



UNIVERSITY OF  
BIRMINGHAM

**TERRORISM FROM A QUR'ĀNIC PERSPECTIVE  
A STUDY OF SELECTED CLASSICAL AND  
MODERN EXEGESES AND THEIR  
INTERPRETATION IN THE MODERN CONTEXT**

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## ABSTRACT

This thesis is an attempt to study terrorism from a Qur'ānic perspective with special reference to selected classical and modern exegeses and how they are understood by modern scholars. The study is divided into an introduction, five main chapters and a conclusion. In the introduction, a brief background about the *tafsīr* (exegesis) genres is provided with special focus on thematic exegesis as a type of exegesis that makes a central contribution to this study. The introduction also includes brief biographical sketches of the selected exegetes, an outline of the thesis methodology, a literature review, and a note on the research questions and the objectives of the thesis. Chapter One is devoted to presenting and evaluating various organizational definitions of terrorism from both Islamic and Western perspectives. Chapter Two discusses the difference between terrorism and arming for deterrence in the light of Qur'ān 8: 60. Chapter Three investigates whether or not there is a relationship between jihād and terrorism. It focuses, by way of a case study, on how the actions of the perpetrators of the September 11<sup>th</sup> 2001 attacks should be judged according to the Qur'ān. Chapter Four looks at how terrorist suicide attacks are different from martyrdom. It features another case study, on 'martyrdom' or 'suicide' operations in the Palestinian-Israeli conflict. Chapter Five attempts to identify a punishment for terrorism on the basis of the Qur'ānic text.

This study finds that terrorism is totally different from jihād and martyrdom as they are treated in the Qur'ān. It also finds that there is a huge difference between the peaceful, tolerant and inclusive teachings of the Qur'ān and the violent, intolerant and exclusive practices of those Muslims whose approach to the Qur'ān and its exegesis is marked by selectivity and lacks the essential tools of Islamic scholarship. These and other findings are highlighted in the thesis conclusion, along with other suggestions for future research in the field.

Ca. 79,209 words.

## DEDICATION

To my late father Muḥammad...who saved from life's necessities to fund my religious education.

To my mother Zaynab Ali ...who taught me the meanings of love and sacrifice.

To my wife Magdah Hassan...whose habitual endurance is always a source of inspiration, support, and encouragement.

To my son Ziyad Amin...whose coming to the world has made all the difference!

To my brother, Maḥm-d Amin...who tirelessly supported his brother a lot at times of distress.

To my late teacher of English Mr. ʿAbdullāh Heibah ...who endeared English language to my soul.

To you all, I dedicate this work, asking Allah to put all efforts exerted in the record of our good deeds on the Day of Judgement, *allahumma āmīn*.

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# TABLE OF CONTENTS

<b>DEDICATION.....</b>	<b>I</b>
<b>ACKNOWLEDGEMENTS.....</b>	<b>II</b>
<b>TABLE OF CONTENTS.....</b>	<b>III</b>
<b>TRANSLITERATION TABLE.....</b>	<b>IX</b>
<b>INTRODUCTION.....</b>	<b>1</b>
1. Exegetical Background Relevant to this Study.....	2
2. Thematic Exegesis as a Focus of this Study.....	6
3. The Exegetes and Their Commentaries.....	9
4. Brief Biographical Sketch of the Selected Exegetes.....	10
5. Rationale .....	24
6. Objectives.....	26
7. Scope and Limitations.....	27
8. Methodology .....	29
9. Research Questions .....	31
10. Literature Review.....	32
11. Structure of the Study.....	39
<b>CHAPTER ONE.....</b>	<b>40</b>
<b>DEFINITIONS AND FORMS OF TERRORISM.....</b>	<b>41</b>
1.1 Introduction.....	41
1.2 The Struggle to Define Terrorism .....	42
1.2.1 Major and Minor Definitional Problems .....	44
1.2.2 Importance of Defining Terrorism .....	48
1.2.3 Before Approaching a Definition .....	50

1.2.4	Terrorism in Arabic Lexicons .....	52
1.2.5	Terrorism in the English Language .....	55
1.3	Technical Definitions of Terrorism .....	57
1.3.1	Technical Organizational Definitions in the Islamic Context.....	58
1.3.2	Definitions Evaluated .....	60
1.3.3	Religious-based Definitions of Terrorism in the Western Context.....	65
1.3.4	Sano-Hoffman’s Discussion of the FBI Definition .....	70
1.3.5	From Religious to Islamic Definitions .....	71
1.3.6	Of Islamic and Qur’ānic Definitions: Synthesizing a Definition .....	72
1.3.7	A Proposed Definition of Terrorism from an Islamic Perspective.....	73
1.4	History of Muslim Terrorism: Two Attitudes.....	74
1.5	Qur’ānic References to Various Forms of <i>Fasād</i> .....	76
1.5.1	Terrorism-related Forms in the Qur’ānic Discourse.....	77
1.5.2	General Qur’ānic Attitude towards <i>Fasād</i> .....	86
1.6	Conclusion .....	88
<b>CHAPTER TWO.....</b>		<b>90</b>
<b>ARMING FOR DETERRENCE IN THE QUR’ĀN .....</b>		<b>91</b>
2.1	Introduction.....	91
2.2	Meaning of <i>Quwwah</i> in the Qur’ān.....	95
2.2.1	Concept of <i>Quwwah</i> according to Classical Exegetes.....	96
2.2.2	Concept of <i>Quwwah</i> according to Modern Exegetes .....	99
2.2.3	<i>Quwwah</i> : Internal and External.....	101
2.2.4	Concept of <i>Quwwah</i> according to Modern Scholars .....	105
2.3	Warhorses in the Qur’ān 8: 60 .....	110

2.4	Lexical Connotations of <i>Rahbah</i> in the Qur’ān .....	111
2.4.1	<i>Turhibūna</i> in Qur’ān 8: 60 .....	113
2.4.2	<i>Turhibūna</i> as Interpreted by Classical Exegetes .....	114
2.4.3	<i>Turhibūna</i> as Interpreted by Modern Exegetes .....	116
2.4.4	Fear or Intimidation .....	119
2.4.5	<i>Turhibūna</i> in a Modern Scholarly Context .....	120
2.5	Decontextualizing Qur’ān 8: 60 .....	122
2.6	The Enemy in Qur’ān 8: 60 .....	125
2.7	End of Qur’ān 8: 60.....	127
2.8	Conclusion .....	129
<b>CHAPTER THREE.....</b>		<b>131</b>
<b>JIHAD VS. TERRORISM IN QUR’ĀNIC DISCOURSE .....</b>		<b>132</b>
3.1	Introduction.....	132
3.2	The Literal and Technical Meanings of Jihād.....	134
3.2.1	Is Jihād Limited to Fighting in the Qur’ān?.....	140
3.2.2	Meccan vs. Medinan Verses .....	145
3.2.3	Stages of Military Jihād .....	149
3.2.4	Classical Interpretative Theory of the Final Stage .....	154
3.2.5	Modern Interpretative Theory of the Final Stage.....	157
3.3	Quṭb’s View of War and Peace Verses in the Qur’ān.....	165
3.3.1	Quṭb’s View Influenced by Ibn al-Qayyim and Al-Mawd- dī .....	165
3.3.2	Quṭb’s View Presented .....	169
3.3.3	Quṭb Critiquing Modernist Theory and Its Proponents .....	172
3.3.4	Quṭb’s View Evaluated.....	174

3.3.5	Modern Rejectionists of the Offensive Jihād Narrative.....	177
3.4	Quṭb’s Influence on Proponents of the Offensive Jihad Narrative .....	186
3.4.1	Modern Scholars Critiquing Faraj’s Approach .....	193
3.4.2	<i>Al-Murāja‘āt</i> Efforts by the Leaders of the Islamic Group .....	196
3.4.3	<i>Al-Murāja‘āt</i> Efforts Evaluated .....	199
3.5	The Qur’ān in al-Qaeda’s Discourse .....	201
3.5.1	Distinctive Features of al-Qaeda’s Understanding of Jihād.....	203
3.5.2	Refuting Al-Qaeda’s Core Arguments with Reference to September 11 <sup>th</sup> .....	206
3.6	Conclusion .....	213
<b>CHAPTER FOUR.....</b>		<b>217</b>
<b>MARTYRDOM VS. SUICIDE IN THE QUR’ĀNIC DISCOURSE .....</b>		<b>219</b>
4.1	Introduction.....	219
4.2	Martyrdom in the Qur’ān.....	220
4.2.1	Its Literal Meanings and Occurrences .....	220
4.2.2	Literal and Technical Meanings of <i>al-Shahīd</i> .....	223
4.2.3	Juristic Definitions of <i>al-Shahīd</i> .....	226
4.2.4	Al-Rāzī’s Views about Seeking Martyrdom in the Qur’ān .....	228
4.2.5	Martyrdom being Heroic and Rewarding .....	229
4.2.6	Is the Term ‘Martyrdom’ Post-Qur’ānic?.....	238
4.3	Qur’ānic View of Self-destruction .....	244
4.4	‘Martyrdom’ or ‘Suicide Operations’ in the Palestinian-Israeli Conflict.....	254
4.4.1	Historical Overview of ‘Martyrdom’ or ‘Suicide Operations’ in the Modern Middle East.....	254
4.4.2	Features of the Palestinian-Israeli Conflict.....	257

4.4.3	Arguments of the Supporters of Martyrdom Operations .....	260
4.4.4	Arguments of the Opponents of Martyrdom Operations .....	278
4.4.5	The Discreet Approach .....	282
4.5	Conclusion .....	283
<b>CHAPTER FIVE.....</b>		<b>284</b>
<b>PUNISHMENT FOR TERRORISM IN THE QUR'ĀN.....</b>		<b>286</b>
5.1	Introduction.....	286
5.2	The Qur'ānic Concept of Crime and Punishment.....	287
5.3	Exploring the <i>Ḥirābah</i> -Terrorism Relationship.....	291
5.3.1	The Textual Source of <i>Ḥirābah</i> in the Qur'ān .....	292
5.3.2	The Context of Revelation .....	294
5.3.3	Lexical Definition of <i>Ḥirābah</i> .....	297
5.3.4	Technical Definitions of <i>Ḥirābah</i> .....	299
5.3.5	Evaluating the Sunnī Definitions: Synthesizing a Definition .....	304
5.4	Elements of <i>Ḥirābah</i> .....	307
5.4.1	The Use of Weapons.....	308
5.4.2	The Site of Commission of <i>Ḥirābah</i> .....	308
5.4.3	The Act of Robbery .....	309
5.4.4	The Act of Terrorizing People .....	310
5.4.5	Causing Corruption.....	310
5.4.6	Exegetical Discourse on Corruption in Qur'ān 5: 32-33 .....	311
5.4.7	The Target of Corruption .....	313
5.5	<i>Ḥirābah</i> and Terrorism: Similarities and Differences.....	314
5.5.1	Opponents of the Majority View.....	316

5.5.2	Al-Şāwī’s Refutation of al-Qaraḍāwī’s <i>Fatwā</i> .....	319
5.5.3	Evaluation of Al-Şāwī’s Refutation .....	320
5.5.4	Evaluation of Haytham’s View .....	322
5.5.5	The Similarity of <i>Ḥirābah</i> to Terrorism with Regards to Punishment.....	324
5.6	Punishment for Terrorism in the Qur’ān .....	325
5.6.1	The Worldly Punishment for Terrorists.....	328
5.6.2	The <i>Tartīb</i> Versus <i>Takhyīr</i> Approaches.....	329
5.6.3	Execution.....	335
5.6.4	Crucifixion .....	336
5.6.5	Amputation.....	338
5.6.6	Banishment.....	339
5.7	Repentance of <i>Muḥāribīn</i> .....	340
5.8	Conclusion .....	342
	<b>CONCLUSION .....</b>	<b>344</b>
	<b>BIBLIOGRAPHY .....</b>	<b>355</b>

# TRANSLITERATION OF ARABIC CHARACTERS

The following conventions have been used throughout:

## CONSONANTS

'	dh	ẓ	n
b	r	ᶜ	h
t	z	gh	w
th	s	f	y
j	sh	q	ah
ḥ	ṣ	k	al
kh	ḍ	l	
d	ṭ	m	

## VOWELS

Short vowels		Long vowels		Doubled	
fathā	a	ā		uwwa final	ū
ḍamma	u	ū		iyya final	ī
kasra	i	ī		anna	

## DIPHTHONGS

aw :

ay :

*Hamzah* (') is omitted at the beginning of a word.

Final *tā' marbūṭah* ( ) is transliterated (h)

# INTRODUCTION

The Qur'ān, a divine book widely followed by one fifth of the world's population, has been the subject of extreme interpretations by some Muslims and non-Muslims whose research is based on ill-informed sources and, therefore, lacks scientific objectivity. Many Qur'ānic verses are intentionally quoted out of their original contexts to suit political and ideological agendas by individuals or groups whose objective is to disseminate fear and terror in our already troubled world.<sup>1</sup>

Since the September 11<sup>th</sup> 2001 attacks, some trends in the West consider Islam and the Muslim world "...as sources of threat to the international order and as the main source of terrorism and violence in the name of religion".<sup>2</sup> The Qur'ān, in particular, has been perceived as a book from which terrorism is originally derived, as a result of some extreme interpretations by some members of the Muslim community.<sup>3</sup> As a result, "...Qur'ānic exegesis has become an ideological weapon employed by various socio-political powers to maintain or to change the *status quo*, a conservative weapon to maintain and a revolutionary weapon to change."<sup>4</sup>

This study, therefore, examines one issue, namely terrorism, from a Qur'ānic perspective. It attempts to elucidate how terrorism is defined, whether or not it is related

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<sup>1</sup> T.P. Schwartz-Barcott, *War, Terror and Peace in the Qur'an and in Islam: Insights for Military and Government Leaders* (Carlisle, PA: Army War College Foundation Press, 2004), pp. 2-4.

<sup>2</sup> Nadia Mahmoud Mostafa, "The Missing Logic in Discourses of Violence and Peace in Islam: The Necessities of a Middle View after the 11<sup>th</sup> of September 2001", in Abdul Aziz Said, Mohammed Abu-Nimer and Meena Sharify-Funk, eds., *Contemporary Islam: Dynamic, Not Static* (London: Routledge, 2006), p. 174.

<sup>3</sup> Amritha Venkatraman, "Religious Basis for Islamic Terrorism: The Quran and Its Interpretations", *Studies in Conflict and Terrorism*, Vol. 30, No. 3, 2007, p. 231.

<sup>4</sup> Hussein Abdul-Raof, *Schools of Qur'ānic Exegesis: Genesis and Development* (London: Routledge, 2010), p. 14.

to other concepts that are Qur'ānic, such as jihād and martyrdom, and whether or not the Qur'ān offers punitive measures to combat it.

## 1. Exegetical Background Relevant to this Study

The starting point of this research is the Qur'ān itself<sup>5</sup> as interpreted by selected classical and modern exegeses. One of the main assumptions from which this thesis starts is that the Qur'ān, according to what Muslims believe, is the Word of God revealed through the Angel Gabriel to Muḥammad (d. 11/632).<sup>6</sup> Although the Qur'ān was revealed piecemeal over a period of 23 years, its exegesis "...started from the very first day of its revelation" and "...will continue to the very last day of its existence as a Scripture".<sup>7</sup>

Since the first/seventh century, it has been widely acknowledged that the Qur'ān needed *tafsīr*<sup>8</sup> (exegesis) even in the time of Muḥammad.<sup>9</sup> During Muḥammad's

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<sup>5</sup> According to M.A.S. Abdel Haleem, "The Qur'an was the starting point for all the Islamic sciences: Arabic grammar was developed to serve the Qur'an, the study of Arabic phonetics was pursued in order to determine the exact pronunciation of Qur'anic words, the science of Arabic rhetoric was developed in order to describe the features of the inimitable style of the Qur'an, the art of Arabic calligraphy was cultivated through writing down the Qur'an, the Qur'an is the basis of Islamic law and theology." M.A.S. Abdel Haleem, *The Qur'an: A New Translation* (Oxford: Oxford University Press, 2005), p. 9.

<sup>6</sup> See, for example, Haleem, *Qur'an*, p. 14; Richard Bonney, *Jihād: From the Qur'ān to bin Laden* (Basingstoke: Palgrave Macmillan, 2004), pp. 21 f.; Tamara Sonn, "Introducing", in Andrew Rippin, ed., *The Blackwell Companion to the Qur'ān* (Oxford: Wiley-Blackwell, 2009), p. 3; J.M.S. Baljon, *Modern Muslim Koran Interpretation (1880-1960)* (Leiden: Brill, 1968), p. 1.

<sup>7</sup> Abdul-Raof, *Schools of Qur'ānic Exegesis*, p. 2. See also, Kate Zebiri, *Maḥm-d Shalt-t and Islamic Modernism* (Oxford: Clarendon Press, 1993), p. 128.

<sup>8</sup> Literally, the Arabic word *tafsīr* refers to interpretation, exegesis and explanation. While it refers mostly to the interpretation of the Qur'ānic text, it also refers to commentaries on Greek scientific and philosophical works, being equivalent in this last meaning to the Arabic word *sharḥ* (explanation). Technically, it refers to exerting the utmost human effort to communicate the meanings of the Qur'ān. See, for example, Muṣṭafā bin °Abdullāh al-Qusṭantīnī, *Kashf al-Zun-n °an Asāmī al-Kutub wa al-Fun-n* (Beirut: Dār al-Kutub al-°Ilmiyyah, 1992/1413), Vol. 1, p. 427; Muḥammad Husayn al-Dhahabī, *°Ilm al-Tafsīr* (Cairo: Dār al-Ma°ārif, n.d.), pp. 5 f.; Majma° al-Lughah al-°Arabiyyah, *Al-Mu°jam al-Wajīz* (Cairo: Egyptian Ministry of Education, 1994/1415), p. 471; Claude Gilliot, "Exegesis of the Qur'ān: Classical and Medieval", in Jane

lifetime, his companions used to ask him about the meanings of certain verses or words which they found difficult to understand.<sup>10</sup> While we may accept that Muḥammad was the first exegete of the Qur’ān,<sup>11</sup> he did not, however, explain the whole text to his companions.<sup>12</sup> After his death, some of them became famous for interpreting the Qur’ān,<sup>13</sup> prominent among them being ʿAbdullāh ibn ʿAbbās (d. 68/687), Ubayy ibn Kaʿb (d. 20/640), and ʿAbdullāh ibn Masʿūd (d. 32/653).<sup>14</sup>

After the companions, some of the *tābiʿīn* (successors) who followed their companion teachers are: al-Ḥasan al-Baṣrī (d. 110/728), Muqātil ibn Sulaymān

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Dammen McAuliffe, ed., *The Encyclopaedia of the Qur’ān* (Leiden: Brill, 2002), Vol. 2, pp. 99. According to Leah Kinberg, “Reading the Qur’ān without commentary (*tafsīr*) is almost impossible. The text is too general to be understood without additional explanation or detail, and these are generally supplied in the *tafsīr*.” Leah Kinberg, “Contemporary Ethical Issues”, in Andrew Rippin, ed., *The Blackwell Companion to the Qur’ān* (Oxford: Wiley-Blackwell, 2009), p. 465. Moreover, David Marshall adds, “An interesting development in Western Islamic studies in recent decades has been a movement away from the study of the Qur’ān itself to the study of *Tafsīr*, Muslim commentary on the Qur’ān...it is misguided to attempt to study the Qur’ān itself apart from the *Tafsīr*-tradition which has grown up in response to it.” David Marshall, *God, Muhammad and the Unbelievers: A Qur’ānic Study* (Richmond: Curzon, 1999), p. 8.

<sup>9</sup> Muḥammad ʿAbd al-ʿAzīm al-Zarqānī, *Manāhil al-ʿIrfān fī ʿUl-m al-Qur’ān* (Beirut: Dār al-Fikr, 1996/1416), Vol. 2, pp. 9 f.; Al-Dhahabī, *ʿIlm al-Tafsīr*, p. 8, 10, 13-19; Fred Leemhuis, “Origins and Early Development of the Tafsīr Tradition”, in Andrew Rippin, ed., *Approaches to the History of the Interpretation of the Qur’ān* (Oxford: Clarendon Press, 1988), p. 13; Abdul-Raof, *Schools of Qur’ānic Exegesis*, p. xv.

<sup>10</sup> Muḥammad Husayn al-Dhahabī, *Al-Tafsīr wa al-Mufasssīr-n: Baḥth Tafṣīlī ʿan Nash’at al-Tafsīr wa Taṭawwuruh wa Alwānuh wa Madhāhibuh maʿa ʿArḍ Shāmil li Ashhar al-Mufasssīrīn wa Tahlīl Kāmil li Aḥamm Kutub al-Tafsīr min ʿAṣr al-Nabiyy Ṣallā Allāhu ʿalayhi wa Sallam ilā ʿAṣrinā al-Ḥādīr* (Cairo: Dār al-Ḥadīth, 2005/1426), Vol. 1, p. 43.

<sup>11</sup> Jane Dammen McAuliffe, *Qur’ānic Christians: An Analysis of Classical and Modern Exegesis* (Cambridge: Cambridge University Press, 1991), p. 13.

<sup>12</sup> This, according to Abdul-Raof, is because they “...understood the Qur’ān and witnessed its circumstances of revelation at first hand”. See Abdul-Raof, *Schools of Qur’ānic Exegesis*, p. 3.

<sup>13</sup> The view of considering some of the companions of Muḥammad as exegetes follows the traditional Muslim perspective. The Orientalist view, however, questions the reliability of exegesis in this period. According to Claude Gilliot, “...additional research is needed, including work on manuscripts, to elucidate more fully the problems of the beginnings and early development of Qur’ānic exegesis.” Claude Gilliot, “Exegesis of the Qur’ān”, pp. 102 f.

<sup>14</sup> Al-Dhahabī, *Al-Tafsīr wa al-Mufasssīr-n*, Vo. 1, pp. 59 f.; Abdul-Raof, *Schools of Qur’ānic Exegesis*, p. 7.

(d.150/767), and Sufyān al-Thawrī (d. 161/778).<sup>15</sup> It was only during the post-successors' period, in the first quarter of the second/eighth century, that Qur'ānic exegesis started to become an independent genre, especially when it was crowned by the exegesis of al-Ṭabarī (d.311/923).<sup>16</sup> Subsequently, a great number of exegetical works were written during the classical period, enriching the library of Qur'ānic exegesis, which started to grow steadily thanks to famous works of notable exegetes such as al-Zamakhsharī (d. 538/1144), al-Rāzī (d. 606/1209), al-Nasafī (d. 710/1310), Ibn Kathīr (d.774/1373), al-Bayḍāwī (d. 791/1389), and al-Suy-ṭī (d. 911/1505), among many others.

The modern phase of exegesis started in the wake of World War II and the independence of Muslim countries from the colonial powers, resulting in the evolution of "...literary exegesis with political leanings, as well as the emergence of scientific tafsīr which has emerged as a result of the scientific and medical developments during the twentieth century".<sup>17</sup> The efforts of Muslims in interpreting the Qur'ān continue until the present day with the aim of making the Qur'ān "...more accessible to an increasingly literate but not necessarily formally religiously-trained population".<sup>18</sup>

The above brief tracing of the development of Qur'ān exegesis shows that the history of *tafsīr* can roughly be divided into three stages:<sup>19</sup> the formative, from the lifetime of Muḥammad until the second/eighth century; the classical, from the first

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<sup>15</sup> Jane Dammen McAuliffe, "Preface", in Jane Dammen McAuliffe, ed., *The Encyclopaedia of the Qur'ān* (Leiden: Brill, 2002), Vol. 1, p. 4; Abdul-Raof, *Schools of Qur'ānic Exegesis*, p. 7.

<sup>16</sup> Leemhuis, "Origins and Early Development of the Tafsīr Tradition", p. 30; Abdul-Raof, *Schools of Qur'ānic Exegesis*, p. 7; Al-Dhahabī, *ʿIlm al-Tafsīr*, p. 36.

<sup>17</sup> Abdul-Raof, *Schools of Qur'ānic Exegesis*, p. 11.

<sup>18</sup> Rippin, "Tafsīr", p. 87;

<sup>19</sup> According to Andrew Rippin, "In tracing the historical developments of the genre, it is possible to separate out four periods of expression: formative, classical, mature, and contemporary. The separation is artificial, particularly fuzzy at the edges and certainly in need of refinement." Rippin, "Tafsīr", p. 85.

quarter of the second/eighth century to the pre-modern period; and the modern, from the late nineteenth century up to the present.<sup>20</sup>

Over the various historical phases of exegesis, the following five genres can be identified on the basis of the methodology applied by exegetes:<sup>21</sup> First, *al-tafsīr al-tahlīlī* (analytical exegesis), in which all the verses are interpreted according to their arrangement in a given *s-ra* (chapter). This is also called *al-tafsīr al-musalsal* (verse-by-verse/serial/sequential exegesis). Second, *al-tafsīr al-ijmālī* (synoptic exegesis), in which an exegetical outline of the verses is given according to their arrangement in a certain *s-ra*. Third, *al-tafsīr al-muqāran* (comparative exegesis), in which the exegete analytically compares the different views of exegetes on an exegetical problem by a given verse. Fourth, *al-tafsīr al-adabī* (literary exegesis), which depends on interpreting the Qur'an using a simple language and style in order to make it more accessible to the ordinary reader. Fifth, *al-tafsīr al-mawḍi'ī* (thematic exegesis), in which the verses in one or more *s-ra* thought to share the same theme are collected together for purposes of exegetical analysis.<sup>22</sup> Out of the above five types, thematic exegesis which is viewed as

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<sup>20</sup> Abdullah Saeed, *Interpreting the Qur'an: Towards a Contemporary Approach* (London: Routledge, 2006), pp. 8-12; Abdul-Raof, *Schools of Qur'anic Exegesis*, p. 11. See also, Shuruq Abdul Qader Naguib, "The Meaning of Purity in Classical Exegesis of the Qur'an" (PhD Thesis, Department of Middle Eastern Studies, University of Manchester, 2003), p. 41; Rotraud Wielandt, "Exegesis of the Qur'an: Early Modern and Contemporary", in Jane Dammen McAuliffe, ed., *The Encyclopaedia of the Qur'an* (Leiden: Brill, 2002), Vol. 2, pp.124-142.

<sup>21</sup> Two other fundamental genres can also be identified on the basis of the source of exegesis: First, *al-tafsīr bi al-ma'th-r* (traditional exegesis), in which the exegete depends on the Prophetic Tradition, the sayings of the Prophet's companions, and other early authorities. Second, *al-tafsīr bi al-ra'y* (rational/hypothetical exegesis), in which the exegete employs his personal opinion. See, Jane Dammen McAuliffe, "The Tasks and Traditions of Interpretation", in Jane Dammen McAuliffe, ed., *The Cambridge Companion to the Qur'an* (Cambridge: Cambridge University Press, 2006), pp. 189 f.; 'Abd al-Mun'im al-Nimr, *'Ilm al-Tafsīr: Kayfa Nasha' wa-Taṭawwara ḥattā Intahā ilā 'Aṣrinā al-Ḥāḍir* (Cairo: Dār al-Kitāb al-Miṣrī, 1985/1405), pp. 99-105; Mannā' al-Qaṭṭān, *Mabāḥith fī 'Ul-m al-Qur'an* (Cairo: Maktabat Wahbah, 11<sup>th</sup> ed., 2000), pp. 337-356.

