighting is permitted as compared to those with whom at truce has been agreed. Breach of valid international agreements and treaties is a violation of the rules of jihad.
- 11) It is impermissible to use human shields in jihad.
- 12) Even during conflict, all possible efforts must be made to end war.
- 13) Prisoners of war (POWs) must be treated humanely and their lives protected; they are entitled to dignified treatment, and fulfilment of their essential needs.
- 14) If ransom is paid for a POW, he or she must be freed. Ransom can consist of teaching ten Muslims to read and write.
- 15) Religious persecution and forced conversion cannot be the aim of jihad. On the contrary, jihad must seek to establish freedom of religion and enable people to practice their religious convictions freely.
- 16) Places of worship, churches and synagogues must not be targeted. Monks and priests who are not involved in violence must not be harmed.
- 17) If a prisoner of war embraces Islam freely and willingly, he or she must be freed.

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Kuala Lumpur, May 2013