<sup>22</sup> Al-Dhahabī, *'Ilm al-Tafsīr*, p. 39-52; Abdul-Raof, *Schools of Qur'anic Exegesis*, pp. 92-98.

strongly relevant to and can, therefore, be said to be applicable to the main topic of this thesis (i.e. terrorism) will to be highlighted.

## 2. Thematic Exegesis as a Focus of this Study

Thematic exegesis of the Qur'ān is a relatively new term in Qur'ānic scholarship. Until today, its existence as an independent genre is hardly discernible in modern Islamic libraries although it is of vital importance<sup>23</sup> to Qur'ānic scholarship in general and exegesis in particular.<sup>24</sup>

Two narratives are usually cited to trace the origin of thematic exegesis in the modern period.<sup>25</sup> The first states that the term became known only in the 1960s as a result of widespread controversy related to the submission of a PhD thesis at al-Azhar University by Muḥammad Maḥm-d Hijāzī (1914-1972) on *Al-Wiḥdah al-Mawḍ- 'iyyah fī al-Qur'ān al-Karīm* (Thematic Unity in the Ever-Glorious Qur'ān). It is said that, because this topic at the time was unfamiliar to the examination committee, the degree was not granted to the student. The second traces the modern origin of the term to the 1980s when a course under the title *al-Tafsīr al-Mawḍ- 'ī li-al-Qur'ān al-Karīm* (Thematic Exegesis of the Ever-Glorious Qur'ān) was introduced as part of the

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<sup>23</sup> For the significance of thematic exegesis of the Qur'ān see, Aḥmad As-Sayyid al-K- mī and Muḥammad Aḥmad Y- suf al-Qāsim, *Al-Tafsīr al-Mawḍ- 'ī li-al-Qur'ān al-Karīm* (Cairo: N.p, 1982/1402), pp. 17-20.

<sup>24</sup> 'Abd al-Sattār Faṭḥallah Sa'īd, *Al-Madkhal Ilā al-Tafsīr al-Mawḍ- 'ī* (Cairo: Dār al-Ṭibā'ah wa al-Nashr al-Islāmiyyah, 1986), p. 21; 'Abd al-Ḥayy al-Faramāwī, *Al-Bidāyah fī al-Tafsīr al-Mawḍ- 'ī: Dirāsah Manhajiyyah* (Cairo: N.p, 2<sup>nd</sup>. ed., 1977/1397), p. 52.

<sup>25</sup> According to Ziyād al-Daghāmīn, while it is believed that interest in thematic exegesis started during the second\ eighth century at the hands of Qatādah ibn Di'āmah al-Sad- sī (d. 118/736), author of *Al-Nāsikh wa-al-Mans- kh*, Ab- 'Ubaydah al-Qāsim ibn Sallām (d. 224/838) and Ab- Bakr al-Sijistānī (d.330/942), these efforts cannot be considered a contribution in thematic exegesis. Rather, they are best described as studies in Qur'ānic scholarship. See Ziyād Khalīl Muḥammad al-Daghāmīn, *Manhajiyyat al-Baḥṭh fī al-Tafsīr al-Mawḍ- 'ī li-al-Qur'ān al-Karīm* (Amman: Dār al-Bashīr, 1995/1416), pp. 18 f.

curriculum in the department of exegesis at the faculty of Uṣ-ḥ al-Dīn at al-Azhar University in Cairo.<sup>26</sup>

Without judging which of the two narratives is authentic, both refer to the scholarly precedence of al-Azhar University scholars in this field. It is also clear that thematic exegesis, as an independent genre, is relatively new,<sup>27</sup> a fact still widely acknowledged in more than 50 research papers submitted to an important two-day conference held on 25-26 April 2010 at the University of Sharjah in the United Arab Emirates (UAE) under the title “Thematic Exegesis of the Qur’ān: Reality and Prospects”.<sup>28</sup>

Thematic exegesis is of two types. The first, is the thematic genre of *suwar*, in which the exegete reflects on the *s- ra* as an independent unit, explaining how its verses are linked together.<sup>29</sup> The most famous of the many modern scholars who took great interest in this genre of exegesis are Muḥammad ‘Abdullāh Dirāz (1894/1312-1958/1377) in his *Al-Nabā’ al-‘Azīm*, which has been recently translated into English, and Muḥammad al-Ghazālī (1917/1335-1996/1417) in his *Naḥwā Tafsīr Mawḍ-‘ī li- Suwar al-Qur’ān al-Karīm*, which has also been translated into English.<sup>30</sup>

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<sup>26</sup> Al-K- mī and Al-Qāsim, *Al-Tafsīr al-Mawḍ-‘ī li-al-Qur’ān al-Karīm*, pp. 6-35; Mohamed El-Tahir El-Mesawi, “The Methodology of al-Tafsīr al-Mawḍ-‘ī: A Comparative Analysis”, *Intellectual Discourse*, Vol. 13, No. 1, 2005, p. 2.

<sup>27</sup> For a useful survey of some modern studies on thematic exegesis, see Al-Daghāmīn, *Manhajīyyat al-Baḥth fī al-Tafsīr al-Mawḍ-‘ī*, pp. 21-27.

<sup>28</sup> For more on the significance of this important conference, see <http://www.sharjah.ac.ae/Arabic/Conferences/tehq/Pages/default.aspx>; Internet; accessed 25 May 2010. To download the research papers see, [http://www.4shared.com/dir/37950284/e8816d3b/\\_\\_\\_\\_\\_](http://www.4shared.com/dir/37950284/e8816d3b/_____).html; Internet; accessed 25 May 2010.

<sup>29</sup> Al-Faramāwī, *Al-Bidāyah fī al-Tafsīr al-Mawḍ-‘ī*, p. 51; Riyāḍ al-Akhras, *Al-Mujrayāt al-Ijtīmā‘īyyah wa-al-Tawajjuh naḥwa al-Tafsīr al-Mawḍ-‘ī* (Beirut: Dār al-Hādī li al-Ṭibā‘ah wa-al-Nashr wa-al-Tawzī‘, 2006/1427), p. 98.

<sup>30</sup> See Muḥammad ‘Abdullāh Dirāz, *Al-Nabā’ al-‘Azīm* (Kuwait: Dār al-Qalam, 2<sup>nd</sup> ed., 1970); idem, *The Qur’ān: An Eternal Challenge, Al-Nabā’ al-‘Azīm*, trans. and ed. Adil Salahi (Leicester: Islamic Foundation, 2001/1421); Muḥammad al-Ghazālī, *Naḥwā Tafsīr Mawḍ-‘ī li-*

The second, is the thematic genre of verses, in which the exegete is concerned with collecting verses that deal with the same topic in an attempt to clarify the Qur'anic view regarding a specific issue.<sup>31</sup> According to the modern Egyptian philosopher, Hassan Hanafi, "All of the verses sharing one thematic interest are gathered, read in conjunction and understood together, if necessary several times over until the major orientation of the texts as a whole becomes apparent."<sup>32</sup>

An example for a modern academic study dealing with this latter type of thematic genre is Kāmil Salāmah al-Daqs's *Āyāt al-Jihād fī al-Qur'ān al-Karīm: Dirāsah Mawḍū'īyyah wa Tārīkhīyyah wa Bayāniyyah* (Jihād Verses in the Ever-Glorious Qur'ān: Thematic, Historical and Rhetorical Study).<sup>33</sup>

First, and importantly, this type of thematic genre is the one that will be adopted in this thesis because it is through it that all verses widely thought to deal with terrorism from a Qur'anic perspective, as well as other themes such as jihād and martyrdom, can be easily identified. Second, and no less importantly, the selected exegeses for this study will also refer, even if indirectly, to this type of thematic genre as will be clarified from the biographical sketches of the exegetes below.

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*Suwar al-Qur'ān al-Karīm* (Cairo: Dār al-Shur-q, 3<sup>rd</sup> ed., 1997); idem, *Thematic Commentary on the Qur'ān*, trans. Ashur A. Shamis, rev. Zaynab Alawiye (Herndon, VA: International Institute of Islamic Thought, 2000/1421).

<sup>31</sup> Al-Faramāwī, *Al-Bidāyah fī al-Tafsīr al-Mawḍū'ī*, p. 52; Abdul-Raof, *Schools of Qur'anic Exegesis*, p. 97. See also Mohamed El-Arabawy Hashem, "The Concept of Human Being in the Qur'ān with Special Reference to the Interpretations of 'Abduh (1226/1849-1323/1905), Quṭb (1323/1906-1385/1966), Al-Sha'rāwī (1329/1911-1419/1998) and Al-Azhar Magazine (*Majallat al-Azhar*) (1384/1965-)" (PhD Thesis, Department of Theology and Religion, School of Philosophy, Theology and Religion, College of Arts and Law, University of Birmingham, March 2009), p. 7.

<sup>32</sup> Hassan Hanafi, "Method of Thematic Interpretation of the Qur'an", in Stefan Wild, ed., *The Qur'an as Text* (Leiden: Brill, 1996), p. 204.

<sup>33</sup> Kāmil Salāmah al-Daqs, *Āyāt al-Jihād fī al-Qur'ān al-Karīm: Dirāsah Mawḍū'īyyah wa Tārīkhīyyah wa-Bayāniyyah* (Kuwait: Dār al-Bayān, 1972/1392), pp.5-181.

### 3. The Exegetes and Their Commentaries

Eight selected works of classical and modern exegesis from the first quarter of the second/eighth century up to the end of the twentieth century constitute the main sources for the examination of terrorism from a Qur'ānic perspective in this study. The main sources from the classical period are the exegeses of al-Ṭabarī (d. 310/922), al-Rāzī (d. 606/1209), al-Qurṭubī (d. 617/1272), and al-Al-sī (1270/1854). The main sources from the modern period are °Abduh (d. 1323/1905), Riḍā (d. 1353/1935), Darwazah (d. 1404/1985), Quṭb (d. 1385/1966), and al-Sha°rāwī (d. 1419/1998).

Four other classical exegeses, namely those of al-Jaṣṣāṣ (d. 370/981), Ibn al-°Arabī (d. 543/1148)<sup>34</sup>, Ibn Kathīr (d. 774/1373), al-Suy-ṭī (d. 911/1505) and one from the modern period, namely al-Mawd-dī (d. 1979) are also referred to, especially when they offer original ideas or when the verses under discussion are not interpreted by some of the main selected exegeses.

The rationale for selecting the above exegetes is due to the following reasons:

1. They, unlike others, pay special attention to the context of verses talking about jihād and other issues related to the topic of this thesis.
2. Most of them witnessed historical periods in which the relations between Muslims and non-Muslims were hostile. This may explain why the interpretations of some of them were a reflection of their reality.
3. Some Muslims who adopt violence and call for killing others unjustifiably consult the above exegeses quite often to establish authority for their baseless claims.

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<sup>34</sup> Another very famous figure, though not in the field of exegesis but rather in mysticism, is Ibn °Arabī (d. 638/1240). See, Farid Esack, *The Qur'an: A User's Guide* (Oxford: Oneworld, 2007), p. 135.

4. Some of the above exegetes, especially the modern ones such as al-Sha<sup>c</sup>rāwī, were personally involved in combating terrorism. Therefore, highlighting this vital role is necessary and attempting to see whether it is discussed in their exegeses is equally important.
5. The interpretations of some of them were revolutionary such as Quṭb. Therefore, they had a real impact on other Muslims especially those who adopted violence and attempted to search for a Qur'ānic pretext to justify their illegal actions.
6. Some of them, such as Darwazah, have referred to the punishment for terrorism from a Qur'ānic perspective in clear unequivocal terms.

The following is a brief, chronological sketch of the main selected exegetes, with notes on their biographies as well as some aspects of their interpretative styles.

#### **4. Brief Biographical Sketch of the Selected Exegetes**

1) Ab- Ja<sup>c</sup>far Muḥammad ibn Jarīr ibn Yazīd ibn Khālid al-Ṭabarī was born in Tabaristān in Northern Iran in 224/839. He left Tabaristān at the age of twelve to seek Islamic knowledge, touring countries such as Egypt, the Levant and Iraq. After long years of study, he settled in Baghdad and spent most of his life there until he died in 310/922.

Al-Ṭabarī is widely associated with having had a real impact on three Islamic sciences, namely *tafsīr*, history, and *fiqh* (Islamic jurisprudence) although he is best known as a historian and exegete.<sup>35</sup> In Islamic jurisprudence, he was the founder of a successful *madhhab* (school of law) known as *al-Jarīriyyah*, which continued for some

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<sup>35</sup> According to Fudge, “Almost all of Islamic history’s great exegetes were known primarily as some other type of scholar: for example, al-Ṭabarī (d.311/923) was a Sunnī traditionist and legal scholar...” Bruce Fudge, “Qur’ānic Exegesis in Medieval Islam and Modern Orientalism”, *Die Welt des Islams*, Vol. 46, No. 2, 2006, p. 117.

years after his death but eventually died out. In history, his *Tārīkh al-Rus- l wa al-Mul- k wa al-Khulafā'* is an extensive history of the world. In *tafsīr*, his *magnum opus*, *Jāmi' al-Bayān 'an Ta'wīl Āy al-Qur'ān*, is the "...summative repository of the first two and one half centuries of Muslim exegetical endeavour".<sup>36</sup>

One of al-Ṭabarī's main exegetical methods is to rely basically on citations from earlier generations of exegetes. Another is to present different interpretations regarding a particular point and follow this with his own view. One of the distinctive features of his exegesis relevant to this thesis is that he pays special attention to the context of verses and how they relate to each other in different *suwar* of the Qur'ān. While he did not call this "thematic exegesis", his approach definitely carries one of the latter's main features.

Al-Ṭabarī's exegesis has been widely critiqued by many Western scholars, especially with regard to his view about Muslim/non-Muslim relations and suicide in Islam, as will be explained in Chapters Three and Four of this thesis.<sup>37</sup>

2) Fakhr al-Dīn Muḥammad ibn 'Umar al-Tamīmī al-Rāzī was born in Rayy, east of Tehran in 544/1150. After receiving basic religious instruction from his father, Ḍiyā' al-Dīn, who was an erudite scholar, al-Rāzī traveled to various cities in as *Mā warā'a al-*

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<sup>36</sup> McAuliffe, "The Tasks and Traditions of Interpretation", p. 192.

<sup>37</sup> For more on the biography of al-Ṭabarī and his exegesis, see, for example, 'Abd al-Ḥayy al-Faramāwī, "Al-Ṭabarī" in Maḥm-d Ḥamdī Zaqq-q, ed., *Maws- 'at A' lām al-Fikr al-Islāmī* (Cairo: Al-Majlis al-A' lā li-al-Shu'ūn al-Islāmiyyah, 2007/1428), pp. 551-553; Aḥmad Muḥammad al-Ḥ- fī, *Al-Ṭabarī* (Cairo: Al-Mu'assasah al-Miṣriyyah al- 'Āmmah li-al-Ta' lif wa-al-Tarjamah wa-al-Ṭibā' ah wa-al-Nashr, 1963/1382), pp. 31-179; Ibrāhīm 'Awad, *Min al-Ṭabarī ilā Sayyid Quṭb: Dirāsāt fī Manāhij al-Tafsīr wa-Madhāhibuh* (Cairo: Dār al-Fikr al- 'Arabī, 2000/1421), pp. 9-69; Helmut Gätje, *The Qur'ān and Its Exegesis: Selected Texts with Classical and Modern Muslim Interpretations* (Oxford: Oneworld, 1996), pp. 34 f.; 'Abdullāh Sheḥātah, *Ul- m al-Tafsīr* (Cairo: Dār al-Shur- q, 2001/1421), pp. 176-183. See also Naguib, "The Meaning of Purity in Classical Exegesis", pp. 48-53; al-Dhahabī, *Al-Tafsīr wa al-Mufassir- n*, Vo. 1, pp. 180-195; McAuliffe, *Qur'ānic Christians*, pp. 38-45; Muḥammad al-Shabīb and Muḥammad al-Shamlāwī, *Al-Madāris al-Tafsīriyyah: 'Arḍ M- jaz li-Ashhar al-Mufassirīn wa-Manāhijihim fī al-Tafsīr, Mu' jam Yaḍumm Akthar min 100 Tafsīr wa-Mufassir* (Beirut: Mu'assasat al- 'Ārif li-al-Maṭb- 'āt, 2006/1427), pp. 29 f.

*Nahr* (Transoxiana), including Bukhārā, Samarqand and Khaznah as well as other cities such as Khawārazm until he settled in Herat devoting the rest of his life to teaching and writing until his death in 606/1209.

His religious upbringing and his father's interest in jurisprudence and theology seems to have encouraged al-Rāzī to master these two sciences by getting involved in theological debates. On the basis of these debates, he was considered by some to be an erudite scholar and philosopher who influenced later thinkers, especially in theology and exegesis, while others considered him to be heretic. It is not, however, our purpose "...to fall into such value judgments".<sup>38</sup>

In his famous exegesis, *Al-Tafsīr al-Kabīr aw Mafātih al-Ghayb*, al-Rāzī relied on revealed sources such as the Qur'ān and the Sunnah. However, his reliance on rational considerations, which developed as a result of his exposure to a wide range of sciences such as theology, mathematics, jurisprudence, history and biography, logic and philosophy, is a main distinctive feature of his exegesis.

In his exegesis, he usually begins by stating the main theme of his discussion, blending, whenever necessary, *al-tafsīr al-tahlīlī* and *al-tafsīr al-mawḍ-ʿī*.<sup>39</sup> He then divides each theme into subdivisions and sub-subdivisions. Al-Rāzī's character, which had an impact on his exegesis, has led some modern scholars, such as ʿAbd al-Munʿim

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<sup>38</sup> Shalahudin Kafrawi, "Fakhr al-Dīn al-Rāzī's Methodology in Interpreting the Qur'ān" (MA diss., Faculty of Graduate Studies and Research, Institute of Islamic Studies, McGill University, Montreal, Canada, 1998), p. 22.

<sup>39</sup> According to al-Faramāwī, al-Rāzī's focus on thematic exegesis at that time was an interest that did not reach the level of a clear methodology but was rather a brief theme noticeable in his exegesis. See Al-Faramāwī, *Al-Bidāyah fī al-Tafsīr al-Mawḍ-ʿī*, p. 55. However, al-Daghāmīn states that his exegesis bears strong relevance to thematic exegesis. See al-Daghāmīn, *Manhajīyyat al-Baḥth fī al-Tafsīr al-Mawḍ-ʿī*, pp. 98 f.

al-Nimr, to state that his exegesis can be described as a mixture of “...thematic, linguistic, juristic and creedal exegesis”.<sup>40</sup>

The encyclopedic nature of al-Rāzī’s character has also led some modern researchers to attack him as an ideologue of the philosophy of terrorism, an accusation which Chapter One of this thesis will attempt to refute. In addition, the objectives of *turhibūna* (to frighten off), which he mentions when interpreting Qur’ān 8: 60, as well as his views on what the Qur’ān says about seeking martyrdom, are controversial points which Chapters Two and Four of this research will attempt to critique.<sup>41</sup>

3) Muḥammad ibn Aḥmad al-Anṣārī al-Qurṭubī was born in the city of Cordova in Spain, but the date of his birth is uncertain. He received his early religious education in Cordova, and then travelled widely until he settled in *Minyat ibn Khaṣīb*, a small town close to the city of Aṣy-ṭ in Upper Egypt, where he died in 617/1272.

Al-Qurṭubī’s best known work is *Al-Jāmi’ li Aḥkām al-Qur’ān*, which is one of the best known books of traditional exegesis in which the interpretation of juristic issues is one of the distinctive features. This interpretation constitutes an early indirect reference to *al-tafsīr al-mawḍ-‘ī* from a juristic perspective.

In his exegesis, al-Qurṭubī was influenced by his Andalusian predecessors, especially the Mālikī exegete Ibn al-‘Arabī, but in such a way that he also accommodates the views of the opponents of the Mālikī school. While also being

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<sup>40</sup> Al-Nimr, *‘Ilm al-Tafsīr*, p. 128.

<sup>41</sup> For further biographical information on the life of al-Rāzī and his exegesis, see, for example, ‘Abd al-‘Azīz al-Majd-b, *Al-Imām al-Ḥākīm Fakhr al-Dīn al-Rāzī min Khilāl Tafsīrih* (Tunisia: Al-Dār al-‘Arabiyyah li-al-Kutub, 2<sup>nd</sup> ed., 1980/1400), pp. 12-62; Faṭḥallah Khalīf, *Fakhr al-Dīn al-Rāzī* (Alexandria, Egypt: Dār al-Jāmi’āt al-Miṣriyyah, 1976), pp. 4-49; Kafrawī, “Fakhr al-Dīn al-Rāzī’s”, pp. 8-114; ‘Abd al-Ḥayy al-Faramāwī, “Al-Fakhr al-Rāzī” in Maḥm-d Ḥamdī Zaqq-q, ed., *Maws-‘at A’lām al-Fikr al-Islāmī* (Cairo: Al-Majlis al-‘Alā li-al-Shu’ūn al-Islāmiyyah, 2007/1428), pp. 793-795. See also, Naguib, “The Meaning of Purity in Classical Exegesis”, pp. 57-60; al-Nimr, *‘Ilm al-Tafsīr*, pp. 123-129; al-Dhahabī, *Al-Tafsīr wa al-Mufassīr-n*, Vol. 1, pp. 248-253; McAuliffe, *Qur’ānic Christians*, pp. 63-71; al-Shabīb and al-Shamlāwī, *Al-Madāris al-Tafsīriyyah*, pp. 117-122.

influenced by al-Ṭabarī and al-Rāzī, al-Qurṭubī left his impact on later exegetes such as Ibn Kathīr and al-Al-ṣī.

The historical period in which al-Qurṭubī lived in Andalusia was marked by tension in Muslim/non-Muslim relations.<sup>42</sup> This may explain why he attempted to provide a detailed explanation of the Qur'ānic *casus belli*, projecting the hostile attitude towards non-Muslims as the underlying basis of relations between Muslims and non-Muslims. This view is discussed in Chapter Three of this thesis. In addition, his views about the permissibility of *al-inghimās* (plunging into the enemy ranks alone), with certain preconditions, which will be critiqued in Chapter Four of this research, confirm this offensive attitude and have been adopted as evidence by the proponents of 'martyrdom' or 'suicide operations', as will be explained in Chapter Four of this study.

Al-Qurṭubī's views mentioned above should be read and quoted giving regard to their historical and circumstantial contexts, but they are unfortunately misquoted, (ab)used and misinterpreted by Bin Laden and other terrorists. Chapter Three will attempt to deal with this point.<sup>43</sup>

4) Al-Sayyid Maḥm-d al-Alūsī was born in Baghdad in 1217/1802 to a family of scholars in various Islamic sciences. In this distinguished scholarly environment, al-Al-ṣī received his early religious education from his father as well as from other notable scholars based in Baghdad at that time. He also travelled to Beirut, Damascus and

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<sup>42</sup> Mashh-r Ḥasan Maḥm-d Sulaymān, *Al-Imām al-Qurṭubī: Shaykh A'immat al-Tafsīr* (Damascus: Dar al-Qalam, 1993/1413), pp. 22 f.

<sup>43</sup> For more biographical information on the life and exegesis of al-Qurṭubī, see, for example, Sulaymān, *Al-Imām al-Qurṭubī*, pp. 11-179; °Abd al-Ḥayy al-Faramāwī, "Al-Qurṭubī", in Maḥm-d Ḥamdī Zaqq-q, ed., *Maws- °at A °lām al-Fikr al-Islāmī* (Cairo: Al-Majlis al-A °lā li-al-Shu'ūn al-Islāmiyyah, 2007/1428), pp.831 f.; Sheḥātah, °*Ul- m al-Tafsīr*, pp. 192-194. See also al-Qaṭṭān, *Mabāḥith*, pp. 368 f.; Naguib, "The Meaning of Purity in Classical Exegesis", pp. 61-64; al-Nimr, °*Ilm al-Tafsīr*, p. 110; al-Faramāwī, *Al-Bidāyah fī al-Tafsīr al-Mawḍ- °ī*, p. 55; al-Dhabābī, *Al-Tafsīr wa al-Mufasssir-n*, Vol. 2, pp. 401-407; al-Shabīb and al-Shamlāwī, *Al-Madāris al-Tafsīriyyah*, pp. 123 f.

Turkey to seek more Islamic knowledge, before returning to Baghdad, where he died in 1270/1854.

During his lifetime, many parts of the Muslim world were under military occupation and he tried his best to encourage Muslims to revive the spirit of jihād by authoring *Safrat al-Zād li-Safrat al-Jihād*.

Al-Al- sī's *Rūḥ al-Ma'ānī fī Tafsīr al-Qur'ān al-ʿAzīm wa al-Sabʿ al-Mathānī* is famously known as one of the comprehensive exegeses of the classical period. Al-Al- sī read many of the classical exegeses who preceded him before writing his own exegesis. In *Rūḥ al-Ma'ānī*, he uses intellect to interpret the meanings of the Qur'ān, takes much interest in explaining various religious terms especially juristic ones, which may indicate that his exegesis also contributes, even though indirectly, to thematic exegesis.<sup>44</sup>

5) Muḥammad ʿAbduh bin Ḥasan Khayrallah, famously known as Muḥammad ʿAbduh, was born into an educated family in 1226/1849 in the village of Maḥallat Naṣr, Buḥayrah Governorate in Lower Egypt. By the age of twelve, he had memorised the Qur'ān and joined the Aḥmadī al-Azhar Institute, in Ṭanṭā Governorate in Lower Egypt, second only to al-Azhar as a centre of religious learning at that time. After a while, he had to stop studying there because of an unpleasant experience related to the less innovative ways of teaching that were common at that time. Afterwards, he resumed his religious study at al-Azhar in Cairo, where in 1872 he met the well-known social reformer Jamāl al-Dīn al-Afghānī (1254/1838-1314/1897), which was a turning point in

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<sup>44</sup> Al-Daghāmīn, *Manhajīyyat al-Baḥth fī al-Tafsīr al-Mawḍ-ʿī*, p. 37. For more on the biography of al-Al- sī and his exegesis, see Muḥammad Rajab al-Bayy- mī, "Al-Al- sī al-Mufasssīr", in Maḥm- d Ḥamdī Zaqq- q, ed., *Maws- ʿat Aʿlām al-Fīkr al-Islāmī* (Cairo: Al-Majlis al-Aʿlā li-al-Shuʿūn al-Islāmiyyah, 2007/1428), pp. 13-18; al-Nimr, *ʿIlm al-Tafsīr*, p. 103; al-Dhabābī, *Al-Tafsīr wa al-Mufasssīr-n*, Vol. 1, pp. 300-308; al-Shabīb and al-Shamlāwī, *Al-Madāris al-Tafsīriyyah*, pp. 133-135.

his life, as ʿAbduh was introduced to both traditional learning and European works available in translation.

In 1294/1877, ʿAbduh graduated from al-Azhar and was appointed as a lecturer in history at *Dār al-ʿUl-m al-ʿUlyā*.<sup>45</sup> He started to write in local newspapers and became a political activist in the liberal national party along with al-Afghānī, who was banished from Egypt in 1296/1879. ʿAbduh was also barred from teaching until he was pardoned and appointed as the chief editor of *Al-Waqāʿiʿ al-Miṣriyyah* gazette. He joined the ʿUrābī revolution, which was defeated by the British (who were occupying Egypt in 1882), and was banished from Egypt in the same year. Outside Egypt, he went to Beirut and then, in 1884, to Paris, where he met al-Afghānī and they established *Al-Urwah al-Wuthqā* together. When ʿAbduh was permitted to return to Egypt in 1889, he assumed many positions, including notably *Mufī* of Egypt. In Egypt, ʿAbduh committed himself to *al-iṣlāḥ* (reform) in three main domains: the al-Azhar educational system, the discourse through which Islam was presented in mosques, and the Egyptian legal system of Sharīʿah-based courts. ʿAbduh authored many important works, among which his most popular are *Risālat al-Tawḥīd* (1315/1897), *Al-Islām wa al-Naṣrāniyyah maʿā al-ʿIlm wa al-Madaniyyah*, and a sizable part of *Tafsīr al-Manār*. ʿAbduh died in 1323/1905.<sup>46</sup>

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<sup>45</sup> One of the faculties of Cairo University at that time. It is now called Dār al-ʿUl-m.

<sup>46</sup> For more on the biography of ʿAbduh, see, for example, Kenneth Cragg, “ʿAbduh, Muḥammad”, in John L. Esposito, ed., *The Oxford Encyclopedia of the Modern Islamic World* (New York: Oxford University Press, 1995), Vol. 1, pp. 11 f.; Muḥammad ʿImārah, “Muḥammad ʿAbduh (al-Imām)”, in Maḥm-d Ḥamdī Zaqq-q, ed., *Maws-ʿat Aʿlām al-Fikr al-Islāmī* (Cairo: Al-Majlis al-ʿAlā li-al-Shuʿūn al-Islāmiyyah, 2007/1428), pp. 969-971; ʿAbdullāh Maḥm-d Sheḥātah, “Manhaj al-Imām Muḥammad ʿAbduh fī Tafsīr al-Qurʾān al-Karīm” (MA diss., Faculty of Dār al-ʿUl-m, Cairo University, Egypt, 1380/1960), pp. 3-30; al-Dhahabī, *Al-Tafsīr wa al-Mufasssir-n*, Vol. 2, pp. 483-504. See also, Zebiri, *Maḥm-d Shalt-t*, pp. 132-140; Baljon, *Modern Muslim Koran Interpretation*, pp. 4 f.; Johannes J. G. Jansen, *The*

6) Muḥammad Rashīd Riḍā was born in al-Qalam-n, a village near Tripoli in northern Lebanon, in 1282/1865. After one year of study in a local Turkish school in Tripoli, which he did not enjoy, he joined the National Islamic School founded by an enlightened Tripoli Sheikh, Husayn al-Jisr (1845-1909), and then the Religious School. In both schools, he studied religious education and modern sciences, especially French, Arabic, Turkish, mathematics and natural sciences. By the end of 1897, and after finishing his undergraduate degree in Tripoli, Riḍā left his birthplace for Egypt.

Three main influential figures inspired Riḍā's thought. The first is Sheikh Husayn al-Jisr who instilled in Riḍā that "...the progress of the Muslim nation was through a synthesis of religious education and modern sciences".<sup>47</sup> The second is al-Afghānī, whom Riḍā came to know about accidentally when he happened to rummage through his late father's papers and discovered some issues of *Al-ʿUrwah al-Wuthqā*. The third is ʿAbduh, with whom Riḍā associated himself after al-Afghānī's death.

In Egypt, Riḍā furthered his studies by attending al-Azhar in Cairo under ʿAbduh's supervision, and soon he published the first issue of his journal *Al-Manār*. He remained attached to ʿAbduh as a student and later as a colleague until the latter's death, when "Riḍā established himself more as a leading heir..." of ʿAbduh's reformist ideas "...by taking over the commentary of the Qur'ān known as *Tafsīr al-Manār*, which

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*Dual Nature of Islamic Fundamentalism* (London: Hurst & Company, 1997), pp.26-33; idem, *The Interpretation of the Koran in Modern Egypt* (Leiden: Brill, 1974), pp. 18-34.

<sup>47</sup> Emad Eldin Shahin, "Rashīd Riḍā, Muḥammad", in John L. Esposito, ed., *The Oxford Encyclopedia of the Modern Islamic World* (New York: Oxford University Press, 1995), Vol. 3, p. 410.

Abduh had begun.”<sup>48</sup> He also continued his efforts at political and social reform until he died in 1353/1935.<sup>49</sup>

*Tafsīr al-Manār*, which is incomplete, consists of twelve volumes. Four of them were a transcription of °Abduh’s lectures by Riḍā from *s-ra* one (al-Fātiḥah) up to verse 125 of *s-ra* four (al-Nisā’).<sup>50</sup> Riḍā continued his exegesis up to verse 52 of *s-ra* twelve (Y-suf). According to al-Dhahabī (1915-1977), Bahjat al-Bayṭār (d. 1976) completed the exegesis of this *s-ra* and published it separately under Riḍā’s name.<sup>51</sup>

In this study, Riḍā is considered the main author of *Tafsīr al-Manār*, and whenever an opinion of °Abduh is referred to it is either attributed to °Abduh directly, as in Chapter Three, or explanatory phrases such as ‘*Riḍā quoted °Abduh as saying...*’ and ‘*In a statement attributed to °Abduh...*’ are sometimes inserted, as in Chapter Four of this thesis.

As far as thematic exegesis is concerned, it is clear throughout *Tafsīr al-Manār* that Riḍā is concerned with it, especially when he criticises the classical exegetes for not

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<sup>48</sup> Umar Ryad, “Islamic Reformism and Christianity: A Critical Reading of the Works of Muḥammad Rashīd Riḍā and His Associates (1898-1935)” (PhD Thesis, Faculty of Humanities, Institute for Religious Studies, Leiden University, The Netherlands, 2008), p. 3.

<sup>49</sup> For more on the biography of Riḍā, see, for example, Shahin, “Rashīd Riḍā”, pp. 410-412; idem, “Muḥammad Rashīd Riḍā’s Perspectives on the West as Reflected in *Al-Manar*”, *The Muslim World*, Vol. 79, No. 2, April 1989, pp. 113-132; Muḥammad °Imārah, “Muḥammad Rashīd Riḍā”, in Maḥm-d Ḥamdī Zaqq-q, ed., *Maws- °at A °lām al-Fikr al-Islāmī* (Cairo: Al-Majlis al-A °lā li-al-Shu’ūn al-Islāmiyyah, 2007/1428), pp. 946 f.; Aḥmad al-Sharabāšī, *Rashīd Riḍā: Al-Šaḥafī, al-Mufasssir, al-Shā °ir, al-Lughawī* (Cairo: Al-Majlis al-A °lā li-al-Shu’ūn al-Islāmiyyah, 1977), pp. 10-90; Ibrāhim Aḥmad al-°Adawī, *Rashīd Riḍā: Al-Imām al-Mujāhid* (Cairo: Al-Mu’assasah al-Miṣriyyah al-°Āmmah li-al-Ta’līf wa-al-Anbā’ wa-al-Nashr, n.d.), pp. 208-214; Ana Belén Soage, “Rashīd Riḍā’s Legacy”, *The Muslim World*, Vol. 98, No. 1, January 2008, pp. 1-23; al-Dhahabī, *Al-Tafsīr wa al-Mufasssir-n*, Vo. 2, pp. 505-517; McAuliffe, *Qur’ānic Christians*, pp. 78-85.

<sup>50</sup> According to Rotraud Wielandt, “°Abduh’s actual share in it [i.e. of *Tafsīr al-Manār*] consists of the record of a series of lectures that he gave at al-Azhar University around the year 1900 which covered the text of the Qur’ān from the beginning to Q 4: 124. His pupil Muḥammad Rashīd Riḍā took notes of these lectures which he afterwards elaborated and showed to his teachers for approval or correction.” Wielandt, “Exegesis of the Qur’ān”, p. 128.

<sup>51</sup> Al-Dhahabī, *Al-Tafsīr wa al-Mufasssir-n*, Vol. 2, p. 507.

exerting much effort to present the Qur'ān as a source of guidance as much as they did with, for example, theology and jurisprudence.<sup>52</sup>

7) Muḥammad ʿAzzah Darwazah was born in Nābulus in Palestine in 1305/1887. He received his early education in Nābulus until he graduated from its high school in 1905. He then joined the Ottoman civil service and was promoted to be deputy of the Nābulus post office. At that time, his cultural background started to take shape, especially through his regular reading of many periodicals and magazines in circulation in the Arab world at that time. He moved to Beirut to work for the postal service and then returned to Nābulus in 1918 to briefly work as the manager of the Palestinian *awqāf* (endowments) and then to administer al-Najāḥ National School in Nābulus from its inception in 1922. During the period of unrest in Palestine in 1936, and while he was on a visit to Damascus, he was barred from returning to Palestine and was imprisoned for some time there. He eventually left Damascus for Turkey, where he remained until the end of 1945. He then returned to Damascus, where he stayed until his death in 1404/1985.

Darwazah was a prolific author who wrote more than 30 books in various disciplines. However, his *Al-Tafsīr al-Ḥadīth: Tartīb al-Suwar Ḥasab al-Nuzūl* is one of his remarkable achievements. In this exegesis, Darwazah interprets the Qur'ān according to the chronological arrangement of the *suwar*, allowing "...the Qur'ān to speak for itself and be understood in the way it was understood by the Meccans of the Prophet's time."<sup>53</sup> He is also concerned with how verses of the Qur'ān are contextually

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<sup>52</sup> Muḥammad Rashīd Riḍā, *Tafsīr al-Qur'ān al-Ḥakīm: Al-Mushtahir bi ism Tafsīr al-Manār* (Cairo: Dār al-Manār, 2<sup>nd</sup> ed., 1947/1366), Vol. 7, pp. 499 f. See also al-Daghāmīn, *Manhajīyyat al-Baḥth fī al-Tafsīr al-Mawḍ-ʿī*, p. 20.

<sup>53</sup> Ismail K. Poonawala, "Muḥammad ʿIzzat Darwaza's Principles of Modern Exegesis: A Contribution towards Quranic Hermeneutics", in G.R. Hawting and Abdul-Kader A. Shareef, eds., *Approaches to the Qur'ān* (London: Routledge, 1993), p. 238.

and thematically interrelated because, in his view, this leads to better understanding of the Qur'ān.

Darwazah is the only exegete of the classical and modern period dealt with in this study to have clearly tackled the problem of punishment for terrorism with clear reference to the Qur'ān. In his exegesis, he maintains that peace is the underlying principle governing relations between Muslims and non-Muslims, a point clearly opposed by Quṭb, who considers Riḍā and Darwazah as 'defeatists' and 'apologetics', as will be seen in Chapter Three of this research.<sup>54</sup>

8) Sayyid Quṭb Ibrāhīm Ḥassan al-Shādhilī, famously known as Sayyid Quṭb, was born in 1323/1906 in the village of M-shā in Asy-ṭ Governorate in Upper Egypt. He memorized the Qur'ān at the age of ten before joining the government school, from which he graduated in 1918. He moved to Cairo to pursue his secondary education, joined the Faculty of Dār al-ʿUl-m in 1930 and graduated in 1933. Between 1933 and 1951, he worked as an employee in the Egyptian Ministry of Education, where he served as an inspector for some years. During this period, he was sent on an education mission to the United States for two years. On his return journey to Egypt in 1950, he visited England, Switzerland and Italy. After his return, he joined *al-Ikhwān al-Muslim-n* (Muslim Brotherhood) and worked as the editor of the group's magazine *Al-Riṣālah*. During the 1950s and 60s, he was the Brotherhood's chief ideologue.

During his lifetime, Quṭb was arrested and imprisoned three times. His first imprisonment, in early 1954 together with prominent leaders of the Muslim Brotherhood, lasted for three months. His second took place in October 1954, when

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<sup>54</sup> For further information on the life of Darwazah and his exegesis, see Poonawala, "Muḥammad ʿIzzat Darwaza's Principles of Modern Exegesis", pp. 225-246; Muḥammad ʿAzzah Darwazah, *Al-Taḥsīn al-Ḥadīth: Tartīb al-Suwar Ḥasab al-Nuzūl* (Beirut: Dār al-Gharb al-Islāmī, 2<sup>nd</sup> ed., 2000), Vol. 1, pp. 276-278; Zebiri, *Maḥm-d Shalt-t*, pp. 145 f.

shots were fired at the late Egyptian President Jamāl ʿAbd al-Nāṣir (1918-1970). The intervention and mediation of the Iraqi President ʿAbd al-Salām ʿĀrif (1921-1966) led to Quṭb’s release after he began to suffer from poor health as a result of brutal torture. He was rearrested for the third time in August 1965 and charged with attempting to assassinate ʿAbd al-Nāṣir; he was sentenced to death on 21 August 1966 and executed one week later. Ever since, he has been regarded as a martyr by his supporters.

During his period of imprisonment, Quṭb is widely believed to have “...developed a radical approach, rejecting the then state system as illegitimate and ‘un-Islamic.’”<sup>55</sup> As a result, some see him as the ideologue of most of the modern terrorist groups, going as far as to include the perpetrators of the September 11th 2001 attacks as well as al-Qaeda and its leader Osamah Bin Laden (1957-). Others see him “...as a victim of state persecution who developed a theology of liberation in reaction to his maltreatment”.<sup>56</sup> Importantly, these opinions are presented in detail, along with other controversial views of Quṭb in Chapter Three of this thesis. No less important is the ongoing controversy surrounding Quṭb as a character who, perhaps unlike many others, became more famous after his execution than he was in his lifetime by living—of course longer than his executioners—in the memories of succeeding generations.

While Quṭb was a prolific author, his *Fī Zilāl al-Qurʿān* remains, without doubt, his most important work. It first appeared in serialised form in *Al-Risālah* magazine during the 1950s until the magazine was banned. Quṭb continued to publish the *Zilāl* over a period of two years afterwards and managed, despite the harsh detention conditions, to continue writing it.

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<sup>55</sup> Barbara H. E. Zollner, *The Muslim Brotherhood: Hasan al-Hudaybi and Ideology* (London: Routledge, 2009), p. 3.

<sup>56</sup> *Ibid.*, p. 2.

A closer look at the *Zilāl* reveals that it is not a traditional commentary on the Qur’ān, but rather “...a free expression of the author’s feelings while reading the Qur’ānic verses”.<sup>57</sup> While giving attention to the occasions of revelation of specific verses, Quṭb did not take much interest in interpreting the juristic aspects of verses. He is more concerned to relate the verses to contemporary social and religious contexts, which is an aspect of thematic exegesis. Of all the exegeses selected for this study, the *Zilāl* is perhaps the only work that has been partially translated into English, and parts of it are still appearing<sup>58</sup> – evidence that the *Zilāl* is one of the most widely-read exegeses of the Qur’ān today.<sup>59</sup>

9) Muḥammad Mutawallī al-Sha<sup>c</sup>rāwī was born in early April 1329/1911 in the village of Daqād- s of al-Daqahliyyah Governorate in Lower Egypt. He received his primary education at al-Azhar institutes in al-Zaqāzīq and Ṭanṭā in Egypt. He then traveled to Cairo to pursue his studies at al-Azhar University and was granted the *ijāzah* (license to

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<sup>57</sup> Mhd. Syahnan, “A Study of Sayyid Quṭb’s Qur’ān Exegesis in Earlier and Later Editions of His *Fī Zilāl al-Qur’ān* with Special Reference to Selected Themes” (MA diss., Faculty of Graduate Studies and Research, Institute of Islamic Studies, McGill University, Montreal, Canada, 1997), p. 39.

<sup>58</sup> The translated volumes of the *Zilāl* appear under the title *In the Shade of the Qur’ān*, trans. and ed. Adil Salahi, published by the Islamic Foundation in Leicester, UK since 1420/1999. This research refers to the relevant translated volumes, although the main Arabic edition remains the basic reference.

<sup>59</sup> For more on the biography of Quṭb and his works, see, for example, Shahrough Akhavi, “Quṭb, Sayyid”, in John L. Esposito, ed., *The Oxford Encyclopedia of the Modern Islamic World* (New York: Oxford University Press, 1995), Vol. 3, pp. 400-404; Aref Ali Nayed, “The Radical Qur’ānic Hermeneutics of Sayyid Quṭb”, *Islamic Studies*, Vol. 31, No. 3, Autumn 1413/1992, pp. 355-363; Ronald L. Nettler, “Guidelines for the Islamic Community: Sayyid Quṭb’s Political Interpretation of the Qur’ān”, *Journal of Political Ideologies*, Vol. 1, No. 2, 1996, pp. 183-196; John C. Zimmerman, “Sayyid Quṭb’s Influence on the 11 September Attacks”, *Terrorism and Political Violence*, Vol. 16, No. 2, Summer 2004, pp. 222-252; Ibrahim M. Abu-Rabi<sup>c</sup>, *Intellectual Origins of Islamic Resurgence in the Modern Arab World* (Albany: State University of New York Press, 1996), pp. 166-195; Mohammed Shah Bin Jani, “Sayyid Quṭb’s View of Jihād: An Analytical Study of His Major Works” (PhD Thesis, Department of Theology, Islamic Studies, Faculty of Arts, University of Birmingham, United Kingdom, 1998), pp. 30-82; Syahnan, “A Study of Sayyid Quṭb’s Qur’ān Exegesis”, pp. 1-74; Ibrāhīm Munīr and Tawfiq al-Wā<sup>c</sup>ī, *Sayyid Quṭb: Ṣāhib al-Zilāl* (Kuwait: Maktabat al-Manār al-Islāmiyyah, 2005/1426), pp. 11-82.

teach) in Arabic and Islamic studies in 1943. He then taught at al-Azhar institutes of al-Zaqāzīq, Ṭanṭā and Alexandria. In 1950, al-Sha<sup>c</sup>rāwī then taught at King <sup>c</sup>Abd al-<sup>c</sup>Azīz University in Saudi Arabia, after which he returned to Egypt and assumed many leading positions within Egypt's religious institutions, such as director of *da<sup>c</sup>wah* (Islamic preaching) in the Egyptian Ministry of Endowments in 1961, chairman of al-Azhar mission in Algeria in 1966, and Minister of Endowments in 1980.

In Egypt, al-Sha<sup>c</sup>rāwī was a public figure who "...was seen more often on the Egyptian television screen than [the late Egyptian president] Anwar al-Sadat himself [(1918-1981)]."<sup>60</sup> He was engaged in brokering peace between the Egyptian government and extremist groups of the time, as clarified in Chapter Three of this thesis. Although dozens of authored works, including his exegesis, bear his name, some of them were not written by him but are actually edited scripts of his television or oral interviews. This may explain why his charisma is more vivid in his television appearances than in his writing.

Of all his works, *Tafsīr al-Sha<sup>c</sup>rāwī* remains the main source through which his thought has been disseminated. His exegesis came as a result of his regular weekly television programme, aired in Egypt every Friday. In a show of humility, he named his exegesis *Khawāṭirī Ḥawla al-Qur'ān* (My reflections/inspirations around the Qur'ān), arguing that were the Qur'ān intended to be interpreted as Allah wants it, the Prophet would have assumed this task at par excellence, but he only explained to his companions what they ask him about. Nevertheless, his *khawāṭir* (reflections) remain one of the recent contributions to Qur'ānic exegesis. It is incomplete and the printed text goes as far as Qur'ān 37: 138. His commentary on other *suwar* is only available in audio

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<sup>60</sup> Johannes J.G. Jansen, *The Neglected Duty: The Creed of Sadat's Assassins and Islamic Resurgence in the Middle East* (New York: Macmillan, 1986), p. 121.

format on his personal Internet website, which was probably developed after his death in 1419/1998.<sup>61</sup>

In addition to the classical and modern exegeses referred to above, other secondary sources by modern Muslim and non-Muslim scholars from various backgrounds are also presented and analysed. Although the selected exegeses present the main understanding of how Qur'ānic topics such as jihād, martyrdom and *ḥirābah* (brigandage) can be understood, their handling of terrorism-related issues remains difficult to understand in our modern context without being accompanied by the views of modern scholars who are witnesses of today's terrorist acts and are, therefore, better able to assess whether or not they are in conformity with the Qur'ān.

## 5. Rationale

The motivation to study terrorism from a Qur'ānic perspective began very early when the researcher enrolled in secondary religious education at al-Azhar. In that period, he witnessed the extent to which Qur'ānic verses are sometimes quoted out of context in a bid to fulfil the whims of those who, while appearing neatly dressed as religious scholars, lack the basics of training in Islamic learning. This initially gave rise to an inner desire to rid the Qur'ān of such misguided interpretations. Later, when the Qur'ān was 'highjacked' to justify the terrorist attacks of September 11<sup>th</sup> 2001, a passion to write about '*Jihād in the Qur'ān, the Sunnah, and in Electronic-written Media in English*' was born. A few years later, this very ambitious title was narrowed down to the

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<sup>61</sup> <http://www.elsharawy.com/>; accessed 26 June 2009. For more on the biography of al-Sha<sup>c</sup>rāwī and his exegesis, see, for example, Muḥammad Rajab al-Bayy-mī, "Muḥammad Mutawallī al-Sha<sup>c</sup>rāwī", in Maḥm-d Ḥamdī Zaqq-q, ed., *Maws-<sup>c</sup>at A<sup>c</sup>lām al-Fikr al-Islāmī* (Cairo: Al-Majlis al-A<sup>c</sup>lā li-al-Shu'ūn al-Islāmiyyah, 2007/1428), pp. 1003-1006; Jansen, *The Neglected Duty*, pp. 121-150; Maḥm-d Maḥdī, *Al-Sha<sup>c</sup>rāwī Mufakkiran* (Cairo: Dār al-Bayān li-al-Ṭab<sup>c</sup> wa-al-Nashr wa-al-Tawzī<sup>c</sup>, 2003), pp. 12-15; al-Shabīb and al-Shamlāwī, *Al-Madāris al-Tafsīriyyah*, pp. 157 f.

more manageable one borne by this thesis. To sum up, this topic has been chosen for the following reasons:

1. The Qur'ān has been misunderstood by some non-Muslims as a book that preaches hate and calls for the killing of innocents.
2. The Qur'ān has been manipulated by a handful of extremist Muslims who justify their terrorist actions by quoting Qur'ānic verses related to the permissibility of fighting non-Muslims in certain circumstances as if they are absolute ordinances applicable in every age and clime.
3. Given that many of today's terrorist groups, such as al-Qaeda, select views from classical and modern exegeses that serve their ideologies, it has become necessary to go back to these original sources and read their views about the Qur'ān more thoroughly, taking into account the historical and circumstantial contexts in which they were written.
4. A thematic approach in English to the verses relevant to the study of terrorism from a Qur'ānic perspective, at a time when modern Muslim scholars are trying to explore further the importance of writing a complete thematic exegesis of the Qur'ān in Arabic, will, it is hoped, make this thesis, not only timely but, more significantly, strategically important.
5. In much of the literature published after the September 11<sup>th</sup> attacks, jihād is used as a synonym for terrorism. Therefore, studying both terms in the sense of attempting to define each and exploring whether or not there is a relationship between the two from a Qur'ānic perspective is vitally important to end this misunderstanding.

6. The attempt to explore whether or not the punishment for the crime of *ḥirābah* is the same as that for terrorism brings to our attention how the classical and modern exegetical views can help the international community to combat terrorism.

## **6. Objectives**

1. To reach a comprehensive definition of terrorism applicable in the field of Qur'ānic exegeses, with special reference to existing major Western and Islamic organizational definitions.
2. To find out whether or not the Qur'ān addresses terrorism or any of terrorism-related issues.
3. To assess the attitude of classical and modern exegeses regarding Muslim/non-Muslim relations and its impact in modern times.
4. To explain how the Qur'ān perceives arming for deterrence by Muslims for strategic defence purposes.
5. To show how selective and exclusivist interpretations of the Qur'ān can tarnish the peaceful image of the Qur'ān.
6. To differentiate between Qur'ānic jihād and modern terrorism, martyrdom and suicide.
7. To find out whether or not terrorism is a punishable crime in the Qur'ān.
8. To critique the Qur'ānic interpretations and views of modern terrorist groups.
9. To show how Qur'ānic exegeses can contribute to modern Qur'ānic political ethics.

## 7. Scope and Limitations

Of the various exegetical genres referred to above, this study is limited to thematic exegesis of terrorism from a Qur'ānic perspective. Eight selected classical and modern exegeses constitute the main sources for this research. The period of the study, as far as selected exegeses are concerned, extends from the first quarter of the second/eighth century up to the end of the twentieth century. On the basis that the starting point of all exegetical genres is the text of the Qur'ān itself, this study attempts to analyse the interpretations of the selected exegeses of words thought to be related to terrorism, taking into account whether or not they occur in the Qur'ān, what relation, if any, they have to jihād and martyrdom, and how the Qur'ān deals with the punishment for such actions. Importantly, the structure of the thesis remains verse-based and sometimes verses are divided into various sub-themes, as in Chapters Two and Five of this thesis.

The fact that this thesis depends mainly on the Qur'ān does not belittle the significant contribution of the Prophetic *aḥādīth* in not only combating terrorism but also explaining many of the important issues left unresolved by the Qur'ān in this regard.<sup>62</sup> Although it is beyond the scope of this thesis to focus on terrorism from a Sunnah perspective for limitation purposes, it is essential at certain parts, such as in Chapter Four of this thesis, to refer to the contribution of the Sunnah to the topic under discussion.<sup>63</sup>

The study also depends on secondary sources written in Arabic and English by modern Muslim and non-Muslim scholars from the last quarter of the nineteenth

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<sup>62</sup> David Cook, *Martyrdom in Islam* (Cambridge, New York: Cambridge University Press, 2007), p. 36.

<sup>63</sup> For the significant role of the Sunnah as the second main source of Islamic legislation after the Qur'ān see, for example, Mawil Izzi Dien, *Islamic Law: From Historical Foundations to Contemporary Practice* (Edinburgh: Edinburgh University Press, 2004), pp. 38-40; Muḥammad al-Khuḍarī, *Uṣūl al-Fiqh* (Cairo: Al-Maktabah al-Tujāriyyah al-Kubrā, 6<sup>th</sup> ed., 1969/1389), p. 239.

century up to the present. From these secondary sources, only mainstream Muslim and Western literature has been selected; ‘hate literature’ and extremist writings have been avoided to the best of the researcher’s ability. In certain parts of this thesis, some extremist writings, such as some of the core ideologies of al-Qaeda regarding jihād in the Qur’ān and their support for killing innocents, are presented or referred to for purposes of critique and refutation.

The main and secondary sources on the Muslim side constitute the insider approach, while the non-Muslim side constitutes the outsider approach, as will be explained in the thesis methodology below. As far as the insider approach is concerned, the thesis remains confined to Sunnī exegeses and Sunnī literature. The same is the case with the juristic sources consulted, especially when the need arises to define juristic terms whose definitions are hardly mentioned in the selected exegeses. In this regard, only the four Sunnī schools of jurisprudence, namely the Ḥanafī, Mālikī, Shāfi‘ī and Ḥanbalī schools, are consulted, except that, in a very few instances, the views of Ibn Ḥazm (384/994-456/1064), who belongs to the Zāhirī school, are presented.

Finally, there are numerous modern case studies related to the study of terrorism, but this thesis will only attempt to present two. It will consider first the September 11<sup>th</sup> attacks on the United States of America and whether these attacks should be regarded, from a Qur’ānic perspective, either as pure acts of terrorism or as justified actions of self-defence on behalf of oppressed Muslims worldwide. Second, ‘martyrdom’ or ‘suicide’ operations, with special reference to the Palestinian-Israeli conflict in the last two decades, are presented in a bid to explain whether they are justifiable acts of martyrdom acts sanctioned by the Qur’ān, or prohibited acts of suicide prohibited by it.

## 8. Methodology

This thesis is based mainly on library research. The material studied consists mainly of books and academic articles. In some cases, online material is also used. The thesis engages with the genre of thematic exegesis in which both word and verse levels are used.

The main method used to analyse the data consulted is content analysis. This is because of its importance in examining historical artifacts.<sup>64</sup> Given that the thesis is based on the views of selected classical and modern exegetes and those of contemporary scholars, the comparative method is also used to compare the selected exegeses, as far as the Qur'ānic terms and selected verses are concerned. In addition, the views of modern scholars are juxtaposed with the views of the exegetes to give a more comprehensive understanding of terrorism from a Qur'ānic perspective. In both methodologies, an insider/outsider approach is utilized.<sup>65</sup> In this research, the insider approach refers to what Muslims believe and advocate about their understanding of the issues in question and the outsider approach refers to what non-Muslims believe and advocate in the Western literature consulted.

The diversity found in the selected classical and modern exegeses and the variations in the ideological inclinations of modern scholars may justify the logical adoption of all these methods. While these methods help researchers to verify data, they remain relative in their applications, making objectivity, especially in the field of

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<sup>64</sup> Mark Easterby-Smith, Richard Thorpe and Andy Lowe, *Management Research: An Introduction* (London: Sage, 2<sup>nd</sup> ed., 2002), p. 118.

<sup>65</sup> Bilal Sambur, "The Insider/Outsider Problem in the Study of Islam", *Islamic Quarterly*, Vol. 46, No. 1, 2002, pp. 95-106; See also Ahmed Mohsen Al-Dawoody, "War in Islamic Law: Justifications and Regulations" (PhD Thesis, University of Birmingham, Department of Theology and Religion, School of Philosophy, Theology and Religion, College of Arts and Law, August 2009), p. 17.

religious studies, an aim that is very difficult to achieve though still helpful and essential.<sup>66</sup> In addition, the thesis is concerned with explaining the literal and technical meanings of the main terms discussed, such as terrorism, jihād, martyrdom, and *ḥirābah*.<sup>67</sup>

The terms ‘text’ and ‘discourse’ are used interchangeably, especially when they refer to the Qur’ān. The same applies to the terms ‘*shahīd*’ and ‘martyr’, ‘*shahādah*’ and ‘martyrdom’, and the terms ‘non-combatants’ and ‘civilians’.

All translations of Qur’ānic verses are quoted from M.A.S. Abdel Haleem’s *The Qur’an: A New Translation* unless otherwise stated. Any explanatory comments introduced by the researcher into these quotations, as well as in other quotations, are put between square brackets. The cited verses and their numbering follow the commonly circulated Egyptian edition.<sup>68</sup> All the translations of the aḥādīth and all Arabic terms and phrases are mine unless otherwise indicated.

All Arabic words and phrases are transliterated according to their pronounced forms in order to help non-Arabic-speaking readers to pronounce Arabic words

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<sup>66</sup> Jabal Muḥammad Buaben, *Image of the Prophet Muḥammad in the West: A Study of Muir, Margoliouth and Watt* (Leicester: Islamic Foundation, 1996/1417), pp. 328 f. This book is originally the author’s PhD thesis. See idem, “The Life of Muḥammad (S.A.W.) in British Scholarship: A Critique of Three Key Modern Biographies of the Prophet Muḥammad (S.A.W.)” (PhD Thesis, Department of Theology and Religion, University of Birmingham, May 1995), pp. 374, 377. See also, Marshall, *God, Muhammad and the Unbelievers*, p. 6.

<sup>67</sup> This is because, “The same term can mean different things to different people.” Radwan A. Masmoudi, “Struggles Behind Words: Shariah, Sunnism, and Jihad”, *SAIS Review*, Vol. 21, No. 2, Summer-Fall 2001, p. 19. Also, Yusuf Işıcık, adds that “...one can understand an oral or written statement only when one is aware of the distinction between the literal and terminological senses of words and of differences in meaning over time.” Yusuf Işıcık, “Two Fundamental Concepts in the Qur’ān: Ta’wīl and Mutashābih”, *Islamic Quarterly*, Vol. 53, No. 1, 1430/2009, p. 82. See also Adam L. Silverman, “Just War, Jihad, and Terrorism: A Comparison of Western and Islamic Norms for the Use of Political Violence”, *Journal of Church and State*, Vol. 44, No. 1, 2002, p. 90.

<sup>68</sup> Specifically, I have relied on the al-Shamirī edition authorized by al-Azhar in Egypt and published by al-Shamirī for publishing and distribution, No. 62, 21/10/1999.

correctly and know how they are written. Quotations from textual sources and from the Internet retain the transliteration found in the original.

## **9. Research Questions**

To achieve the above objectives, this thesis attempts to answer the following main questions:

1. What are the major Western and Islamic organizational definitions of terrorism, and why is it important to reach a comprehensive definition? (See Chapter One).
2. Is there a direct or indirect reference to the modern issue of terrorism in the Qur'ān? (See Chapter One).
3. Does the prohibition of all forms of terrorism necessitate that Muslims lag behind in peacefully arming themselves for strategic defence purposes? (See Chapter Two).
4. To what extent can the selective and exclusivist interpretations of Qur'ānic verses made in total disregard of mainstream classical and modern exegeses tarnish the peaceful image of the Qur'ān? (See Chapters Two, Three and Four).
5. Are Muslim terrorists denounced by mainstream scholars of their communities? (See Chapter Three).
6. How can Qur'ānic jihād be distinguished from modern terrorism, and how do modern terrorists (ab)use classical and modern exegeses to justify their terrorist actions, with special reference to the September 11<sup>th</sup> 2001 attacks on the United States? (See Chapter Three).

7. What is the difference between martyrdom and suicide terrorism, considering ‘martyrdom’ or ‘suicide’ operations with special reference to the Palestinian-Israeli conflict in the last two decades? (See Chapter Four).
8. Is there a reference in the Qur’ān to terrorism as a punishable crime? (See Chapter Five).
9. If the answer to the above question is in the affirmative, what punishments for terrorists are referred to in the Qur’ān? (See Chapter Five).

## 10. Literature Review

Despite the significance of studying the issue of terrorism from a Qur’ānic perspective in light of classical and modern exegeses, only very few studies have dealt with this topic. It is noticeably difficult to find studies that focus exclusively on terrorism from a Qur’ānic perspective, although numerous studies have been published in the last two decades about terrorism from Islamic and religious perspectives. This thesis attempts to fill this crucial lacuna in modern Qur’ānic political ethics by selecting a few prominent works about terrorism and other major concepts discussed in the following chapters, and explaining how they are interpreted by modern scholars. In this regard, there is a special focus on the literatures published by both Muslims/insiders and non-Muslims/outsideers.<sup>69</sup>

The first insider contribution is Kāmil Salāmah al-Daqs’s *Āyāt al-Jihād fī al-Qur’ān al-Karīm: Dirāsah Mawḍū‘iyyah wa Tārīkhiyyah wa Bayāniyyah* (Jihād Verses in the Ever-Glorious Qur’ān: Thematic, Historical and Rhetorical Study). This book is originally the thesis submitted for the author’s PhD, which he earned from Cairo

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<sup>69</sup> The following works are reviewed in chronological order.

University in 1972. In his study, al-Daqs does not give full attention to the thematic exegesis of jihād in the Qur’ān. Rather, he deals with it as one aspect along with two other historical and rhetorical aspects. When he discusses the thematic study of jihād, he depends heavily on most of the selected classical and modern exegeses consulted in this thesis. However, he does not explain how these interpretations relate to the historical circumstances that accompanied the publication of his thesis. His work, therefore, lacks much of the effort that should be exerted in a supposedly comprehensive work like his in order to refute many misconceptions about jihād in the Qur’ān that had gained currency, especially in Egypt at that time, as will be explained further in Chapter Three of this thesis.

Another major contribution to the discussion in this research is Nawāf Hāyil Takr-rī’s *Al-‘Amaliyyāt al-Istishhādiyyah fī al-Mīzān al-Fiqhī* (Martyrdom Operations in the Juristic Balance).<sup>70</sup> This work has attracted the attention of almost all Western scholars writing about ‘martyrdom’ or ‘suicide’ operations in Palestine. Takr-rī wrote his book mainly to defend the legality of these operations and refute all the views that portray them as illegitimate. He depends on *fatāwā* (legal rulings) as a basis for his support, although the source of most of the 29 *fatāwā* he cites is unknown.

Moreover, he presents the views of some classical exegetes, such as al-Qurṭubī, Ibn al-‘Arabī and al-Al-sī, as well as modern ones, such as Riḍā, as if they constituted the collective view of all exegetes; which makes his analysis of their interpretations selective. Nevertheless, his work remains a good source for any researcher writing about these operations.

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<sup>70</sup> Nawāf Hāyil Takr-rī, *Al-‘Amaliyyāt al-Istishhādiyyah fī al-Mīzān al-Fiqhī* (Damascus: Dār al-Fikr, 4<sup>th</sup> enl. ed., 2003/1423).

Another main contributing article is ʿAbd al-Raḥmān Sulaymān al-Maṭr-dī’s “Al-Irhāb wa Ra’y al-Qur’ān Fīh” (The Qur’ānic View of Terrorism).<sup>71</sup> It is a laudable contribution to the topic of this thesis. Al-Maṭr-dī presents selected insider/outsider definitions of terrorism, traces its origin in human history and offers helpful suggestions as to how it can be combated. He concludes his article by considering that the punishment set by the Qur’ān for terrorists is the same as that set for *ḥirābah*. His refutations of the interpretations of some Qur’ānic verses erroneously thought to call for terrorism is supported by the views of classical exegetes such as al-Ṭabarī, al-Qurṭubī and al-Rāzī. The fact that al-Maṭr-dī’s article is published in Arabic limits its accessibility to English-speaking researchers, so the translation of this article into several European languages, or at least into English, is much to be desired.

Haytham ʿAbd al-Salām Muḥammad’s *Maḥūm al-Irhāb fī al-Sharīʿah al-Islāmiyyah*<sup>72</sup> (The Concept of Terrorism in Islamic Sharīʿah) is a major contribution to the field, but from an Islamic international law perspective. This book is originally the thesis submitted for the author’s PhD from the Islamic University in Baghdad, published later in 2005. Muḥammad starts his study by defining the issue of terrorism, paying special attention to Qur’ān 8: 60, which is the focus of Chapter Two of this study. He erroneously names this verse ‘The Verse of Terrorism’, lapsing in the same old mistake as those who called another verse in the Qur’ān ‘The Verse of the Sword’, as will be seen in Chapter Three of this research. He goes on to discuss the various types of terrorism and the Islamic attitude towards each type.

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<sup>71</sup> ʿAbd al-Raḥmān Sulaymān al-Maṭrūdī, “Al-Irhāb wa Ra’y al-Qur’ān Fīh”, *Journal of Qur’anic Studies*, Vol. 6, No. 1, 2004, pp. 159-197.

<sup>72</sup> Haytham ʿAbd al-Salām Muḥammad, *Maḥūm al-Irhāb fī al-Sharīʿah al-Islāmiyyah* (Beirut: Dār al-Kutub al-ʿIlmiyyah, 2005).

His own reading leads him to the conclusion that modern terrorism can be linked to both *baghy* (rebellion) and *ḥirābah*, although the latter is more akin to ‘organized crime’ than to terrorism. Like Takr-rī, he refers to the ‘proofs’ of those who support the legitimacy of ‘martyrdom’ or ‘suicide’ operations in Palestine and concludes that these operations are permissible. While he refers to classical exegetes, his reference to al-Rāzī is regrettably presented in a biased and distorted manner, as discussed in Chapter One. His reliance on many secondary sources in his study has limited his contribution to the subject.

Another work that whose title is very similar to that of this thesis is ‘Abd al-Raḥmān Spīndārī’s *Al-Irhāb min Manzūr Qur’ānī*<sup>73</sup> (Terrorism from a Qur’anic Perspective). Spīndārī begins his book by defining terrorism. He goes on to explore whether or not there is a reference to terrorism in the Qur’ān. He also discusses the reasons behind terrorism and how can it be combated. His discussion of ‘martyrdom’ or ‘suicide’ operations in Palestine is limited to the views that prohibit them, without referring to opposing opinions. His approach is generally apologetic. Although the title of his book may indicate a considerable contribution in the field, it unfortunately bears very little relevance to the topic under discussion.

The latest contribution is Yūsuf al-Qaraḍāwī’s *Fiqh al-Jihād: Dirāsah Muqāranah li Aḥkāmihī wa Falsafatihī fī Ḍaw’ al-Qur’ān wa al-Sunnah*<sup>74</sup> (Understanding Jihad: A Comparative Study of Its Rules and Philosophy in Light of the Qur’ān and the Sunnah). This important two-volume work claims its significance from two points: the first is the timeliness of its topic after major world events, such as the

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<sup>73</sup> ‘Abd al-Raḥmān Spīndārī, *Al-Irhāb min Manzūr Qur’ānī* (Kurdistan: Hawār, 2006).

<sup>74</sup> Yūsuf al-Qaraḍāwī, *Fiqh al-Jihād: Dirāsah Muqāranah li Aḥkāmihī wa Falsafatihī fī Ḍaw’ al-Qur’ān wa al-Sunnah* (Cairo: Maktabat Wahbah, 2009/1430).

September 11<sup>th</sup> 2001 attacks, in which Islamic jihād was willingly or unwillingly linked to terrorism. The second is the reputation of its author as a world-renowned scholar in the world of Sunnī Islam. As far as the topic under discussion is concerned, al-Qaraḏāwī's work remains a juristic exposition par excellence, but its contribution to understanding the Qur'ānic perspective on terrorism with particular focus on exegetical works remains limited. Nevertheless, his critique of extremist views, discussion of various issues related to jihād in the Qur'ān, opinions of 'martyrdom' or 'suicide' operations in and outside Palestine, and his emphasis on broadening the spectrum of jihād beyond the battlefield to include, for example, *jihād al-ʿaṣr* (jihād of our age), in which the Internet plays the major role, indicate how influential al-Qaraḏāwī's views will be, especially if this leading work is translated into European languages.

With regard to Western literature, Nik Rahim Nik Wajis's "The Crime of Ḥirāba in Islamic Law",<sup>75</sup> a PhD thesis submitted to Glasgow Caledonian University in 1996, is considered one of the leading studies in which punishment for terrorism has been equated with that for *ḥirābah*, but from a purely Islamic law perspective. Wajis attempts to categorize four crimes as *ḥirābah*. These are robbery, rape, terrorism, and smuggling and drug trafficking. While his main focus is Islamic law, the Qur'ān constitutes a foundational source of his work. He also refers to the classical exegeses of al-Ṭabarī, al-Rāzī, al-Qurṭubī and al-Al-ṣī especially when he attempts to link the punishment for the crime of *ḥirābah* with that of terrorism. While his study discusses three other crimes and their link to *ḥirābah*, his handling of the relationship between *ḥirābah* and terrorism and his conclusion that the two should be equated is quite noticeable for the mid-1990s.

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<sup>75</sup> Nik Rahim Nik Wajis, "The Crime of *Ḥirāba* in Islamic Law" (PhD thesis, Glasgow Caledonian University, United Kingdom, 1996).

Richard Bonney's *Jihād: From the Qur'ān to bin Laden*<sup>76</sup> is a rigorous examination of jihād, its meanings and ideological interpretations, with special focus on the Sunnī context of twentieth-century thinkers such as Mawd-dī, Quṭb and al-Bannā (1906-1949). In his discussion of jihād in modern times, Bonney discusses the impact of Quṭb's revolutionary ideas on modern terrorists. He goes on to refer to the efforts towards *al-murāja'āt* (ideological revisions) by the historical leaders of the Islamic Group (IG) in Egypt, who were primarily influenced by the revolutionary ideas of Quṭb and his predecessors. It is difficult to find any reference to the historical initiative of the leaders of the IG in Western sources before his book was published in 2004.

Towards the end of his book, Bonney discusses the views of the proponents of 'martyrdom' or 'suicide' operations in Palestine. His discussion, however, is clearly limited to presenting the views of the opponents and there is hardly any reference to the Muslim proponents of these operations. While his work is distinguished by rich bibliography, his sources lack references to original Islamic sources on jihād in the Qur'ān. His reference to Quṭb's views depends mostly on the translation of the latter's exegesis, which is still in progress.

Another main contribution is Bruce Hoffman's *Inside Terrorism*.<sup>77</sup> Hoffman distinctively traces the origin of the term terrorism since the era of the French Revolution. He also explains how this term was loaded with positive and negative connotations until recently. He dedicates a whole chapter to defining terrorism and explaining the main definitional problems encountered by researchers who attempt to study the issue. He then goes on to discuss religious terrorism, claiming that it has its

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<sup>76</sup> Richard Bonney, *Jihād: From the Qur'ān to bin Laden* (Basingstoke: Palgrave Macmillan, 2004).

<sup>77</sup> Bruce Hoffman, *Inside Terrorism* (New York: Columbia University Press, 2<sup>nd</sup> ed., 2006).

foundations in Islam rather than in any other religion.<sup>78</sup> Hoffman takes great interest in definitions of terrorism, especially the Western ones, and clearly neglects to refer to any definition of the term by Muslim scholars or organizations.

Another major contribution is David Cook's *Martyrdom in Islam*.<sup>79</sup> This is one of the recent distinguished contributions to this thesis. Cook approaches the topic of martyrdom in Islam from its historical, legal and literary perspectives. While the title of the book has a special reference to martyrdom in Islam, it also discusses martyrdom in the Jewish and Christian traditions. Cook links martyrdom in Islam with today's recent views about 'martyrdom' or 'suicide' operations in Palestine. Although he opposes the operations, his discussion also refers to the views of opponents and proponents in a balanced and evidence-based way, which is a feature rarely found in the writings of his Western contemporaries. Cook's mastery of Arabic enables him to quote correctly and translate precisely from not only classical and modern Arabic sources, but also from the main classical and modern exegeses consulted in this research. Therefore, this and other works by him have been very beneficial to the present thesis.

The latest contribution is Omar Ashour's *The De-Radicalization of Jihadists: Transforming Armed Islamist Movements*.<sup>80</sup> This book is originally Ashour's PhD thesis.<sup>81</sup> Ashour presents a survey of the history and recent developments of *al-murāja'āt* with special reference to Egypt and Algeria. While his study offers an excellent analysis of the political and social causes of *al-murāja'āt*, it rarely refers to

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<sup>78</sup> Ibid., p. 82.

<sup>79</sup> David Cook, *Martyrdom in Islam* (Cambridge, New York: Cambridge University Press, 2007).

<sup>80</sup> Omar Ashour, *The De-Radicalization of Jihadists: Transforming Armed Islamist Movements* (London; New York: Routledge, 2009).

<sup>81</sup> Omar Ashour, "A World Without Jihad?: The Causes of De-Radicalization of Armed Islamist Movements" (PhD Thesis, Department of Political Science, McGill University, Montreal, Canada, May 2008).

the ideological causes behind them with special focus on the Qur'ān, which constitutes a main source on which terrorist organizations have based their extremist interpretations in modern times. Nevertheless, his work provides essential background for any researcher attempting to study terrorism from a Qur'ānic perspective with an eye to tracing the history of the ideological transformations of some terrorist groups in modern times.

The above review of literatures from the Islamic and Western perspectives reveals that the two approaches are different, and that their contributions to the topic of this study are limited in certain aspects. This thesis, therefore, attempts to study terrorism from a Qur'ānic perspective highlighting the views of selected classical and modern exegetes as well as modern scholars.

## **11. Structure of the Study**

This study consists of an introduction, five chapters and a conclusion. Chapter One presents the various definitions of terrorism from both Islamic and Western perspectives and attempts to arrive at a comprehensive definition of this issue. It also traces the occurrences of the term itself in both Qur'ānic and non-Qur'ānic sources. Chapter Two looks at how Qur'ān 8: 60 is misinterpreted and sheds light on the correct interpretation. Chapter Three examines whether or not there is a relationship between terrorism and jihād. It refers to the September 11<sup>th</sup> 2001 attacks as a case-study which, if properly understood from a Qur'ānic perspective, can lead to a clear distinction between the two concepts. Chapter Four demonstrates how Qur'ānic martyrdom is different from suicide terrorism, and critiques the views of the proponents and opponents of 'martyrdom' or 'suicide' operations in the Palestinian-Israeli conflict as another practical case-study.

Chapter Five discusses the possibility of identifying a Qur'ānic punishment for terrorism by exploring whether or not the punishment for *ḥirābah* should be applied for terrorism. In the conclusion, the main findings of the study are stated and some suggestions for future research are made.

# CHAPTER ONE

## DEFINITIONS AND FORMS OF TERRORISM

### 1.1 Introduction

There are many Muslims and non-Muslims who abhor terrorism and dismiss any link between it and Islam. However, very few attempt to define this term comprehensively, leaving the door open for different interpretations and personal justifications at a time when references to terrorism from Islamic and the Qur'ānic perspectives make the headlines. This chapter, therefore, seeks to present the various definitions of terrorism<sup>1</sup>, particularly from an Islamic perspective, while discussing the major and minor definitional problems and highlighting the efforts made by both Muslim and non-Muslim researchers in this regard. After presenting the various lexical and technical definitions of terrorism, this chapter will also evaluate those definitions, presenting a workable definition in an attempt to highlight this major problem within the Islamic context.

This chapter will further explain the Qur'ānic references to various forms of corruption, and its attitude towards them, and how classical and modern exegetes regard such forms within the Qur'ānic discourse. This is part of the major discussions which the chapter considers towards its end. In addition, one of the central issues to be discussed in this chapter is whether or not the Qur'ān, as a divine revelation, has referred to *irhāb* (terrorism) in the modern sense. The polemics of this issue as presented by modern researchers will be tackled while the chapter attempts to explore

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<sup>1</sup> According to David Aaron Schwartz, "Analysis of international terrorism cannot easily proceed without first defining 'terrorism'." David Aaron Schwartz, "International Terrorism and Islamic Law", *Columbia Journal of Transnational Law*, Vol. 29, 1991, p. 631.

the exegetical reality through the selected interpretations consulted throughout the discussion.

## 1.2 The Struggle to Define Terrorism

There is almost a consensus among all contemporary scholars and researchers in various fields that defining terrorism presents a number of difficulties.<sup>2</sup> Such difficulties make many writers who study terrorism discuss related issues without first attempting to define the term,<sup>3</sup> and this is also the case with the influential powers in our modern world. According to Amir Taheri, “It is surprising that, although the West in general and the United States in particular are prime targets of most forms of contemporary terrorism, these countries have done so little to define and understand the danger.”<sup>4</sup> This attitude apparently reflects a state of despair<sup>5</sup> because of the number of problems arising from the inability to reach a convincing and agreed-upon definition of terrorism.<sup>6</sup> It is

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<sup>2</sup> Graham M. Cox, “Legal Aspects of International Terrorism” (LL.M thesis, University of Birmingham, 1997), p. 5; Keith Suter, “September 11 and Terrorism: International Law Implications”, *Australian International Law Journal*, Vol. 14, 2001, p. 16; Karima Bennoune, “Terror/Torture”, *Berkeley Journal of International Law*, Vol. 26, No. 1, 2008, pp. 19-27; Alex Schmid, “Terrorism- The Definitional Problem”, *Case Western Reserve Journal of International Law*, Vol. 36, 2004, p. 395.

<sup>3</sup> Philip E. Devine and Robert J. Rafalko, “On Terror”, *Annals of the American Academy of Political and Social Science*, Vol. 463, No. 1, September 1982, p. 40; Cox, “International Terrorism”, p. 6; Brian Kingshott, “Terrorism: The ‘New’ Religious War”, *Criminal Justice Studies*, Vol. 16, No. 1, 2003, p. 15.

<sup>4</sup> Amir Taheri, *Holy Terror: The Inside Story of Islamic Terrorism* (London: Sphere, 1987), p. 4. This view is shared by Sami Zeidan who states that, “States cannot adequately counteract a phenomenon that they absolutely agree must be eliminated, as long as they fundamentally disagree on its very definition” Sami Zeidan, “Agreeing to Disagree: Cultural Relativism and the Difficulty of Defining Terrorism in a Post-9/11 World”, *Hastings International and Comparative Law Review*, Vol. 29, No. 2, 2006, p. 217.

<sup>5</sup> According to Weinberg, Pedahzur and Hirsch-Hoefler, “...Walter Laqueur, simply threw up his hands, arguing that terrorism had appeared in so many different forms and under so many different circumstances that a comprehensive definition was impossible” Leonard Weinberg, Ami Pedahzur, and Sivan Hirsch-Hoefler, “The Challenges of Conceptualizing Terrorism”, *Terrorism and Political Violence*, Vol. 16, No. 4, Winter 2004, p. 777. See also, Jeremy Waldron, “Terrorism and the Uses of Terror”, *The Journal of Ethics*, Vol. 8, Issue 1, 2004, p. 6.

<sup>6</sup> According to Zdzislaw Galicki, “...the question of defining international terrorism remains the most difficult and unsatisfactorily solved for all engaged in the process of elaboration of

essential, therefore, before attempting to discuss the important aspects of terrorism from a Qur’ānic perspective, to first define this term. Although it is difficult to arrive at a definition that will please all scholars<sup>7</sup>, the Saudi researcher °Abd al-Raḥmān Sulaymān al-Maṭr-dī states that it is necessary for Muslim scholars, law-makers and official bodies alike to reach a unified, precise and measurable definition of terrorism.<sup>8</sup> However, this definition, he continues, is surrounded by many definitional problems to which many scholars and researchers refer.<sup>9</sup> Thus, it is important to discuss such definitional problems before presenting and evaluating the definitions themselves.

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antiterrorist treaties, either universal or regional.” Zdzislaw Galicki, “International Law and Terrorism”, *The American Behavioral Scientist*, Vol. 48, No. 6, February 2005, p. 745. See also, Ahmed Mohsen Al-Dawoody, “War in Islamic Law: Justifications and Regulations” (PhD Thesis, University of Birmingham, Department of Theology and Religion, School of Philosophy, Theology and Religion, College of Arts and Law, August 2009), p. 354, n. 288; Sulaymān °Abd al-Raḥmān al-Ḥaqīl, *Ḥaqīqat Mawqif al-Islām min al-Taṭarruf wa al-Irhāb* (Riyadh: N.p., 2001\1421), p. 85; Ali bin Faiz Al-Jahni, *Terrorism: Concept and Reality*, trans. Zubair Ahmad (Riyadh: Naif Arab Academy for Security Sciences, 2002\1422), p. 10; Muḥammad Bahjat Muṣṭafā al-Jazzār, “Al-Jarā’im al-Irhābiyyah: Bayna al-Qān-n al-Waḍ’ī wa al-Sharī’ah al-Islāmiyyah fī Ḍaw’ Aḥkām al-Qaḍā’” (PhD Thesis, Faculty of Law, Zagazig University, Egypt, 2002), pp. 53, 58.

<sup>7</sup> Aref M. Al-Khattar, *Religion and Terrorism: An Interfaith Perspective* (Westport, Conn.: Praeger, 2003), p. 36. See also, Rachel Saloom, “Is Beheading Permissible under Islamic Law? Comparing Terrorist Jihad and the Saudi Arabian Death Penalty”, *UCLA Journal of International Law and Foreign Affairs*, Vol. 10, 2005, p. 231.

<sup>8</sup> °Abd al-Rahman Sulaymān al-Maṭrūdī, “Naṣrah fī Maḥūm al-Irhāb wa al-Mawqif minhu fī al-Islām”, [article online]; available from <http://alminbar.al-islam.com/images/books/367.pdf>; Internet; accessed 31 December 2007, p. 85.

<sup>9</sup> Dawn Perlmutter, *Investigating Religious Terrorism and Ritualistic Crime* (New York: CRC Press LLC, 2004), p. 1; Al-Khattar, *Religion and Terrorism*, p. 41; Haytham °Abd al-Salām Muḥammad, *Maḥūm al-Irhāb fī al-Sharī’ah al-Islāmiyyah*, (Beirut: Dār al-Kutub al-°Ilmiyyah, 2005), pp. 19-21.

### 1.2.1 Major and Minor Definitional Problems

Indeed, the inability of the international community to agree upon a unified definition of terrorism is the major problem that poses the greatest obstacle to defining this term.<sup>10</sup> According to Walter Gary Sharp,<sup>11</sup> “Although the international community began a concerted effort to control international terrorism in the late 1920s, it has never been able to agree on a definition of international terrorism.”<sup>12</sup> Almost all members of the international community, particularly those concerned with the study of terrorism, condemn the action, unfortunately, without exerting much effort to define the action itself.

Another serious obstacle to defining terrorism is ‘relativism’. This is highly stressed by both Eastern and Western scholars.<sup>13</sup> For al-Maṭrūdī, both the definition of terrorism and the acts of terror are ‘relativistic’, i.e., they vary from one society to another and from one culture to another. What is seen as terrorism by one society may not be so by another. Al-Maṭrūdī further states that what a given country views as a legal right may not be so in other countries.<sup>14</sup> His view - as an Eastern Muslim researcher - of relativism is also shared by his Western counterparts such as

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<sup>10</sup> Cox, “International Terrorism”, p. 1; Philip Cryan, “Defining Terrorism”, in Aftab Ahmad Malik ed., *With God on Our Side: Politics & Theology of the War on Terrorism* (Bristol: Amal Press, 2005), p. 98.

<sup>11</sup> Professor Sharp is an adjunct professor of law, Georgetown University Law Center.

<sup>12</sup> Walter Gary Sharp, “The Use of Force against Terrorism: American Hegemony or Impotence?”, *Chicago Journal of International Law*, Vol. 1, No. 1, 2000, p. 39. See also, Ben Golder and George Williams, “What is ‘Terrorism’? Problems of Legal Definition”, *University of New South Wales Law Journal*, Vol. 27, No. 2, 2004, pp. 270-273; Al-Dawoody, “War in Islamic Law”, p. 349; Geoffrey Levitt, “Is ‘Terrorism’ Worth Defining?”, *Ohio Northern University Law Review*, Vol. 13, 1986, p. 101; Ben Saul, “Attempts to Define ‘Terrorism’ in International Law”, *Netherlands International Law Review*, Vol. 52, No. 1, 2005, p. 58.

<sup>13</sup> Muhammad ʿAwaḍ al-Tartūrī and Aghādīr ʿArafāt Guwayḥān, *ʿIlm al-Irhāb: Al-ʿUsus al-Fikriyyah wa al-Nafsiyyah wa al-Ijtimāʿiyyah wa al-Tarbawīyyah li Dirāsāt al-Irhāb* (Amman: Dār al-Hāmid li al-Nashr wa al-Tawzīʿ, 2006), p. 19.

<sup>14</sup> ʿAbd al-Rahmān Sulaymān al-Maṭrūdī, “Al-Irhāb wa Raʿy al-Qurʿān Fīh,” *Journal of Qurʿanic Studies*, Vol. 6, No. 1, 2004, pp. 196 f.

Perlmutter,<sup>15</sup> who refers to two well-known skeptical statements which assert that relativism is a major problem in defining terrorism: “One man’s God is another man’s devil” and “One man’s terrorist is another man’s freedom fighter.”<sup>16</sup> This latter is also reiterated by Turner,<sup>17</sup> who states that the promulgation of this cliché constitutes a major problem in defining terrorism.<sup>18</sup> It should be noted here that these pessimistic clichés are very popular among other specialized theorists concerned with defining terrorism such as Javaid Rehman.<sup>19</sup> In addition, scholars such as Teichman,<sup>20</sup> who cites the first cliché to refer to the same definitional problem, acknowledges that “...terrorism is a disputed term”.<sup>21</sup> Stressing how big the problem is, Barlas<sup>22</sup> adds that “...if one person’s freedom fighter is another’s terrorist, then on what basis can we distinguish between them?”<sup>23</sup> This challenging question put forward by Barlas indicates the

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<sup>15</sup> Dawn Perlmutter is an assistant professor of Arts and Philosophy at Cheyney University of Pennsylvania.

<sup>16</sup> Perlmutter, *Investigating Religious Terrorism*, p. 1; Colin Wight, “Theorising Terrorism: The State, Structure and History”, *International Relations*, Vol. 23, No. 1, 2009, p. 102. Sometimes put as, “One man’s terrorism is another man’s freedom fighter.” According to Susan Tiefenbrun, this proverbial statement was coined by former US President Ronald Reagan. See, Susan Tiefenbrun, “A Semiotic Approach to a Legal Definition of Terrorism”, *ILSA Journal of International and Comparative Law*, Vol. 9, 2002-2003, p. 358. See also, Al-Dawoody, “War in Islamic Law”, p. 349.

<sup>17</sup> Colin Turner is a lecturer in Islamic studies at the School of Governmental and International Affairs, Durham University.

<sup>18</sup> Colin Turner, *Islam: The Basics* (New York: Routledge, 2006), p. 190.

<sup>19</sup> Javaid Rehman, *Islamic State Practices, International Law and the Threat from Terrorism: A Critique of the ‘Clash of Civilizations’ in the New World Order* (Oxford: Hart Publishing, 2005), p. 73 f.

<sup>20</sup> Jenny Teichman, an Australian/British philosopher, is Emeritus Fellow of New Hall College in the University of Cambridge.

<sup>21</sup> Jenny Teichman, “How to Define Terrorism,” *Philosophy*, Vol. 64, No. 250, October 1989, p. 514.

<sup>22</sup> Asma Barlas is director of the Center for the Study of Culture, Race, and Ethnicity at Ithaca College, New York.

<sup>23</sup> Asma Barlas, “Jihad, Holy War, and Terrorism: The Politics of Conflation and Denial,” *American Journal of Islamic Social Sciences*, Vol. 20, No. 1, Winter 2003, p. 53.

seriousness of the issue of ‘relativism’ because of which researchers in the field are faced with a tough definitional challenge.<sup>24</sup>

‘Dynamism’ can be identified as a third definitional problem in defining terrorism. Most of those who tackle the action admit that terrorism is a ‘dynamic’ term whose types, forms and motives, according to the Muslim researcher Haytham ‘Abd al-Salām Muḥammad, vary according to time and place.<sup>25</sup> However this ‘dynamic’ view is more or less related to the ‘relativism’ discussed above. Here, Haytham is not adding a problem that can be considered a major one, but is just referring to ‘dynamism’ as a simple problematic element that overlaps with ‘relativism’. He identifies specific problems faced by those dealing with terrorism from an Islamic perspective, stating that every objective explanation of terrorism becomes a condemnation of it.

Haytham also refers to the Western media as a major factor behind the hazy issue of terrorism, stating that the Western media campaign launched under the banner of *mukāfahat al-Irhāb* (combating terrorism)<sup>26</sup> does not distinguish between different forms of terrorism, some of which some may regard as legitimate, arguing that the aim of this Western campaign is to tarnish the image of Islam.<sup>27</sup> However, Haytham’s views here seem to be vague and unrealistic. He himself mentions what he considers “...legal

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<sup>24</sup> According to Richards Goldstone and Janine Simpson, “Among the many problems terrorism poses is a familiar crux of international law: the failure of attempts by the community of nations to find an acceptable legal definition of terrorism. The principal reason for this aporia is that members of the international community have failed to agree whether ‘freedom fighters’ should be included in such a definition.” Richards Goldstone and Janine Simpson, “Evaluating the Role of the International Criminal Court as a Legal Response to Terrorism”, *Harvard Human Rights Journal*, Vol. 16, 2003, p. 13. See also, Al-Dawoody, “War in Islamic Law”, p. 350, n. 273.

<sup>25</sup> Haytham, *Maḥūm al-Irhāb*, p. 20.

<sup>26</sup> Although the phrase ‘combating terrorism’ is here translated from Arabic, researchers such as Bruce Hoffman would argue that it is ‘a global war on terrorism’ declared by former US President Bush after Sep. 11<sup>th</sup> that is currently dubbed the ‘strategy against violent extremism’. See Bruce Hoffman, *Inside Terrorism* (New York: Columbia University Press, 2<sup>nd</sup> ed., 2006), p. 129.

<sup>27</sup> Haytham, *Maḥūm al-Irhāb*, pp. 20 f.

and illegal terrorism” without defining the difference between the two, leaving his reader in utter confusion.

Looking at the major definitional problems identified above, it can be observed that they reflect the deplorable reality that all attempts to decry terrorism and acts of terror fail to reach a universally acceptable definition of the action. According to Jörg Friedrichs, however, reaching such a definition is essential to help fight against terrorism.<sup>28</sup>

In addition to the major definitional problems identified above, there are other minor definitional problems, which include lack of objectivity, which leads to a tendency to apply the label ‘terrorist’ to enemies while turning a blind eye to equally terrorist acts carried out by friends or allies pursuing congenial goals.<sup>29</sup> Moreover, the lack of “...precision and certainty demanded by legal discourse”<sup>30</sup> are, according to Ben Saul,<sup>31</sup> problems that are likely to be encountered when an attempt is made to define terrorism, especially in the field of international law. Saul further states that determining whether the struggle for national liberation or self-determination is a form of terrorism or not is a difficult issue, which adds more complexity to the debate about the definition of terrorism. Thus, mixing the term ‘terrorism’ with both jihād and resistance creates a problem for those attempting to define all these terms. Furthermore, seeing some

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<sup>28</sup> Jörg Friedrichs, “Defining the International Public Enemy: The Political Struggle behind the Legal Debate on International Terrorism”, *Leiden Journal of International Law*, Vol. 19, 2006, pp. 69-91. See also, Al-Dawoody, “War in Islamic Law”, p. 351, n. 282.

<sup>29</sup> Augustus Richard Norton, “Terrorism” in John L. Esposito ed., *The Oxford Encyclopedia of the Modern Islamic World* (New York: Oxford University Press, 1995), Vol. 4, p. 206.

<sup>30</sup> Ben Saul, *Defining Terrorism in International Law* (Oxford: Oxford University Press, 2006), p. 4.

<sup>31</sup> Ben Saul is a lecturer at the Faculty of Law, University of New South Wales, Sydney, Australia.

Muslims contending that terrorism is a basic Islamic term<sup>32</sup> adds to the complexity of the issue and creates a state of uncertainty in the sincere efforts exerted by Muslims and non-Muslim scholars who are attempting to define this difficult term. Finally, it can be said that the limitation<sup>33</sup> in almost all the definitions of terrorism is a relatively minor problem which challenges the comprehensive understanding of this thorny issue.

## 1.2.2 Importance of Defining Terrorism

It appears that it is because of the above major and minor definitional problems that scholars find the term "...exceedingly difficult to define mainly because of the ideological and political aspects" it involves.<sup>34</sup> Susan Tiefenbrun, Professor of Law at Thomas Jefferson School of Law, states:

"It is hard to believe that a word like 'terrorism,' which is used so frequently these days in different contexts and in casual, colloquial, political, and legal discourses, does not have a universally-accepted definition. It is not enough to say, as United States Supreme Court Justice Potter Stewart once said of pornography, 'we know it when we see it.' Terrorism must be deconstructed to distinguish between domestic and international terrorism, state-sponsored and non-state sponsored terrorism, and terrorism per se and legal revolutionary violence that falls within the law of war."<sup>35</sup>

More importantly, it is of paramount importance for Muslims in light of the current media campaign, in which violence is unjustly attached to Islam, to reach a comprehensive definition of terrorism, particularly from an Islamic perspective, for the following reasons: First, the absence of clear understanding of what constitutes terrorism is a stumbling block that adds more uncertainty and complexity for those who

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<sup>32</sup> Chapters Two and Three of this thesis critique the views of the proponents of such extremist views.

<sup>33</sup> Robert W. Taylor and Harry E. Vanden, "Defining Terrorism in El Salvador: 'La Matanza'", *Annals of the American Academy of Political and Social Science*, Vol. 463, September 1982, p. 107.

<sup>34</sup> Saul, *Defining Terrorism*, p. 5.

<sup>35</sup> Tiefenbrun, "A Semiotic Approach to a Legal Definition", p. 358. See also, Al-Dawoody, "War in Islamic Law", p. 352, n. 282.

study this action from an Islamic perspective in general and a Qur'ānic perspective in particular.<sup>36</sup> Second, terrorism poses a challenge to our daily activities if it is left without precise definition. According to Roberta Senechal De la Roche, from the Department of History, Washington and Lee University, "Without a useful definition of terrorism, a theory of the subject [i.e. terrorism] is not even possible. How do we identify a case of terrorism? What characteristics distinguish it from other collective violence?"<sup>37</sup> Third, defining what constitutes terrorism is of extreme importance in order to evaluate whether terrorism is a punishable crime according to the Qur'ān or not. It is worth noting here that there is much controversy concerning whether or not the modern terrorism actions is equal to the *hirābah* (brigandage, highway robbery, armed robbery) referred to in the Qur'ān 5: 33-38.<sup>38</sup> Fourth, attempting to define terrorism in clear terms will make it possible for Muslims and non-Muslims to understand where terrorism stands in relation to Islam, and whether or not the Qur'ān, as a divine book, prescribes severe punishments for terrorists.<sup>39</sup> Fifth, the definition of terrorism sought in this chapter is intended to enable researchers in the field of Qur'ānic studies to become better able to put the views of both traditional and modern Qur'ān exegetes in their true contexts. Sixth, the terms terrorism and jihād are mistakenly used interchangeably by some modern researchers. That is why defining terrorism and explaining the difference

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<sup>36</sup> According to Schmid, "While a definition of terrorism, like a definition of war is not solving the underlying problem, a lack of definition is perceived widely as one of the factors likely to encourage future terrorism." Schmid, "Terrorism- The Definitional Problem", p. 387.

<sup>37</sup> Roberta Senechal De la Roche, "Toward a Scientific Theory of Terrorism", *Sociological Theory*, Theories of Terrorism: A Symposium, Vol. 22, No. 1, March 2004, p. 1.

<sup>38</sup> "Those who wage war against God and His Messenger and strive to spread corruption in the land should be punished by death, crucifixion, the amputation of an alternate hand and foot, or banishment from the land: a disgrace for them in this world, and then a terrible punishment in the Hereafter, unless they repent before you overpower them— in that case bear in mind that God is forgiving and merciful." M. A. S. Abdel Haleem, *The Qur'an: A New Translation* (Oxford: Oxford University Press, 2005), p. 71.

<sup>39</sup> For a discussion of this point in detail, please refer to Chapter Five of this thesis.

between it and jihād will clarify many of the misconceptions related to both.<sup>40</sup> Indeed, equating jihād with both holy war and terrorism- in the way done by, for example, Mark A. Gabriel, causes a great deal of confusion.<sup>41</sup>

### 1.2.3 Before Approaching a Definition

There are two important issues worth considering before embarking on defining terrorism. The first is the fact that there is vast amount of literature dealing with the definitions of terrorism from “...as early as 1920s”<sup>42</sup> with up to “...109”<sup>43</sup> different official and academic definitions of terrorism”<sup>44</sup> from differing religious, political, legal, economic and sociological perspectives. It is of great importance here to clearly state that the focus of this chapter will be on the definitions of terrorism from an Islamic perspective, whilst drawing on other definitions where relevant. Thus, a special focus will be given to the definitions of religious-based terrorism in general and the definitions from an Islamic perspective in particular.

The second issue to be highlighted here is the following:

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<sup>40</sup> Indeed, it is beyond the scope of this Chapter to discuss the differences between jihād and terrorism. Chapters Three and Four of this thesis deal with this issue in detail.

<sup>41</sup> Mark A. Gabriel, *Islam and Terrorism: What the Quran Really Teaches about Christianity, Violence and the Goals of the Islamic Jihad* (Lake Mary, Florida: FrontLine, 2002), pp. 34-37.

<sup>42</sup> According to Geoffrey Levitt, “The first organized international legal attempts to grapple with the problem of defining terrorism came in the series of conferences collectively known as the International Conferences for the Unification of Penal Law, which were held in various European capitals during the 1920s and 1930s.” Levitt, “Is ‘Terrorism’ Worth”, p. 97. See also, Al-Dawoody, “War in Islamic Law”, p. 349, n. 269; Golder and Williams, “What is ‘Terrorism’?”, p. 273.

<sup>43</sup> The 109 definitions of terrorism were provided between 1936 and 1981. See Walter Laqueur, “Reflections on Terrorism”, *Foreign Affairs*, Vol. 65, No. 1, Fall 1986, p. 88.

<sup>44</sup> Alex P. Schmid and Albert J. Jongman, *Political Terrorism: A New Guide to Actors, Authors, Concepts, Data Bases, Theories, and Literature* (Amsterdam: SWIDOC, rev. & enl. ed., 1988), p. 119-152; Saul, *Defining Terrorism*, p. 57; Abdullahi Ahmed An-Na’im, “Islamic Ambivalence to Political Violence: Islamic Law and International Terrorism”, *German Yearbook of International Law*, Vol. 31, 1988, p. 311; Muhammad Aziz Shukri, *International Terrorism: A Legal Critique* (Brattleboro, Vermont: Amana Publications, 1991), p. 23.

“Terrorism inspired by religious goals is by no means confined to Muslims or the Muslim world for that matter. In recent decades, Sikh groups in the Punjab section of India; Jewish settlers who live on the West Bank (in territory Israel occupied during the 1967 war); and extremist Christians who hope to accelerate the coming of the Millennium...; have all carried out terrorist attacks in order to further their goals.”<sup>45</sup>

Thus, the ‘terrorism’ being discussed here is not restricted to a specific nation or religion.<sup>46</sup> It is, therefore, clear that what the current media claims in many parts of the world that terrorism is attached to Islam and Muslims is unjust. The “correlations” “Muslim terrorists” and “Muslim terrorism”<sup>47</sup> make terrorism, according to Mahathir Mohamad<sup>48</sup>, look as though it is a “...Muslim monopoly”.<sup>49</sup> It is similarly questionable, according to Mahathir, to attribute every wrongdoing done by Muslims to the religion (i.e. to Islam), regarding all Muslims as one monolithic group. This leads to painting a whole religion with the brush of a few criminals within it. He further states that “...every terrorist act is attributed to Muslims until proven otherwise”.<sup>50</sup> Indeed, this view is shared by many other Muslim scholars.<sup>51</sup>

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<sup>45</sup> Leonard Weinberg and William L. Eubank, *What Is Terrorism?* (New York: Chelsea House, 2006), p. 10.

<sup>46</sup> According to Seyyed Hossein Nasr, “Despite the presence of violence in many regions of the world, ranging from Ireland to Lebanon to the Pacific Basin and involving many religions from Christianity to Hinduism, the Western world *associates Islam more than any other religion* with violence” [emphasis added]. Seyyed Hossein Nasr, “Islam & the Question of Violence”, in Aftab Ahmad Malik ed., *With God on Our Side: Politics & Theology of the War on Terrorism* (Bristol: Amal Press, 2005), p. 273. Moreover Christian Much adds, “It [terrorism] does not spring from any single ethnic or religious group, but it has existed in almost every part of the world.” Christian Much, “The International Criminal Court (ICC) and Terrorism as an International Crime”, *Michigan State Journal of International Law*, Vol. 14, No. 1, 2006, p. 122.

<sup>47</sup> See, for example, Terrence K. Kelly, “The Just Conduct of War against Radical Islamic Terror and Insurgencies”, in Charles Reed and David Ryall eds., *The Price of Peace: Just War in the Twenty-First Century* (Cambridge: Cambridge University Press, 2007), pp. 203-205.

<sup>48</sup> Mahathir Mohamad was the former Prime Minister of Malaysia.

<sup>49</sup> Mahathir Mohamad, *Terrorism and the Real Issues: Selected Speeches of Dr Mahathir Mohamad*, ed. Hashim Makaruddin (Subang Jaya: Pelanduk Publications, 2003), p. 14.

<sup>50</sup> *Ibid.*, pp. 12 f.

<sup>51</sup> See, for example, Muḥammad °Abd al-Raḥīm Sulṭān al-°Ulamā’, “Mawqif al-Islām min al-Irhāb”, in *Tolerance in the Islamic Civilization*, Researches and Facts. The Sixteenth General Conference of the Supreme Council for Islamic Affairs (Cairo: Maṭābi° al-Ahrām al-Tujāriyyah,

## 1.2.4 Terrorism in Arabic Lexicons

Before presenting the technical definitions of terrorism, it is important to track the term itself in both Arabic and English lexicons, with special reference to the occurrence or otherwise of the term in the Qur'ān. As far as the Arabic language is concerned, the words *'irhāb* and *'irhābī* (terrorism and terrorist) occur neither in the Qur'ān nor in old Arabic lexicons. Muslim scholars such as Muḥammad al-ʿUlamā<sup>52</sup> argue that the reason behind this non-occurrence can be attributed to the fact that these two terms have been newly introduced and only used in the modern age.<sup>53</sup> This view is stressed by another contemporary scholar, Kuṭb Muṣṭafā Sano,<sup>54</sup> who supports this view with an even deeper insight stating:

“With an in-depth look into the intellectual, creedal, political, and juristic literature, it can be easily seen that no one of the classical Muslim scholars in those different fields has ever attempted to define terrorism. Terrorism is a modern issue that has not been referred to let alone been tackled by the classical jurists or exegetes.”<sup>55</sup>

Indeed, the above view of Sano constitutes a landmark in exploring the history of the modern terrorism in the Muslim intellectual, juristic and exegetical literature. It proves, on the one hand, to a great extent, the falsehood of the proponents of the

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2004), p. 1167; Niaz A. Shah, *Self-defence in Islamic and International Law: Assessing al-Qaeda and the Invasion of Iraq* (Basingstoke: Palgrave Macmillan, 2008), p. 66.

<sup>52</sup> Muḥammad ʿAbd al-Raḥīm Sulṭān al-ʿUlamā' is currently a professor of Islamic Jurisprudence and Its Principles, Faculty of Sharīʿah and Law in Dubai, UAE. He is also a member of the Islamic Fiqh Academy affiliated to the Organization of the Islamic Conference (OIC).

<sup>53</sup> Muḥammad ʿAbd al-Raḥīm, “Mawqif al-Islām min al-Irhāb”, p. 1158.

<sup>54</sup> Minister of Islamic Affairs in Guinea and Deputy Chairman, International Council for Fiqh Academy affiliated to the OIC.

<sup>55</sup> Kuṭb Muṣṭafā Sano, “Fī Muṣṭalaḥ al-Irhāb wa Ḥukmuh: Qirā'ah Naqdiyyah fī al-Mafhūm wa al-Ḥukm min Manzūr Sharʿī”, [article online]; available from [http://alminbar.al-islam.com/Mehwar\\_erhabM.aspx?View=Page&PageID=6&PageNo=1&BookID=207&word=images/books/220.doc&pdf=images/books/220.pdf](http://alminbar.al-islam.com/Mehwar_erhabM.aspx?View=Page&PageID=6&PageNo=1&BookID=207&word=images/books/220.doc&pdf=images/books/220.pdf); Internet; accessed 1 January 2008, p. 6.

“hawkish interpretations”<sup>56</sup> who believe in having *carte blanche* to strike terror into the hearts of their imaginary enemies. On the other, it undeniably rebuts the allegation of researchers such as Haytham Muḥammad who claim that al-Rāzī is the “...ideologue of the philosophy of terrorism”.<sup>57</sup> The baselessness of Haytham’s allegation here is self-evident, especially when the scholarly statements laid down by the two prominent scholars mentioned above are taken into consideration. Thus, it is unfounded to claim that there is a necessary link between the Qur’ānic lexeme ‘*rahaba*’ (to fear), along with its derivatives, and the term ‘terrorism’, which lexically refers to the use of violence for political aims.<sup>58</sup> What clearly establishes the above view is that the Cairo-based Academy of Arabic Language<sup>59</sup> endorses the use of the word ‘*irhāb*’ (terrorism) as a newly-introduced word in the Arabic language with the root ‘*rahaba*’. The Academy states that terrorists are those who adopt violence and terrorism to achieve their political objectives.<sup>60</sup> This definition of the academy is the same as that adopted by authors of *al-Muʿjam al-Wajīz*.<sup>61</sup>

From the above, it can be observed that some researchers and lexicographers believe that the term ‘terrorism’ has its root both in the Arabic language and in the Qur’ān. However, they admit that there is a yawning gap between the ‘positive’ fear which denotes respect inherent in the lexeme ‘*rahaba*’, and the word ‘*irhāb*’ which

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<sup>56</sup> This phrase is inspired by a statement made by Colin Turner referred to earlier in this Chapter.

<sup>57</sup> Haytham, *Maḥūm al-Irhāb*, p. 39.

<sup>58</sup> Hornby, *Oxford Advanced Learner’s Dictionary of Current English*, ed. Jonathan Crowther (Oxford: Oxford University Press, 5<sup>th</sup> ed., 1995), p. 1233.

<sup>59</sup> Established in 1932, the Academy of the Arabic Language in Cairo is a leading international Arabic linguistic institution having Arab and non-Arab members; available from <http://www.arabicacademy.org.eg/FrontEnd/nabza.aspx>; Internet; accessed 17 January 2008.

<sup>60</sup> Shawqī Dayf, et al., *Al-Muʿjam al-Wasīṭ* (Cairo: Maktabat al-Shurūq al-Dawliyyah, 4<sup>th</sup> ed., 2004), p. 376.

<sup>61</sup> Majmaʿ al-Lughah al-ʿArabiyyah, *Al-Muʿjam al-Wajīz* (Cairo: Egyptian Ministry of Education, 1994/1415), p. 279.

refers to the ‘negative’ fear occurring as a result of threats arising from using different material force. Thus, according to them ‘*irhāb*’ in its negative sense is equal to *ru<sup>c</sup>b* (fright) or *zu<sup>c</sup>r* (horror)<sup>62</sup>, and both meanings have nothing in common with the ‘reverent fear’<sup>63</sup> understood by the Arabic word ‘*rahaba*’.

Other researchers argue that the word ‘terrorism’ has been wrongly translated into Arabic as ‘*irhāb*’, stating that the precise translation of the word should be ‘*ir<sup>c</sup>āb*’; and not ‘*irhāb*’. Therefore, it is of great importance, as far as the issue in question is concerned, to make such differing viewpoints known because this paves the way towards enhancing awareness of the serious repercussions that surface as a result of mixing<sup>64</sup> linguistically different terms together. When, for example, the word *rahab*, *rahaba* and *irhāb* are all said to mean ‘reverent fear’ or ‘awe’, they are, according to Scott C. Alexander, all primarily directed to God alone (e.g. Qur’ān 2: 40),<sup>65</sup> though misdirected toward other issues (Qur’ān 59: 13),<sup>66</sup> then such interchanging adds more confusion to the already confusing concepts. Here, it can be stated that unlike ‘*rahab*’, which has an almost exclusively positive connotation, the word ‘*irhāb*’ carries an exclusively negative connotation. On the one hand, while ‘*ir<sup>c</sup>āb*’ can be considered as a very accurate Arabic translation of the English term ‘terrorism’, it is not frequently

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<sup>62</sup> Aḥmad Jalāl ʿIzziddīn, *Al-Irhāb wa al-ʿUnf al-Siyāsī* (Cairo: Dār al-Ḥurriyyah li al-Ṣaḥāfah wa al-Ṭibāʿah wa al-Nashr, 1986), p. 21 quoted in Abdulhafiz bin Abdullah Al-Malki, “Naḥwa Binā’ Istirāṭijiyah Waṭaniyyah”, [article online]; available from <http://www.nauss.edu.sa/NAUSS/Arabic/Menu/ELibrary/ScLetterResearch/Doctorate/year1/par t1/dps12006.htm>; Internet; accessed 2 March 2008, p. 96.

<sup>63</sup> This phrase is inspired by a statement made by Scott C. Alexander referred to in this Chapter.

<sup>64</sup> By mixture here I mean mixing ‘*ir<sup>c</sup>āb*’ with ‘*irhāb*’ when talking or writing about terrorism.

<sup>65</sup> “Children of Israel, remember how I blessed you. Honour your pledge to Me and I will honour My pledge to you: I am the one you should fear.” Haleem, *Qur’an*, p. 7.

<sup>66</sup> “Fear of you [believers] is more intense in their hearts than fear of God because they are people devoid of understanding.” Haleem, *Qur’an*, p. 366; Scott C. Alexander, “Fear”, in Jane Dammen McAuliffe, ed., *The Encyclopaedia of the Qur’ān* (Leiden: Brill, 2002), Vol. 2, p. 197.

used. *'Irhāb'*, on the other hand, is frequently used, even though it expresses the true meaning less accurately.

### 1.2.5 Terrorism in the English Language

The term 'terrorism' found its way into the English language only at the time of the French Revolution.<sup>67</sup> It is not originally an English word but rather an adopted one. The word 'terror' itself, according to Charles Tilly<sup>68</sup>, also entered the West's political vocabulary as a name for French revolutionaries' actions in 1793\1794.<sup>69</sup> Viewing the aims of the French Revolution, which according to the leading American expert on terrorism Bruce Hoffman,<sup>70</sup> were adopted to establish order during the anarchic period that followed the uprising of 1789,<sup>71</sup> it can be easily observed that when the word 'terrorism' is studied in its original context, it carries a positive meaning. Thus, when it comes to the meaning of the term 'terrorism', it can be claimed that it was originally positive but the word acquired negative connotations with the elapse of time. It was

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<sup>67</sup> Weinberg and Eubank, *Terrorism*, p. 26; Grant Wardlaw, *Political Terrorism: Theory, Tactics, and Counter-measures* (Cambridge: Cambridge University Press, 1982), p. 18; Hoffman, *Terrorism*, p. 3; Parvez Ahmed, "Terror in the Name of Islam-Unholy War, Not Jihad", *Case Western Reserve Journal of International Law*, Vol. 39, No. 3, 2007\2008, p. 764; Reuven Young, "Defining Terrorism: The Evolution of Terrorism as a Legal Concept in International Law and Its Influence on Definitions in Domestic Legislation", *Boston College International and Comparative Law Review*, Vol. 29, No. 1, 2006, p. 27.

<sup>68</sup> Charles Tilly is the Joseph L. Battenwieser Professor of Social Science at Columbia University.

<sup>69</sup> Charles Tilly, "Terror, Terrorism, Terrorists", *Sociological Theory*, Vol. 22, March 2004, p. 8. See also, An-Na'im, "Islamic Ambivalence to Political Violence", p. 310. Gus Martin further states that, "During the French Revolution, the word *terrorism* was coined in its context by British statesman and philosopher Edmund Burke. He used the word to describe the *régime de la terreur*, commonly known in English as the Reign of Terror." Gus Martin, *Understanding Terrorism: Challenges, Perspectives, and Issues* (Thousand Oaks, Calif.; London: Sage Publications, 2003), p. 5. See also, Arthur H. Garrison, "Terrorism: The Nature of its History", *Criminal Justice System*, Vol. 16, Issue 1, 2003, p. 44; Zeidan, "Agreeing to Disagree: Cultural Relativism and the Difficulty of Defining Terrorism", p. 288.

<sup>70</sup> Bruce Hoffman is currently a tenured professor in the Security Studies Program at Georgetown University's Edmund A. Walsh School of Foreign Service, Washington, DC.

<sup>71</sup> Hoffman, *Terrorism*, p. 3.

after World War II, according to Hoffman, that the meaning of terrorism regained the revolutionary connotations with which it is most commonly associated today. He also states that in the late 1960s and 1970s, the word terrorism continued to possess its positive revolutionary context whereas in the 1980s and 1990s the word came to be regarded as referring to means to destabilize the West.<sup>72</sup> Thus, it is only recently that the term begins to acquire a negative meaning, although writers such as Whittaker<sup>73</sup> would argue that the English word ‘terrorism’ has long had a negative meaning.<sup>74</sup>

Looking at some of the reputable English dictionaries, it can be easily noticed that most of the definitions either trace the origin of the word to the French Revolution<sup>75</sup> or else limit its lexical definition to the use of violence for political<sup>76</sup> rather than ideological or religiously-motivated aims, making the attempt to define terrorism from this perspective difficult.

It appears from the above that there is a similarity between the Arabic word ‘*irhāb*’ and the English word ‘terrorism’ in that neither is found in classical Arabic or English dictionaries. Rather, these words were introduced into both languages as a result of particular contextual and historical circumstances. In both languages, they mostly carry similar negative connotations, especially in recent times, as is vividly demonstrated by the historical origin of the English word and its relation to the *régime de la terreur*, and the recent introduction of the Arabic word ‘*irhāb*’ into modern Arabic lexicons, as earlier explained. However, this similarity in terms of the etymological aspect of both words does not rule out the fact that both words are wrongly translated. When ‘*irhāb*’ is translated as ‘terrorism’ and vice versa, a great deal of confusion arises

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<sup>72</sup> Ibid., pp. 16 f.

<sup>73</sup> David Whittaker was Lecturer in International Relations at the University of Teesside, UK.

<sup>74</sup> David J. Whittaker, *The Terrorism Reader* (New York: Routledge, 2001), p. 13.

<sup>75</sup> Ibid.

<sup>76</sup> Hornby, *Oxford Advanced Learner's Dictionary*, p. 1233.

from the implicit claim that they are bilingual synonyms. As stated above, *'ir<sup>c</sup>āb*' and not *'irhāb*' is the most accurate Arabic equivalent of the word 'terrorism' and so the differences in perception and usage between *'ir<sup>c</sup>āb*' and 'terrorism' in Arabic and English respectively inescapably contribute to the widening of the gap in understanding that exists as a result of failing to reach a unified bilateral lexical definition of both words in Arabic and English. A general evaluation of the dictionary definitions of both words leads to the conclusion that, while useful to a certain extent, they are of little help, which is why attempting to tackle the technical definitions of terrorism is becoming essential here.

### **1.3 Technical Definitions of Terrorism**

As stated earlier in this chapter, technical definitions of terrorism vary from economic to social, from sociological to religious types. This last type of terrorism is perhaps the most vivid of all. It has various internal subcategories, such as internal terrorist strife between Protestants and Catholics within Christianity, or between Sunnīs and Shi'ites within Islam. Thus, even within one single religion, 'intra-religious terrorism' between followers of the same school of thought can be clearly seen, with a certain dissenter group emerging and claiming that their way is the right way of commitment to the school of thought.<sup>77</sup> There are also variations of other definitional 'layers' within each category, for example, academic, individual, governmental, non-governmental, international, national etc. Special emphasis will be given first to the definitions of religious-based terrorism within the Sunnī concept of Islam as demonstrated by official and unofficial organizations in Eastern contexts. Then, where relevant, a discussion of some definitions in the Western context will follow in a bid to explore the similarities or

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<sup>77</sup> Ḥanafī, "Muqāwamat al-Irhāb", pp. 22-23.

dissimilarities between the two. The reason behind this selective process here is the very clear lack of individual, local or even academic definitions of terrorism from a religious perspective.<sup>78</sup> In addition, narrowing the technical definitions to organizational definitions is relevant in view of the wide receptivity of such definitions among the general public, regarding both unofficial organizations on the one hand, and the legislative effectuality of official organizations on the other.

### 1.3.1 Technical Organizational Definitions in the Islamic Context

The first technical organizational definition<sup>79</sup> to be cited here is the official definition formulated in Cairo on 22 April, 1998 by the Arab Convention for the Suppression of Terrorism, which is adopted by the Council of Arab Ministers of the Interior and the Council of Arab Ministers of Justice in their final declaration. According to Article 1.2, the definition goes as follows:<sup>80</sup>

“Terrorism is any act or threat of violence, whatever its motives or purposes, which occurs in the advancement of an individual or collective criminal agenda. Its aim is to disseminate panic among people, causing fright by harming them, or by exposing their lives, freedom or security to danger, or attempting to cause damage to the environment or to public or private installations or property or occupying or seizing them, or attempting to jeopardize any of the national resources.”<sup>81</sup>

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<sup>78</sup> Some researchers, such as al-Maṭrūdī and others, would argue that citing as many individual definitions of terrorism as possible would help make the definition of terrorism more comprehensive by having many definitions supporting one another. Al-Maṭrūdī, “Al-Irhāb”, pp. 192 f. However, this would still not lead to a fully comprehensive definition and would perplex readers.

<sup>79</sup> The following definitions of terrorism, especially those based on Arabic sources, are my own translation from the original Arabic. Although online translations are available for some definitions, I prefer my own translation for purposes of accuracy between the source and the target languages.

<sup>80</sup> Mahmoud Samy, “The League of Arab States”, in Giuseppe Nesi ed., *International Co-operation in Counter-terrorism* (Hampshire: Ashgate, 2006), p. 157.

<sup>81</sup> Ali bin Faiz al-Jahni, *Al-Irhāb: Al-Fahm al-Mafrūd li al-Irhāb al-Marfūd* (Riyadh: Naif Arab University for Security Sciences, Centre for Studies and Researches, 2001/1421), pp. 18, 363. See also, Al-Jazzār, *Al-Jarā'im al-Irhābiyyah*, p. 64; Aḥmad °Alī al-Imām, “Ru'yah Ta'šiliyyah li-mafh- m al-Irhāb”, *Scientific Review of the European Council for Fatwa and Research*, No. 6, January 2005, p. 27.

The second definition appears in a statement issued by the Islamic Research Academy at al-Azhar<sup>82</sup> on 1 November 2001. The definition goes as follows:

“Terrorism is the act of frightening the secured, destroying their public interests, life essentials and human dignity for the purpose of sowing aggression and corruption on earth.”<sup>83</sup>

The third definition to be cited here is that issued in a resolution published by *al-Majma' al-Fiqhī al-Islāmī* (Islamic Juristic Academy), which is affiliated to the Muslim World League (MWL)<sup>84</sup> in Saudi Arabia, at its sixteenth session, held in Mecca 5–10 January 2002. Following is the text of the resolution with special focus on the definition:

“Terrorism is the aggression perpetrated by individuals, groups or states<sup>85</sup> with the purpose of infringing against people’s religion, life, intellect, property, and honour. It includes all types of disseminating panic, harm, threat or killing unjustly, including armed burglary, striking terror among travellers and highway robbery. It also includes all acts of violence or threats to implement any individual or group crimes for the sake of striking terror among people or terrifying them through threats of causing harm to them or endangering their lives, freedom, security or general conditions. It also includes causing harm to the environment, public utilities or public or private properties.”<sup>86</sup>

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<sup>82</sup> Al-Azhar in Egypt is regarded as the most important seat of Islamic learning. See, Omar Ashour, “A World Without Jihad?: The Causes of De-Radicalization of Armed Islamist Movements” (PhD Thesis, Department of Political Science, McGill University, Montreal, Canada, May 2008), p. 196, n. 5. See also his, *The De-Radicalization of Jihadists: Transforming Armed Islamist Movements* (London; New York: Routledge, 2009), p. 176.

<sup>83</sup> Sālim al-Bahnasāwī, *Al-Taṭarruf wa al-Irhāb fī al-Manzūr al-Islāmī wa al-Dawlī* (Al-Mansūrah: Dār al-Wafā’ li al-Ṭibā’ah wa al-Nashr wa al-Tawzī’, 2004, p. 64; Kuṭb Muṣṭafā Sano, “Al-Irhāb Baynā al-Sharī’ah wa al-If bī āy: Fī Muṣṭalaḥ al-Irhāb wa Ashkālūh min Manzūr Sharī’ī”, [article online]; available from <http://www.islamonline.net/Arabic/contemporary/2003/02/article04a.shtml>; Internet; accessed 25 February 2008; Wathā’iq wa Bayānāt, “Bayān Majma’ al-Buḥūth al-Islāmiyyah bi al-Azhar Bisha’n Zāhirat al-Irhāb” [article online]; available from <http://www.islamonline.net/Arabic/doc/2001/11/article3.shtml>; accessed 26 February 2008.

<sup>84</sup> Established in 1962, the MWL is an international non-governmental Islamic organization representing all Muslim countries throughout the world. See al-Malki, “*Naḥwa Binā’ Istirāṭijīyyah Waṭaniyyah*”, p. 101.

<sup>85</sup> For a thought-provoking discussion on the definitions of individual, group and state-sponsored terrorism see Majorie Cohn, “Distinguishing Terrorism”, *The Guild Practitioner*, Vol. 60, No. 1, Winter 2003, pp. 74-79.

<sup>86</sup> Bayān Makkah al-Mukarramah Bisha’n al-Irhāb, ‘Ta’rīf al-Irhāb’, *Majallat al-Majma’ al-Fiqhī al-Islāmī*, Vol. 13, No. 15, 2002, p. 491; Zakī ‘Ali al-Sayyid Abū Ghaddāh, *Al-Irhāb fī al-*

The fourth definition to be mentioned here is that issued by *Majm' al-Fiqh al-Islāmī* (Islamic Juristic Academy<sup>87</sup>), which is affiliated to the Organization of the Islamic Conference (OIC),<sup>88</sup> at its 17<sup>th</sup> session, held 24-28 June 2006. The definition goes as follows:

“Terrorism is aggression or the dissemination of panic or threat materially or immaterially carried out unjustly by states, groups or individuals against people’s religion, self, honour, intellect and property. It comprises all types of aggression and corruption.”<sup>89</sup>

### 1.3.2 Definitions Evaluated

Close examination of the above four definitions discloses the seemingly biased approach in them, because they apparently give a judgmental view of terrorism, considering it a form of aggression, and hence *ḥarām* (unlawful), as far as Islam is concerned, instead giving the reader the opportunity to have a full perception of the essential nature of terrorism. The above definitions, with the exception of the second one, attributed to the Islamic Research Academy at al-Azhar, share the view that ‘threat’ is a tool in terrorism, as well as the act of aggression which is its main component. All the definitions agree that terrorism need necessarily be related to political objectives, which is a common perception of the action, particularly in the Western context, but refer to aggression against man or nature, whether the objective is political, religious or

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*Yahūdiyyah wa al-Masīhiyyah wa al-Islām wa al-Siyāsāt al-Mu'āṣirah* (Al-Mansūrah: Dār al-Wafā', 2002), p. 37.

<sup>87</sup> This is a jurisprudential academy that studies contentious contemporary issues and seeks solutions for them according to the Islamic Sharī'ah. See, Rehman, *Islamic State*, p. 31.

<sup>88</sup> The OIC is the second largest inter-governmental organization after the United Nations; it has a membership of 57 states spread over four continents; Rehman, *Islamic State* p. 27 f. See also [http://www.oic-oci.org/oicnew/page\\_detail.asp?p\\_id=52](http://www.oic-oci.org/oicnew/page_detail.asp?p_id=52); accessed 24 February 2008.

<sup>89</sup> 17<sup>th</sup> session of the Islamic Juristic Academy affiliated to the OIC, “Mawqif al-Islām min al-Ghulūw wa al-Taṭarruf wa al-Irhāb” [article online]; available from <http://www.fiqhacademy.org.sa/qrarat/17-3.htm>; accessed 24 February 2008.

economic, etc. In addition, the above definitions agree that terrorism, in the forms described above, is not restricted to a specific nation or religion. They also consider the use or the threat of violence against innocent people or public or private property to be the aspect of terrorism that is criminalized and prohibited in Islam.

None of the four definitions refers specifically to the target of terrorism. All of them focus on the ‘terrorist’ and do not refer to *al-murhab* (the terrorized) or the source of his *‘iṣmah* (inviolability) and whether or not he is violable or inviolable in the Islamic sense.<sup>90</sup> Indeed, his violability or otherwise, according to Sano, has its source in either religion or in the place where he lives.<sup>91</sup> For him, these two sources are the only criteria upon which *al-murhab* is either granted or denied security.<sup>92</sup> He further states that it is essential for any definition of terrorism to include a clear reference to these two factors, because both of them affect the permissibility or impermissibility of terrorist acts.<sup>93</sup>

Moreover, another unmistakable element in the MWL and the OIC definitions is the emphasis on terrorism being ‘unjust’ aggression or killing. This may be seen indirectly to consider as alien to terrorism violence that furthers a just cause, such as in the case of freedom fighters who unilaterally consider themselves to be fighting for a legal right or in self-defence. Boaz Ganor<sup>94</sup> considers that the MWL definition cited above implies that acts committed in a just cause are permissible. In a tone apparently critical of the MWL definition and definitions similar to it, Ganor argues that these

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<sup>90</sup> Sano, “Fī Muṣṭalaḥ al-Irhāb”, p. 8.

<sup>91</sup> Ibid., p. 18.

<sup>92</sup> For a comprehensive exposition of this point, see *ibid.*, pp. 15-18.

<sup>93</sup> Ibid., p. 10.

<sup>94</sup> Boaz Ganor is the Founder and Executive Director of the think-tank International Policy and Institute for Counter-Terrorism.

definitions cause a great deal of confusion, thwarting any attempt to reach a consensus definition of terrorism.<sup>95</sup>

Indeed, Ganor's evaluative approach is one of the very few attempts that have recently begun to surface in international conferences concerned with the study of terrorism. His view is also expressed in many other conference papers submitted to the 5<sup>th</sup> three-day Worldwide Security Conference (WSC5) organized by the EastWest Institute (EWI)<sup>96</sup> on 19-21 February 2008. Interestingly, this conference attracted more than 750 security experts, government officials and concerned Muslim and non-Muslim scholars who gathered from different parts of the globe to discuss terrorism-related issues with especial focus on its relation to jihād. The major topics for WSC5 occupied the front pages of many renowned websites in both Muslim and non-Muslim countries.<sup>97</sup>

It is equally important to state that the above cited four definitions, which are listed chronologically, were all referred to in their original Arabic form throughout the three-day international conference entitled 'Islam's Stance on Terrorism' organized by Al-Imam Muhammad Ibn Saud Islamic University in Riyadh, Saudi Arabia on 20-22 April 2004, which brought together more than 120 Muslim scholars and researchers

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<sup>95</sup> Boaz Ganor, "An International Objective Definition of Terrorism as a Crucial Tool for New International Framework" [article online]; available from <http://www.ewi.info/pdf/Attachments171.pdf>; accessed 29 February 2008, p. 24.

<sup>96</sup> Founded in 1980, the EWI is an international, non-profit think-tank with centers in Brussels, New York and Moscow; available from <http://www.ewi.info/aboutewi/index.cfm?title=About%20EWI>; accessed 29 February 2008.

<sup>97</sup> See, for example, "Jihad Debated", [http://www.islamonline.net/servlet/Satellite?c=Article\\_C&cid=1203515459722&pagename=Zone-English-News/NWELayout](http://www.islamonline.net/servlet/Satellite?c=Article_C&cid=1203515459722&pagename=Zone-English-News/NWELayout); accessed 29 February 2008; Mark Trevelyan, "Security Professionals Gloomy on Terrorism Outlook", [article online]; available from <http://www.reuters.com/article/worldNews/idUSL2126797520070223>; accessed 29 February 2008.

from places as diverse as Asia and North America to discuss more than 60 bilingual Arabic and English research papers focusing on terrorism.<sup>98</sup>

Viewing the above two international attempts to define terrorism over a relatively short span of time, it can undoubtedly be said that since September 11<sup>th</sup> 2001, there have been ever-increasing attempts to study terrorism, from a religious perspective, with special reference to what it consists of. The attempts made by the Muslim scholars in the Saudi-based conference, as well as the definition put forward by the Islamic Research Academy at al-Azhar refer to what may be called a ‘semi-collective’ effort by modern Muslim jurists to explore terrorism something rarely imagined by the classical exegetes whose opinions are discussed throughout this thesis.

Of all these definitions, it can be said that the least comprehensive is the second, attributed to the Islamic Research Academy at al-Azhar, while the apparently most comprehensive is the third, attributed to the Islamic Juristic Academy. From the standpoint of chronology, the second definition emerged a few weeks after September 11<sup>th</sup> 2001, and it looks as though those who formulated this definition were hastening to condemn the attacks and reject any link between the teachings of Islam and terrorism. It is very clear from the general statement issued by al-Azhar that this was not done solely to define terrorism, but also to express the view of al-Azhar as a world-renowned Islamic institution concerning the catastrophic attacks of September 11<sup>th</sup>, the event that led to terrorism becoming wrongly linked to Islam and Muslims. In addition, the first

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<sup>98</sup> This important conference attracted wide coverage by international media at the time. See Jørgen S. Nielsen, “The Discourse of ‘Terrorism’ between Violence, Justice and International Order”, in Tahir Abbas, ed., *Islamic Political Radicalism: A European Perspective* (Edinburgh: Edinburgh University Press, 2007), p. 22. See also, <http://www.almotamar.net/news/8919.htm>; accessed 29 February 2008.

and the second definitions refer neither to the causes of terrorism nor to state terrorism.<sup>99</sup>

Of the four definitions mentioned above, it can be said that although the Arab Ministers' and al-Azhar's definitions represent respectively the official Arab definition of terrorism and that of the highest seat of Islamic learning in the Sunnī world, the definitions themselves are apparently vague. However, the above four definitions reflect outstanding efforts by Arabs and Muslims in general to define terrorism. Taking into account the limited geographical locations - mainly Egypt and Saudi Arabia - where the definitions were formulated, it can be said that they have been widely quoted. Neither the geographical location nor even the time element dissuade researchers such as Ganor from regarding the definition of the MWL in Saudi Arabia as representing the Islamic view of defining terrorism, which may not be entirely accurate.

Ganor's analysis of the MWL's definition contains certain weaknesses, which devalue his criticism of the definition. The first is the ambiguity of the source from which Ganor obtains his definition. Although he states straight after his quotation that the "...Muslim World League, 2001"<sup>100</sup> is his source, he refers neither to the original source<sup>101</sup> of his quoted definition nor to the website of the MWL, even as a secondary source.<sup>102</sup> The second is that, given that the original language of the definition is Arabic, Ganor's quoted version is imprecise and he does not state whether he is quoting from

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<sup>99</sup> State terrorism, according to M. Cherif Bassiouni, "...is carried out by state actors and is usually characterized by extensive, widespread, or systematic use of violence in violation of international humanitarian law and human rights law." Cherif Bassiouni, "Legal Control of International Terrorism: A Policy-Oriented Assessment," *Harvard International Law Journal*, Vol. 43, No. 1, Winter 2002, p. 84. For a brief discussion on the concept of state terrorism, see Suter, "September 11 and Terrorism", pp. 22-25.

<sup>100</sup> Ganor, "An International Objective Definition of Terrorism", p. 24.

<sup>101</sup> The original source here refers to the journal of the MWL (i.e. *Majallat al-Majma' al-Fiqh al-Islami*) referred to earlier in this Chapter.

<sup>102</sup> The official website of the MWL, which clearly does not have an English interface, is <http://www.themwl.org/>; accessed 2 March 2008.

another source or has himself translated it from Arabic to English. The definition as he quotes it drops, for example, some of the forms of terrorism mentioned in the original, such as "...armed burglary, striking terror among travellers and highway robbery". The third is that Ganor selectively chooses the phrase "outrageous attack" as a translation of the Arabic word "*udwān*" although the precise English equivalent is 'aggression'.<sup>103</sup> The fourth and final weakness is that Ganor overemphasizes the "killing without a just cause" in his quotation, considering it a major stumbling block to reaching a consensus definition of terrorism, while he pays comparatively little or no attention to the 'terrorized', or to 'state terrorism', whose perpetrators commit acts of terror, whether justifiable or not.

In spite of these reservations about Ganor's criticism of the MWL's definition, his apparent interest as a Western researcher in examining and evaluating the definitional attempts by the scholars of the MWL is in itself remarkable in view of the scarcity of Western scholars who debate such difficult definitions put forward by their Muslim counterparts. However, the attempts made by Western scholars themselves to define religious-based terrorism are worth stressing here in order to see how similar or dissimilar their definitions are, and whether or not both worlds may reach a consensus definition in the foreseeable future.

### **1.3.3 Religious-based Definitions of Terrorism in the Western Context**

Western scholars concerned with investigating religious-based terrorism argue that religious motives, whether Jewish, Christian or Islamic, are the most important defining

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<sup>103</sup> See the English word "aggression" translated as "*udwān*" at: <http://dictionary.reference.com/search?q=aggression&t=66>; accessed 2 March 2008.

characteristics of modern-day terrorism.<sup>104</sup> Hoffman stresses this view, stating that religiously-based terrorism leads to a considerably higher level of calamities if compared, for example, with secular terrorism. He further argues that, between 1998 and 2004, religious-based terrorism—although it led to only 6% of recorded incidents—was responsible for 30% of the total number of fatalities.<sup>105</sup> Such appalling statistics lead Hoffman to declare that religious-based terrorism is more striking in what he dubs as “Muslim terrorism” than that in any other religion. This is the core of Hoffman’s argument, which is difficult to conceal, although he reluctantly declares every now and then that religious-based terrorism is not confined exclusively to Islam.<sup>106</sup> Amidst this tendency to consider Islam as mainly responsible for terrorism, it is still rare to find writers such as Hoffman and his peers simply defining what is meant by religious terrorism or even Muslim terrorism. Even the definitions they adopt, such as that of the Federal Bureau of Investigation (FBI), contain religious along with ideological and political components.<sup>107</sup>

Given the above, it can be generally observed that many of the Western researchers on terrorism either resort to commenting on the given definitions of terrorism formulated by Muslim scholars, as in the case of Ganor above, or they reluctantly put themselves in Muslim scholars’ shoes, giving definitions that are characterized by having wider terrorism-related disciplines assuming that those definitions are more or less religiously-based. However, researchers such as Aref al-Khattar would argue that there is no satisfactory religious-based definition of terrorism, and there is therefore a pressing need to search for a meaningful definition while

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<sup>104</sup> Perlmutter, *Investigating Religious Terrorism*, pp. 4-5; Hoffman, *Terrorism*, pp. 83-85.

<sup>105</sup> RAND Terrorism Incident Database quoted in Hoffman, *Terrorism*, p. 88.

<sup>106</sup> Hoffman, *Terrorism*, p. 82.

<sup>107</sup> *Ibid.*, 33.

admitting that there is a general lack of literature on terrorism in this regard.<sup>108</sup> Given this situation, it is of great importance to discuss the very few definitions that are apparently considered relevant to the religious realm of the definition of terrorism in general and the Islamic concept of terrorism in particular, according to those who adopt them, in order to bridge the gap that exists between the two.

Here, it can be argued that Western terrorism writers such as Hoffman and Perlmutter give special importance to the FBI definition of terrorism, claiming that it constitutes the base upon which a religious definition of terrorism can be formulated.<sup>109</sup> Thus, it is important to discuss this apparently important definition, chosen by the researcher out of the very few that exist, to be the first definition discussed here. The US FBI definition of terrorism goes as follows:

“Terrorism is the unlawful use of force or violence against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives.”<sup>110</sup>

The second definition to be presented here is that of the US Department of Defense which defines terrorism as:

“The calculated use of unlawful violence or threat of unlawful violence to inculcate fear; intended to coerce or to intimidate governments or societies in the pursuit of goals that are generally political, religious, or ideological.”<sup>111</sup>

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<sup>108</sup> Al-Khattar, *Religion and Terrorism*, pp. 17, 37.

<sup>109</sup> Perlmutter, *Investigating Religious Terrorism*, p. 2; Hoffman, *Terrorism*, p. 33.

<sup>110</sup> This definition is available from the FBI website at: <http://denver.fbi.gov/nfip.htm>; accessed 18 February 2010. See also, Al-Khattar, *Religion and Terrorism*, p. 19; Counterterrorism Threat Assessment and Warning Unit, *Terrorism in the United States 2000/2001* (Washington, DC: US Department of Justice, FBI Publication #0308, 2002), p. 3 quoted in Hoffman, *Terrorism*, p. 31; Benjamin Grob-Fitzgibbon, “What is Terrorism? Redefining a Phenomenon in Time of War,” *Peace and Change*, Vol. 30, No. 2, April 2005, pp. 233 f.; Garrison, “Terrorism: The Nature of its History”, p. 40; Sherman A. Jackson, “Domestic Terrorism in the Islamic Legal Tradition,” *The Muslim World*, Vol. 91, No. 3-4, September 2001, p. 295; Al-Dawoody, “War in Islamic Law”, p. 355, n. 293; Cryan, “Defining Terrorism”, p. 98; Tiefenbrun, “A Semiotic Approach to a Legal Definition”, p. 367; Schmid, “Terrorism - The Definitional Problem”, p. 377.

<sup>111</sup> See Department of Defense Dictionary of Military and Associated Terms; available from <http://www.dtic.mil/doctrine/jel/doddict/data/t/05482.html>; accessed 13 March 2008. See also, Robert A. Pape, “The Strategic Logic of Suicide Terrorism”, *American Political Science*

The third definition to be mentioned here is what Dawn Perlmutter named the ‘Definition of Religious Terrorism’, which goes as follows:

“Religious terrorism is defined as any act of violence or threatened use of violence by a group or individual with the intent of intimidating individuals, citizens or governments in the furtherance of religious objectives. Religious terrorism is frequently characterized by the imposed or self-imposed infliction of either physical, psychological, symbolic or spiritual assaults in order to achieve the group’s and/or individual’s objectives.”

Having now cited the above definitions, the first point to argue here is the motivation behind the selective process. That will then be followed by an evaluative approach to these definitions and a consideration of how far they can contribute to the major issue of defining terrorism from an Islamic perspective.

It can be observed that there has been a growing interest in citing the American definitions of terrorism in general and the FBI definition in particular in almost all discussions about this issue especially since the tragic events of September 11<sup>th</sup> 2001. This interest is noticeably shared by both Muslim and non-Muslim researchers in the field. Modern Muslim scholars such as Sano, for example, discuss the FBI definition of terrorism, arguing that it “...gains weight by virtue of carrying the influential American brand represented in the FBI”.<sup>112</sup> Other Muslim researchers even cite the FBI definition without mentioning the reason, dealing with the definition at face value.<sup>113</sup>

Noticeably, the American definitions of terrorism are arguably the most quoted definitions in comparison with other definitions not only by Muslim researchers, but also by their Western non-Muslim counterparts. The latter researchers, however, place much emphasis on the FBI definition considering it, along with the State Department definition, as the basis from which the definition of religious terrorism can be

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*Review*, Vol. 97, No. 3, August 2003, p. 345; Ahmed, “Terror in the Name of Islam”, p. 765; Schmid, “Terrorism - The Definitional Problem”, p. 377.

<sup>112</sup> Sano, “Fī Muṣṭalaḥ al-Irhāb”, p. 7.

<sup>113</sup> Al-Malki, “Naḥwa Binā’ Istirāṭijiyah Waṭaniyyah”, pp. 100 f.

derived.<sup>114</sup> This may explain why Perlmutter's individual definition of terrorism is cited above. Thus, the citation of modern researchers of the above definitions<sup>115</sup> and the apparent interlink between those definitions and the ideological and religious elements stressed in them may be considered enough reasons to discuss them here.

However, a critical tone is noticeably absent in the writings of the Muslim researchers about the American definitions of terrorism in general and the FBI definition in particular. For example, out of a considerable number of research papers submitted to the 2004 Saudi-based conference referred to earlier in this chapter, which mention several definitions in general along with the FBI definition of terrorism in particular, Sano's scholarly critique of the definition is an exception; other scholars simply refer to the FBI definition within the context of other organizational and individual definitions, neither commenting on nor evaluating its components. Although Sano's selection of the FBI definition is deliberate, with the aim of discussing it in comparison with another Islamic definitions,<sup>116</sup> his evaluation of the definition is from a purely juristic perspective, something that is hard to find in much of the available literature about the same definition when dealt with by his Muslim counterparts. It is noteworthy that Sano, as a Muslim scholar, and other non-Muslim researchers such as Hoffman, give special focus to the FBI definition, a point that is worthy of discussion.

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<sup>114</sup> Perlmutter, *Investigating Religious Terrorism*, p. 2.

<sup>115</sup> Here, it can be further added that scholars such as al-Maṭrūdī refer to the State Department definition of terrorism even without commenting on it, even though considering it as the American definition of terrorism. Al-Maṭrūdī, "Al-Irhāb", pp. 189 f.

<sup>116</sup> According to Sano, the other Islamic definition is that attributed to the Islamic Research Academy at al-Azhar cited and evaluated earlier in this Chapter.

### 1.3.4 Sano-Hoffman's Discussion of the FBI Definition

Both Sano and Hoffman give detailed discussions of the FBI definition of terrorism. However, their discussions of the definition have some similar and dissimilar aspects. Both of them refer to the international status of those who formulated this definition, stating that it reflects certain priorities and interests of the FBI as an international organization, although, in contrast to Hoffman, Sano does not allude to this latter point in clear terms.<sup>117</sup>

Moreover, both Sano and Hoffman clearly refer to the generalization of the political and social objectives in the definition. Although Hoffman does not consider this to be a weakness in the definition, Sano opines that the definition not only limits the objectives to political and social but it is silent concerning whether the action committed is lawful or unlawful from an Islamic perspective. This, according to him, is a crucial point in determining the nature of, and hence the ruling concerning, a given terrorist act.<sup>118</sup>

Moreover, Sano and Hoffman give contrary justifications for their approaches to the definition. Although Hoffman's approach is generally considered to be wholly analytical, it is not surprising that Sano's approach is totally critical, applying the tools of a Muslim jurist whose main objective is to determine whether actions are permissible or prohibited.

Finally, it can be argued here that although the FBI definition refers neither to religious nor to ideological objectives—a fact admitted clearly by Hoffman—Sano attempts to Islamically criticize the seemingly 'un-Islamic' definition by citing three

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<sup>117</sup> Hoffman, *Terrorism*, p. 31; Sano, "Fī Muṣṭalaḥ al-Irhāb", p. 7.

<sup>118</sup> *Ibid.*, pp. 9, 33.

main reservations.<sup>119</sup> It is thus clear that the FBI definition is neither a religious definition with complete or semi-complete characteristics, according to Sano, nor a comprehensive general definition, as it overstates political and social objectives while neglecting others, according to Hoffman.

### **1.3.5 From Religious to Islamic Definitions**

Although the FBI definition is discussed above, it is not a definition upon which a religious or an Islamic definition of terrorism can be based. It is void of any reference to religious objectives. The US Department of Defense's definition, on the other hand, significantly refers to religious, ideological, and political objectives, although it omits the social objectives mentioned in the FBI's definition. The numerous elements in the Department of Defense's definition lead Hoffman to declare that, among all the other definitions he cites, it is arguably the most comprehensive.<sup>120</sup> This makes Perlmutter argue that both definitions constitute the basis for the religious definition of terrorism,<sup>121</sup> and this may explain why Perlmutter's definition is mentioned above as the only individual definition which totally omits any reference to state terrorism, although it remarkably refers to 'psychological, symbolic or spiritual assaults', which the American definitions quoted above do not refer to. It can be further added here that Perlmutter's definition refers to religious terrorism in general without going into details about each religion's definition of terrorism. Although she dedicates a whole chapter to discussing

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<sup>119</sup> Sano's three main reservations about the FBI definition can be summarized as follows: 1. The absence of scientific objectivity about formulating the definition. 2. Generalizing the position of the terrorized 3. Generalizing the aims of terrorism. For a comprehensive discussion of these three main reservations, see Sano, "Fī Muṣṭalaḥ al-Irhāb", pp. 7-11.

<sup>120</sup> Hoffman, *Terrorism*, p. 33.

<sup>121</sup> Perlmutter, *Investigating Religious Terrorism*, p. 2.

Islamic beliefs and Islamic religious sects in particular<sup>122</sup>, she neither names nor articulates an Islamic definition of terrorism in her book.

### **1.3.6 Of Islamic and Qur'ānic Definitions: Synthesizing a Definition**

The above analysis of the Western definitions of terrorism reveals that they do not provide a single comprehensive Islamic definition of terrorism. Sherman A. Jackson<sup>123</sup> has argued that this is because Muslim and non-Muslim Western scholars alike devote little attention to the Islamic definition of terrorism.<sup>124</sup> The definitional attempts presented so far in this chapter refer to the remarkable contributions in the field of religious terrorism rather than singling out the Islamic definition of terrorism, although the Western organizations and authors whose 'religious' definitions of terrorism are presented in this chapter provide a rich resource for condemning what they call 'Muslim terrorism'.

Moreover, the lack of a presentation of an Islamic definition of terrorism by the Western side is paralleled by a similar paucity of definitions from a Qur'ānic perspective as far as the Eastern side is concerned. Although modern Muslim scholars and researchers exert concerted efforts to disassociate terrorism from the teachings of Islam in general and the Qur'ān in particular, their efforts to formulate a comprehensive definition of terrorism from a Qur'ānic perspective are very rare. Amongst the rich literature by modern Muslim scholars who discuss the definition of terrorism from an Islamic perspective, it is still unusual to find a scholarly attempt to put forward a Qur'ānic definition of terrorism. Indeed, the present researcher's work has revealed no

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<sup>122</sup> Ibid., pp. 83-107.

<sup>123</sup> Sherman A. Jackson is a professor of Arabic and Islamic Studies, Department of Near Eastern Studies, University of Michigan, USA.

<sup>124</sup> Jackson, "Domestic Terrorism in the Islamic Legal Tradition", p. 293.

definition of terrorism from a Qur'ānic perspective by a Muslim researcher except for one formulated by Ahmad ʿĪsāwī.<sup>125</sup> His definition<sup>126</sup> apparently bears the Qur'ānic 'brand' but is in fact another attempt by a Muslim scholar to define terrorism from an Islamic rather than a Qur'ānic perspective.

### **1.3.7 A Proposed Definition of Terrorism from an Islamic Perspective**

Based on the various definitions cited earlier in this chapter, especially those highlighting the definition of terrorism from an Islamic perspective, and with their evaluation in mind, an Islamic definition of terrorism can be deductively defined as follows: Terrorism is the premeditated, physical or non-physical attempt by individuals, groups or states to infringe upon the religion, life, intellect, property or honour of innocent people, regardless of their faith, race or nationality. It consists of all types of unjust dissemination of panic, harm, threat or killing, including brigandage, striking terror among travellers, and causing harm to the environment<sup>127</sup> and public utilities, carried out for non-Islamic and illegitimate causes.

Having now arrived at a definition of terrorism from an Islamic perspective, it can be observed that terrorism is a crime in Islam.<sup>128</sup> Exploring the history of this crime

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<sup>125</sup> Ahmad ʿĪsāwī is a professor of contemporary Islamic thought, Faculty of Islamic and Social Sciences, Batna University, Algeria.

<sup>126</sup> ʿĪsāwī's definition of terrorism goes as follows: "Terrorism is the verbal and/or physical attempt to frighten secured civilians anywhere in the world, that is directed against any race, ethnicity or nation - with the exception of reciprocal attacks, such as the case in Palestine - with the aim of harming, destroying or killing them in order to blackmail and subjugate their governments for illegitimate causes." Ahmad ʿĪsāwī, "Maḥūm al-Irhāb fī al-Qur'ān: Muqārabah li Dirāsāt Dilālat al-Muṣṭalaḥ al-Qur'ānī", *Al-Waʿy al-Islāmī*, Rabīʿ al-Awwal 1426-April/May 2005, p. 48.

<sup>127</sup> For a thought-provoking study of Islam's care about the environment see, Mawil Izzi Dien, *The Environmental Dimensions of Islam* (Cambridge: The Lutterworth Press, 2000).

<sup>128</sup> Chapter Five of this thesis discusses this issue in detail.

within Islamic history briefly, and explaining whether or not the Qur'ān has referred to any aspect of it is what will occupy us for the rest of this chapter.

#### 1.4 History of Muslim Terrorism: Two Attitudes

Many modern writings associate, or disassociate, the modern terrorism action with the eleventh-century Assassins in Islamic history.<sup>129</sup> In this regard, it can be observed that there are two main attitudes, of which the major dominant one links modern 'Muslim terrorism' historically to the Assassins. This dominant attitude can be widely seen in the works of some Western authors such as Bernard Lewis<sup>130</sup> and J.P. Larsson.<sup>131</sup> The other attitude is less powerful and hence its supporters are far fewer in number. Olivier Roy<sup>132</sup> is supposedly the champion of this attitude. He states that there has almost never been an example in Muslim history to parallel today's terrorist acts, claiming that Lewis—being a champion of the proponents of the first attitude by virtue of concerning himself with the etymological aspects of the Assassins<sup>133</sup>—established the opposite while trying to link present-day terrorism to the Assassins. To back his argument, Roy states that the Assassins themselves constitute a marginalized heresy and so they are an exception in

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<sup>129</sup> Literally, the word 'assassins' means 'hashish eaters'. The Assassins, who are also known as Ismailis-Nizaris, were a sect that survived for two centuries between 1090 and 1275 AD. Al-Khattar, *Religion and Terrorism*, p. 31. According to Bernard Lewis, the Assassins were led by a mysterious figure known as the Old Man of the Mountain. Bernard Lewis, *The Assassins: A Radical Sect in Islam* (London: Phoenix, Orion Books, 2003), p. 2; See also, Oliver McTernan, *Violence in God's Name: Religion in an Age of Conflict* (Maryknoll, NY: Orbis Books, 2003), pp. 73 f. For a comprehensive account of the history of the Assassins, see, for example, Lewis, *The Assassins*. In addition, the scholarly work of Farhad Daftary is very useful. Farhad Daftary, *The Assassin Legends: Myths of the Isma'ilis* (London: Tauris, 1994). See also his, "The 'Order of the Assassins': J. von Hammer and the Orientalist Misrepresentations of the Nizari Ismailis (Review article)", *Iranian Studies*, Vol. 39, No. 1, March 2006, pp. 71-81; Kingshott, "Terrorism: The 'New' Religious War", p. 15.

<sup>130</sup> Lewis, *The Assassins*, p. 9.

<sup>131</sup> J.P. Larsson, *Understanding Religious Violence: Thinking outside the Box on Terrorism* (Aldershot: Ashgate, 2004), pp. 37-41.

<sup>132</sup> Roy is a lecturer for both the School for Advanced Studies in the Social Sciences (EHESS), and the Institut d'Etudes Politiques de Paris (IEP).

<sup>133</sup> Daftary, *The Assassin Legends*, p. 4.

Islamic history.<sup>134</sup> However, Larsson counters Roy's argument, declaring that, although much of the information available about the Assassins is derived from sources that are historically unreliable, or deliberately misleading, and is mentioned in passing<sup>135</sup> in the absence of a comprehensive and objective study dedicated to the Assassins as a subject in their own right, there are nevertheless still some authoritative writings<sup>136</sup> solely dedicated to unraveling the real history of the Assassins.<sup>137</sup> Moreover, he argues that there are similarities between contemporary religious terrorists and the Assassins, stating that the strong belief in martyrdom, as well the intention not to escape or survive their mission of assassination, are the main elements that link modern-day terrorists to the 'first terrorists' (i.e. the Assassins).<sup>138</sup> Indeed, the Assassins, as a perverted sect in Islam, are seemingly the most controversial for modern Western researchers who trace the history of 'Muslim terrorism'. Compared with other sects that engaged in various forms of killing and assassination in Islamic history, such as *al-Azāriqah*, the Kharijites, *al-Khannāqah* or *al-Raḍḍākhūn*, and *al-Qarāmiṭah* (Karmathians),<sup>139</sup> the Assassins

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<sup>134</sup> Olivier Roy, *Globalised Islam: The Search for a New Ummah* (London: Hurst, rev. & enl. ed., 2004), p. 42.

<sup>135</sup> The main reason behind this, according to Larsson, is the fact that the majority of those who wrote about the Assassins were Sunnī Muslim scholars who were arch-enemies of the Assassins, and that is why they presented their history in a non-objective way with the intention of discrediting them. Larsson, *Understanding Religious Violence*, p. 37. Other authors, such as Daftary, do not rule out the main reason mentioned here, but Daftary attributes the problem to the narrow and fanciful viewpoint of the mediaeval Crusaders as well. Daftary, *The Assassin Legends*, p. 6.

<sup>136</sup> Larsson considers that Lewis' *The Assassins* as one of very few authoritative writings about the Assassins.

<sup>137</sup> Larsson, *Understanding Religious Violence*, p. 37.

<sup>138</sup> Ibid., pp. 37-40.

<sup>139</sup> For comprehensive definitions of all these three sects, see, for example, Haytham, *Maḥmūm al-Irhāb*, pp. 77-79. For a brief account of al-Qarāmiṭah, see Muḥammad ʿAli ibn Aḥmad ibn Ḥazm, *Al-Fiṣal fī al-Mīlāl wa al-Ahwā' wa al-Niḥal* (Beirut: Dār al-Kutub al-ʿIlmiyyah, 2<sup>nd</sup>. ed., 1999), Vol. 1, pp. 372 f.; al-Ḥaqīl, *Ḥaqīqat Mawqif al-Islām min al-Taṭarruf*, p. 71. For a complete account of al-Azāriqah, see Nāyif Maḥmūd Maʿrūf, *Al-Khawārij fī al-ʿAṣr al-Umawī: Nash'atuhum Tārīkhuhum ʿAqā'iduhum Adabuhum* (Beirut: Dār al-Ṭalīḥ li al-Ṭibāḥ wa al-Nashr wa al-Tawzīʿ, 2<sup>nd</sup>. ed., 1981), pp. 220-27. In addition, Watt gives a brief account of al-

remain one of the most radical sects in Islamic history,<sup>140</sup> although the ‘Assassins’ who survive today, according to Larsson, are far removed from modern-day terrorism.<sup>141</sup> Having now briefly dealt with the historical aspect of terrorism in Islam and the polemics surrounding it, it is time to discuss the Qur’ānic references to various aspects of terrorism.

### 1.5 Qur’ānic References to Various Forms of *Fasād*

A careful consideration of the components of the previously arrived at definition of terrorism, as well as most of the other definitions discussed in this chapter, makes it apparent that killing and other forms of corruption<sup>142</sup> are the major aspects of terrorism that are clearly presented. Indeed, the Qur’ān has much to say about these elements. *Fasād*<sup>143</sup> (causing corruption) and its various lexemes such as *fasada* (to become corrupt), *afsada* (to act corruptly), *mufsid* and its plural form *mufsidūn* (corrupting person(s)) occur fifty times in the Qur’ān.<sup>144</sup> Those fifty occurrences have many

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Azāriqah. See William Montgomery Watt, *The Formative Period of Islamic Thought* (Oxford: Oneworld Publications, 1998), pp. 20-23.

<sup>140</sup> Al-Tartūrī and Guwayhān, *‘Ilm al-Irhāb*, p. 83.

<sup>141</sup> Larsson, *Understanding Religious Violence*, p. 41.

<sup>142</sup> According to Zafar Iqbal and Mervyn K. Lewis, “In the Qur’an and Sunna, corruption refers to a broad range of behavioral digressions that threaten the social, economic and ecological balance (see Qur’ān 11:85; 28:4, 77, 83; 29:28-30; 30:41; 89:12).” Zafar Iqbal and Mervyn K. Lewis, “Governance and Corruption: Can Islamic Societies and the West Learn from Each Other?”, *American Journal of Islamic Social Sciences*, Vol. 19, No. 2, Spring 2002, p. 8.

<sup>143</sup> According to al-Aṣfahānī, the opposite of *fasād* is *ṣalāḥ* (righteousness). Al-Rāghib al-Aṣfahānī, *Mufradāt Alfāz al-Qur’ān*, ed. Ṣafwān ‘Adnān Dawūdī (Damascus: Dār al-Qalam, 2<sup>nd</sup> ed., 2002), p. 636.

<sup>144</sup> Muḥammad Fu’ād ‘Abd al-Bāqī, *Al-Mu‘jam al-Mufahras li Alfāz al-Qur’ān al-Karīm* (Cairo: Dār al-Ḥadīth, 1988), pp. 518 f; Elsaid M. Badawi and Muhammad Abdel Haleem, *Arabic-English Dictionary of Qur’anic Usage* (Leiden: Brill, 2008), pp. 709 f. According to Badawi and Abdel Haleem, *fasada* occurs three times, *afsada* fifteen times, *fasād* eleven times, *mufsid* once and *mufsidūn* twenty times, *Ibid.*, p. 709. *Iṣlāḥ* (effecting peace, bringing order), which is the antonym of *fasād*, and its various forms occur more than two hundred and eighty times in the Qur’ān. See, ‘Abd al-Mun‘im al-Ḥifnī, *Maws-‘at al-Qur’ān al-‘Aẓīm* (Cairo: Maktabat Madb- lī, 2004), Vol. 2, p. 1590.

forms<sup>145</sup> that can be categorized, as far as terrorism is concerned, as general and specific. General references to *fasād* in the Qur’ān include reference to declaring disbelief in Allah,<sup>146</sup> hypocrisy,<sup>147</sup> extravagance,<sup>148</sup> magic,<sup>149</sup> etc., whereas the specific references to *fasād* and its derivatives that are thought to have a direct relationship to various forms of modern-day terrorism include unjust killing, acting corruptly, and causing corruption (i.e. *fasād* and *ifsād*) in the land by destroying crops, livestock and other public utilities.<sup>150</sup>

### 1.5.1 Terrorism-related Forms in the Qur’ānic Discourse

According to Khalid Abou El Fadl, the Qur’ān refers to various forms of corrupting the earth, such as terrorizing residents and wayfarers, as well as other attacks in which non-combatants are targeted.<sup>151</sup> However, the main form of corruption that is directly related to terrorism from a Qur’ānic perspective is taking the life of a human being unjustly, irrespective of his/her faith,<sup>152</sup> race or geographical location. Such action is strongly prohibited in the Qur’ān as Allah says:

“Do not take life, which God has made sacred, except by right...”<sup>153</sup> (Qur’ān 17: 33)

<sup>145</sup> Mustansir Mir, *Dictionary of Qur’ānic Terms and Concepts* (New York: Garland, 1987), p. 42.

<sup>146</sup> See, for example, Qur’ān 16:88, 21:22.

<sup>147</sup> See, for example, Qur’ān 2:11-12.

<sup>148</sup> See, for example, Qur’ān 26:151-152

<sup>149</sup> See, for example, Qur’ān 10:80-82.

<sup>150</sup> Badawi and Abdel Haleem, *Dictionary of Qur’anic Usage*, pp. 709 f.

<sup>151</sup> Khaled Abou El Fadl, *The Great Theft: Wrestling Islam from the Extremists* (New York: HarperCollins, 2005), p. 242.

<sup>152</sup> Abdur Rahman Hassan Al Nafisah, “Al-I’tidā’ ‘alā al-Āminīn wamā Yatarattab ‘alayh”, *Contemporary Jurisprudence Research Journal*, Vol. 16, No. 64, Sep-Oct-Nov 2004, pp. 291 f.; al-Ḥifnī, *Maws-‘at al-Qur’ān*, p. 2450; Maḥm-d Shalt-t, *Al-Islām: ‘Aqīdah wa Sharī‘ah* (Cairo: Dār al-Shur-q, 15<sup>th</sup> ed., 1988/1408), p. 337.

<sup>153</sup> Haleem, *Qur’an*, p. 177.

Al-Rāzī states that this verse indicates that taking the life of a human being [without a just cause] is the greatest sin after associating partners with Allah. He stresses that *al-ḥurmah al-mughallaḏah* (strong prohibition) is the original ruling that governs killing others unjustly, affirming that killing can only be legitimate if clear reasons are established.<sup>154</sup> Here, al-Rāzī gives an outstanding explanation for his inference from the verse, especially when he discusses the main reasons behind the prohibition of murder, arguing that taking the lives of others unjustly constitutes an irreparable harm that runs counter to the main spirit of Islam; a religion that states that there should be neither harm nor reciprocating harm. Moreover, al-Suyūṭī stresses that the above verse is the first verse to be revealed in the Qur’ān concerning the prohibition of killing others unjustly.<sup>155</sup>

In this respect, modern exegetes, such as al-Sha<sup>c</sup>rāwī, assert that taking the life of a single soul unjustly renders the whole society responsible and not just the killer himself.<sup>156</sup> However, holding the whole society responsible for the crime committed by a single individual, as described by al-Sha<sup>c</sup>rāwī here, is an unnecessary overemphasis on the prohibition of such a crime at a time when Qur’ān 53:38 is decisive in declaring that “...no soul shall bear the burden of another.”<sup>157</sup> This Qur’ānic concept of personal responsibility for one’s actions is reiterated five times in the Qur’ān,<sup>158</sup> leaving no doubt that the collective responsibility of society should not be asserted unnecessarily. The society itself is a group of individuals and accepting al-Sha<sup>c</sup>rāwī’s opinion here without

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<sup>154</sup> Fakhr al-Dīn Muḥammad ibn ‘Umar al-Tamīmī al-Rāzī, *Al-Tafsīr al-Kabīr aw Maḑātīḥ al-Ghayb* (Beirut: Dār al-Kutub al-‘Ilmiyyah, 2000), Vol. 20, pp.159 f.

<sup>155</sup> ‘Abd al-Raḥmān ibn al-Kamāl Jalāl al-Dīn al-Suyūṭī, *Al-Durr al-Manthūr fī al-Tafsīr bi al-Ma’thūr* (Beirut: Dār al-Fikr, 1993), Vol. 5, p. 282.

<sup>156</sup> Muḥammad Mutawallī al-Sha<sup>c</sup>rāwī, *Tafsīr al-Sha<sup>c</sup>rāwī* (Cairo: Akhbār al-Yawm, 1991), Vol. 14, p. 8511.

<sup>157</sup> Haleem, *Qur’an*, p. 348.

<sup>158</sup> For the five occurrences in the Qur’ān, see 6:164, 17:15, 35:18, 39:7, and 53:38.

question is a form of injustice against innocent people who neither commit nor share in the criminal act of killing. The fact that murder is a horrible crime is not a pretext for declaring that once it is committed by a single individual, the society becomes responsible or shares in the responsibility. The Qur'ān, according to Abou El-Fadl, "...reminds Muslims that no one should be made to suffer for the sins of another."<sup>159</sup> Unlike al-Sha<sup>c</sup>rāwī, Quṭb gives a very balanced explanation of Qur'ān 53:38 by stating that each human life has a sanctity that cannot be violated, arguing that Allah is the Giver of life and none other than Him can take life away without His permission and within the limits He has allowed.<sup>160</sup> Furthermore, Quṭb quotes a ḥadīth narrated by al-Bukhārī and Muslim, which according to him, contains the only three legal justifications<sup>161</sup> for killing. The ḥadīth, reported by <sup>c</sup>Abdullah ibn Mas<sup>c</sup>ūd, goes as follows:

“No Muslim person who bears witness that there is no deity other than God and that Muhammad is God’s Messenger may be killed except for one of three reasons: a life for life, a married adulterer and a rebel who renounces his faith and abandons his community.”<sup>162</sup>

Although Quṭb quotes this ḥadīth as evidence for specifically stating that killing is only permissible in these three cases, Ibn Kathīr considers it to be major evidence for the prohibition of taking the life of others unjustly.<sup>163</sup> Moreover, a careful investigation

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<sup>159</sup> Abou El Fadl, *The Great Theft*, pp. 244, 306.

<sup>160</sup> Sayyid Quṭb, *Fī Zilāl al-Qur'ān* (Cairo: Dār al-Shurūq, 12<sup>th</sup> ed., 1986/1406), Vol. 4, p. 2224; Sayyid Quṭb: *In the Shade of the Qur'ān*, trans. and ed. Adil Salahi (Leicester: The Islamic Foundation, 2005), Vol. 11, p. 157. This same concept is affirmed by Kamali who states that, "...life is a God-given gift and not the creation of its bearer, hence the latter does not have the right to destroy it." Kamali, *Shari'ah Law*, p. 283.

<sup>161</sup> Taking into account the scope of this thesis in general and the focus of this Chapter in particular, it is beyond the scope of this study to discuss those three reasons.

<sup>162</sup> Al-Bukhārī, *Ṣaḥīḥ al-Bukhārī*, No. 6878, in *Mawsū'at al-Ḥadīth al-Sharīf: Al-Kutub al-Sittah*, ed. Ṣāliḥ bin <sup>c</sup>Abd al-<sup>c</sup>Azīz Āl al-Shaykh (Riyadh: Dār al-Salām li al-Nashr wa al-Tawzī<sup>c</sup>, 1999), p. 573.

<sup>163</sup> Ismā'īl ibn <sup>c</sup>Umar ibn Kathīr, *Tafsīr al-Qur'ān al-<sup>c</sup>Azīm* (Beirut: Dār al-Fikr, 1980-1/1401), Vol. 3, p. 39.

into both Ibn al-<sup>°</sup>Arabī and Darwazah’s interpretations of the above verse reveals that the two exegetes look at the verse from two different angles. Although Ibn al-<sup>°</sup>Arabī gives much attention to the second half of the verse and talks about the rulings pertaining to *qaṣāṣ*<sup>164</sup> (retribution), Darwazah focuses on the first half of the verse while only citing two ḥadīth to support the view that the Qur’ān prohibits such heinous act of killing.<sup>165</sup> The first ḥadīth he cites is narrated by Ibn <sup>°</sup>Umar, who reported the Prophet as saying, “A believer remains within the scope of his religion as long as he does not kill another person illegally.”<sup>166</sup> The second ḥadīth is reported on the authority of <sup>°</sup>Abdullah ibn <sup>°</sup>Amr ibn al-<sup>°</sup>Āṣ in which the Prophet is reported to have said, “The destruction of the whole world is less enormous in Allah’s sight than killing a Muslim.”<sup>167</sup> Indeed, “killing a Muslim” in this ḥadīth is not meant on its own. Al-Jaṣṣāṣ states that Qur’ān 17:33 is evidence for the prohibition of the unjust killing of a Muslim or a non-Muslim, with no distinction between the two.<sup>168</sup>

It has now become clear that the classical and modern exegetes give special emphasis to the seriousness of taking the lives of others unjustly. No one accepts that such a horrible thing can be legalized, and so it can be argued that the Qur’ān forbids unjust killing - something that is almost inseparably linked to modern-day terrorism.

Moreover, when telling the stories of ancient nations, the Qur’ān refers to what maybe termed ‘state terrorism’, in which the tyrannical ruler(s) or those in authority

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<sup>164</sup> Muḥammad ibn <sup>°</sup>Abdullah ibn al-<sup>°</sup>Arabī, *Aḥkām al-Qur’ān*, ed. Muḥammad <sup>°</sup>Abd al-Qādir <sup>°</sup>Aṭā (Beirut: Dār al-Kutub al-<sup>°</sup>Ilmiyyah, 1996), Vol. 3, pp. 194-198.

<sup>165</sup> Muḥammad <sup>°</sup>Azzah Darwazah, *Al-Tafsīr al-Ḥadīth: Tartīb al-Suwar Ḥasab al-Nuzūl* (Beirut: Dār al-Gharb al-Islāmī, 2<sup>nd</sup> ed., 2000), Vol. 3, p. 382.

<sup>166</sup> Al-Bukhārī, *Ṣaḥīḥ al-Bukhārī*, No. 6862, in *Mawsū‘at al-Ḥadīth*, p. 572.

<sup>167</sup> Al-Tirmidhī, *Jāmi‘*, No. 1395, in *Mawsū‘at al-Ḥadīth*, p. 1793.

<sup>168</sup> Aḥmad ibn <sup>°</sup>Ali al-Rāzī al-Jaṣṣāṣ, *Aḥkām al-Qur’ān*, ed. Muḥammad al-Ṣādiq Qamḥawī (Beirut: Dār Iḥyā’ al-Turāth al-<sup>°</sup>Arabī, 1984-5/1405), Vol. 1, p. 174. See also Khadījah al-Nabarāwī, *Mawsū‘at al-Ḥuq-ūq al-Insān fī al-Islām* (Cairo: Dār al-Salām, 2004), p. 588.

mercilessly torture and kill their subjects unjustly. <sup>c</sup>Abd al-Raḥmān Spīndārī cites Qur’ān 2:49 and 7:141 as clear examples of this.<sup>169</sup> Moreover, it can also be added that Qur’ān 28:4 directly refers to the Pharaoh,<sup>170</sup> king of Egypt, as an example of a tyrannical ruler who terrorizes his subjects and spreads corruption among them by slaughtering their male children at birth, and sparing their female offspring. The reason for this, according to Quṭb, was to ensure that their women outnumbered their men, and hence weakened them.<sup>171</sup> The approach of the exegetes towards all these verses is linked to the historical context and the occasions of revelations related to them. Noticeably, the modern exegetes follow the line of the classical ones: the approaches of al-Sha<sup>c</sup>rāwī, Quṭb and Darwazah in their interpretations<sup>172</sup> are very similar to those of classical exegetes such as al-Ṭabarī.<sup>173</sup> Thus, it can be said that the idea of linking today’s modern terrorism action with something similar within the Qur’ānic context is a merit of modern personal interpretation exercised by modern Muslim researchers. Spīndārī, al-Maṭrūdī and Zakī Abū Ghaḍḍah are three modern Muslim researchers whose efforts in this regard should be highlighted.

Spīndārī argues that the Qur’ān talks about what may be termed “religious terrorism” practised by the followers of a certain religion against those who have a different faith. He cites the story of *aṣḥāb al-Ukhdūd* (the trench-makers) mentioned in Qur’ān 85:4-10 as a clear Qur’ānic example of persecution and oppression against those

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<sup>169</sup> <sup>c</sup>Abd al-Raḥmān Spīndārī, *Al-Irhāb min Manzūr Qur’ānī* (Kurdistan: Hawār, 2006), p. 24.

<sup>170</sup> According to Quṭb, the identity of the Pharaoh in whose reign these events took place is not known for certain. He also opines that what matters is the moral lesson that can be derived from the story itself rather than the historical period. See Quṭb, *Fī Zilāl*, Vol. 5, p. 2678; Quṭb, *In the Shade*, Vol. 13, p. 204.

<sup>171</sup> *Ibid.*, Vol. 13, p. 205.

<sup>172</sup> Al-Sha<sup>c</sup>rāwī, *Tafsīr*, Vol. 17, pp. 10871-10875; Quṭb, *Fī Zilāl*, Vol. 5, p. 2677; Quṭb: *In the Shade*, Vol. 13, p. 205; Darwazah, *al-Tafsīr al-Ḥadīth*, Vol. 3, p. 311.

<sup>173</sup> Muhammad ibn Jarīr ibn Yazīd ibn Khālīd al-Ṭabarī, *Jāmi<sup>c</sup> al-Bayān ‘an Ta’wīl Āy al-Qur’ān* (Beirut: Dār al-Fikr, 1984-5/1405), Vol. 20, pp. 27 f.

who refused to adopt the religion of the oppressors, and as a result they were buried alive and burned in mass graves.<sup>174</sup> Another form of ‘terrorism’ according to Spīndārī is the “terrorism of the upper class” in the society against the weak. He gives the example of Quraysh’s plot against the Prophet to captivate, kill or expel him—to which there is a reference in Qur’ān 8:30—as an example of this.<sup>175</sup> Spīndārī’s approach here can be said to adopt a general and modern-oriented approach. In all the three forms of terrorism he refers to, he attempts to transcend with the Qur’ānic discourse beyond historical and occasional contexts to relate it to the modern-day terrorism.

With the above definition of terrorism in mind, it can be said that Spīndārī’s attempts here should be credited as being the product of modern scholarly reasoning carried out with an eye on the ever-challenging reality, where the Qur’ānic discourse has many historical and circumstantial verses and chapters. It is through applying and making use of modern tools that these verses and chapters need to be unraveled in order to pave the way towards a more modern insight into the Qur’ānic text and context, not only in terrorism-related issues but also in other challenging issues of modernity.

Al-Maṭrūdī is the second Muslim researcher whose effort to relate some forms of modern-day terrorism with the Qur’ānic text cannot be denied. He declares that, as far as the Qur’ān is concerned, the destructive act of killing is as old as the presence of man on earth. To back his view, al-Maṭrūdī states that the God-angels dialogue in Qur’ān 2:30 is a reference to that.<sup>176</sup> He cites this verse to argue that terrorism is deeply rooted in human history, and that human suffering from it is very old as well.<sup>177</sup> Al-Maṭrūdī’s inference here may be a personal understanding of the Qur’ānic text in a

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<sup>174</sup> Spīndārī, *Al-Irhāb*, pp. 24 f.

<sup>175</sup> *Ibid.*, p. 26.

<sup>176</sup> Al-Maṭrūdī, “Naṣrah fī Mafhūm al-Irhāb”, p. 2.

<sup>177</sup> *Ibid.*

modern context, although he apparently derives his argument from many classical exegeses such as those of al-Ṭabarī, al-Qurṭubī, and Ibn Kathīr. They state that the angels' dialogue with God is no more than *istifhām* (inquiry) on their part after they know that the jinn have corrupted the earth before the creation of Adam, and thus they inquire whether the new *khalīfah* (viceroy) will be like the jinn who corrupted the earth and shed blood or whether he will be an obedient *khalīfah*.<sup>178</sup> Unlike classical interpreters, modern ones such as al-Sha<sup>c</sup>rāwī, Riḍā, and al-Mawdūdī, for example, do not pay much attention to the God-angels dialogue regarding the corruption of human beings on earth, but rather focus more on the nature of man's *khilāfah* and his creation, as well as why Allah honours him (i.e. Adam) and his children over other creatures through knowledge.<sup>179</sup>

Following al-Maṭrūdī's line of thinking, Abū Ghaḍḍāh states that there is a reference in the Qur'ān to the first story of "religious terrorism" in human history.<sup>180</sup> Abū Ghaḍḍāh further states that Qur'ān 5:27-31 is a clear reference to this where Cain, the eldest son of Adam and Eve, murders his brother Abel. He further states that this act of unjust killing should be considered a terrorist act because Cain, the killer, does not have a legally-acceptable right to kill Abel. His primary motives for killing him, according to Abū Ghaḍḍāh, are envy and jealousy arising from his brother's supposed marriage to his beautiful sister.<sup>181</sup> It should be added here that classical interpreters such as al-Qurṭubī and modern ones such as al-Sha<sup>c</sup>rāwī clearly point out that the murder to

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<sup>178</sup> Al-Ṭabarī, *Jāmi<sup>c</sup> al-Bayān*, Vol. 1, p. 206; Muḥammad ibn Aḥmad al-Anṣārī al-Qurṭubī, *Al-Jāmi<sup>c</sup> li Aḥkām al-Qur'ān* (Cairo: Dār al-Sha<sup>c</sup>b, n.d.), Vol. 1, p. 275; Ibn Kathīr, *Tafsīr al-Qur'ān*, Vol. 1, p. 71.

<sup>179</sup> Al-Sha<sup>c</sup>rāwī, *Tafsīr*, Vol. 1, pp. 235-247; Muḥammad Rashīd Riḍā, *Tafsīr al-Qur'ān al-Ḥakīm: Al-Mushtahir bi ism Tafsīr al-Manār* (Cairo: Dār al-Manār, 2<sup>nd</sup> ed., 1947\1366), Vol. 1, pp. 258 f; Sayyid Abul A<sup>c</sup>lā al-Mawdūdī, *Towards Understanding the Qur'ān*, trans. & ed. Zafar Ishaq Ansari (Leicester: The Islamic Foundation, 1988), Vol. 1, pp. 59 f.

<sup>180</sup> Abū Ghaḍḍāh, *Al-Irhāb*, p. 41.

<sup>181</sup> *Ibid.*, p. 40 f.

which Qur’ān 5:27-31 refers is evidence that killing is a very old act, stating that Abel is the first victim of murder in human history.<sup>182</sup> However, Abū Ghaḍḍāh’s argument here is not very well-founded because he attempts to impose Qur’ān 5:27-31 as a main reference within the context of modern-day terrorism while divorcing contextual and historical circumstances of these verses. The murder of Abel is not motivated by “religious terrorism” as Abū Ghaḍḍāh claims, but rather by envy and jealousy, which he himself admits. It may sound reasonable here to accept the fact that Abel is the first victim of murder in human history, as admitted by the exegetes above, but not the claim that he was the first human victim of “religious terrorism” on earth as claimed by Abū Ghaḍḍāh.

The second issue that deals with terrorism-related forms within the Qur’ānic discourse is that the Qur’ān, while talking about *fasād*, refers to its domains, causes and effects. Not only that, but the Qur’ān also clearly states its judgment concerning *fasād*<sup>183</sup> and the *mufsidūn*, as well as their punishment in clear terms.<sup>184</sup>

As far as Qur’ānic reference to *fasād* is concerned, it can be said that there are five main occurrences which can be said to have direct links to terrorism-related forms. These occurrences are: Qur’ān 2:30- 251, 5:34, 18:94, 27:34, 30:41. It is also worth noting that in these five occurrences<sup>185</sup> different lexemes of *fasād* also occur, such as

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<sup>182</sup> Al-Qurṭubī, *Al-Jāmi‘*, Vol. 6, p. 133; Al-Sha‘rāwī, *Tafsīr*, Vol. 5, p. 3072. See also, Aḥmad al-Majd-b, *Al-Mu‘ālaḥ al-Qur’āniyyah li al-Jarīmah* (Cairo: Al-Dār al-Miṣriyyah al-Lubnāniyyah, 1998), pp. 13-31.

<sup>183</sup> The various sub-categories of *fasād* in the Qur’ān are inspired by Badawi and Abdel Haleem. Their mentioning of the lexeme *fasada* and its derivatives as Qur’ānic entries gives the researcher a valuable insight into how to formulate this particular point. Badawi and Abdel Haleem, *Dictionary of Qur’anic Usage*, pp. 709 f.

<sup>184</sup> It is beyond the scope of this Chapter to discuss the Qur’ānic punishment for *fasād* and terrorism. Chapters Two and Five of this thesis discusses this issue.

<sup>185</sup> Badawi and Abdel Haleem, *Dictionary of Qur’anic Usage*, pp. 709 f.

*fasada* (to become corrupt), *afsada* (to act corruptly, to cause damage), *fasād* (causing corruption, physical damage), and *mufsid* (someone who spreads corruption).

An investigation of most of the classical and modern interpretations consulted above shows that *fasād* and its lexemes in the above five occurrences refer to killing, destruction of crops and livestock, polytheism, various moral sins such as adultery and theft, and natural disasters. Human beings in all these occurrences are the prime cause of *fasād* through their irresponsible act of killing and moral decline by lapsing into sin. The domains of *fasād* include aggression against human beings through killing and other acts such as adultery, theft and destruction of fauna and flora. Al-Rāzī, as an example, commenting on Qur’ān 2:251, states that *fasād* in this verse refers to killing and committing sins. He backs his argument by citing references from the Qur’ān in confirmation, such as Qur’ān 30:41 and 40:26.<sup>186</sup> This is the case with al-Suyūṭī when he interprets Qur’ān 5:34,<sup>187</sup> and al-Alūsī when he interprets Qur’ān 18:94<sup>188</sup> and 30:41.<sup>189</sup> It can thus be stated that the Qur’ān is concerned with the elements of modern-day terrorism through the various examples it mentions. The opinions of the classical and modern interpreters on this issue, although not directly related to this statement, still constitute a guide to modern Muslim researchers who try to formulate a link between some elements of modern-day terrorism and the Qur’ān in terms of how the latter deals with such elements, and whether its attitude is generally positive or negative.<sup>190</sup>

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<sup>186</sup> Al-Rāzī, *Al-Tafsīr al-Kabīr*, Vol. 2, p. 162.

<sup>187</sup> Al-Suyūṭī, *Al-Durr al-Manthūr*, Vol. 3 p. 70.

<sup>188</sup> Al-Sayyid Maḥm-d al-Alūsī, *Rūḥ al-Ma’ānī fī Tafsīr al-Qur’ān al-‘Azīm wa al-Sab‘ al-Mathānī* (Beirut: Dār Iḥyā’ al-Turāth al-‘Arabī, n.d.), Vol. 16, p. 39.

<sup>189</sup> *Ibid.*, Vol.21, pp. 47 f.

<sup>190</sup> The positive attitude here means that the Qur’ān encourages terrorism, whereas the negative attitude means that it abhors it.

## 1.5.2 General Qur'ānic Attitude towards *Fasād*

The Qur'ān prohibits causing corruption in the land outright. Frederick Denny states that *fasād* is very frequently paired with the phrase "...in the land\earth" in the Qur'ān citing Qur'ān 5:30 as an example.<sup>191</sup> Out of the one-hundred and fourteen *suwar* (chapters) in the whole Qur'ān, five *suwar*<sup>192</sup> clearly refer to the prohibition of causing corruption or acting mischievously in many of their verses. In nine occurrences,<sup>193</sup> the Qur'ānic attitude is very clear in prohibiting corruption in all its forms where the words *lā tufsidū* (do not cause corruption) and *lā ta'thaw* (do not act mischievously) are used interchangeably,<sup>194</sup> although the latter (i.e. *lā ta'thaw*) occurs five times<sup>195</sup> and the former occurs only four times. *ʿIthiy* (mischief), which occurs one<sup>196</sup>, is the absolute form of corruption according to al-Alūsī.<sup>197</sup>

A careful consideration of the contexts of the nine occurrences, reveals that two of them refer to individuals who are prohibited from committing corruption. In Qur'ān 28:77, Allah orders Qārūn "...not to seek to spread corruption in the land, for God does not love those who do this."<sup>198</sup> In Qur'ān 7:142, the Prophet Moses orders his brother Aaron to "...act rightly" and "...not to follow the way of those who spread corruption".<sup>199</sup> The Qur'ān further addresses specific communities such as *Ban- Isrāʿīl* (the Children of Israel) in Qur'ān 2:60, the People of *ʿĀd* in 7:56, the People of *Thamūd*

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<sup>191</sup> Frederick Mathewson Denny, "Corruption", in Jane Dammen McAuliffe, ed., *The Encyclopaedia of the Qur'ān* (Leiden: Brill, 2001) Vol. 1, p. 439.

<sup>192</sup> The five *s-war* are Qur'ān 2, 7, 11, 26, 28.

<sup>193</sup> ʿAbd al-Bāqī, *Al-Muʿjam al-Mufahras*, pp. 518 f.

<sup>194</sup> For the Qur'ānic reference to the nine occurrences, see Ibid.

<sup>195</sup> Badawi and Abdel Haleem, *Dictionary of Qur'anic Usage*, p. 599.

<sup>196</sup> According to the authors of *Al-Muʿjam al-Wasīf*, there are two other verbal noun forms of *ʿathā*. They are *ʿuthuwwan* and *ʿathayānan*. ʿShawqī Ḍayf, et al., *Al-Muʿjam al-Wasīf*, p. 584.

<sup>197</sup> Al-Alūsī, *Rūḥ al-Maʿānī*, Vol. 12, pp. 116, 118.

<sup>198</sup> Haleem, *Qur'an*, p. 250.

<sup>199</sup> Ibid., p. 103.

in 7:74, the People of *Madyan* in 11:85, and the People of *Shu'ayb* in 26:183, prohibiting them all from causing corruption on earth.

A careful reading of both classical and modern interpretations of these occurrences shows that those communities were involved in committing acts of killing and robbery; a reason behind the Qur'ānic prohibition of corruption and all its forms. Such acts, prohibited by the Qur'ān, are still committed by perverted individuals against their fellow humans and by countries against other countries in our modern world.

Importantly, it can be argued that the Qur'ānic call for the cessation of all forms of corruption that is clearly demonstrated in its discourse, as explained, is a tool from which modern societies can greatly benefit. It can be further added that of all the texts that indicate the Qur'ānic attitude concerning corruption, the following verse may be considered comprehensive:

“Do not corrupt the earth after it has been set right—call on him fearing and hoping...”<sup>200</sup> (Qur'ān 7:56)

A major reason for considering this verse comprehensive is that it addresses a wider audience that transcends individuals and small community groups to include all human beings in every age and clime. Al-Mawdūdī noticeably adopts this attitude by considering that human beings are a main reason behind the spread of corruption on earth due to their succumbing to their base desires and hence altering the light of Divine Guidance.<sup>201</sup> cAbd al-Fattāh Idrīs<sup>202</sup> further opines that attacking human beings, animals and the environment is a criminal act according to the law-giver. He cites the above

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<sup>200</sup> Haleem, *Qur'an*, p. 98.

<sup>201</sup> Al-Mawdūdī, *Towards Understanding*, Vol. 3, p. 35.

<sup>202</sup> cAbd al-Fattāh Idrīs is a professor of comparative jurisprudence at al-Azhar University, Egypt.

verse as one of many other texts that prohibit such acts.<sup>203</sup> This can also be easily discerned from the way classical and modern exegetes, especially al-Qurṭubī and al-Alūsī, deal with this verse. Al-Qurṭubī states that in this verse Allah prohibits people from committing any form of corruption in the land whether such corruption is of little or greater effect. He quotes al-Qushayrī (d. 465/1072) as saying that this verse is a call to avoid associating partners with Allah, shedding blood and causing disorder on earth.<sup>204</sup> Unlike al-Qurṭubī, al-Alūsī derives a more generalized attitude from the verse, stating that it prohibits all forms of corruption whether done against individuals, properties, intellects, honour and religions.<sup>205</sup> Indeed, al-Alūsī's explanation here is inextricably linked to the definition of terrorism arrived at earlier in this chapter in the sense that he uniquely deals with the verse as if he is a twenty-first-century exegete applying his exegetical tools while witnessing modern-day terrorism in which the religion, life, intellect, property and honour of civilians are targeted.

## 1.6 Conclusion

The discussion in this chapter reveals that there are number of difficulties surrounding the definitions of terrorism, from an Islamic perspective in particular. It has been demonstrated that it is difficult to reach a comprehensive definition that will satisfy all scholars due to certain major and minor definitional problems among which 'relativism' and 'dynamism' are major contributing factors. However, the discussion shows that reaching a 'semi-collective' definition, although difficult, is still possible.

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<sup>203</sup> cAbd al-Fattāh Idrīs, "Manhaj al-Islām fī Muḥārabat al-Fasād", [article online]; available from [http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-Arabic-Ask\\_Scholar/FatwaA/FatwaA&cid=1122528612952](http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-Arabic-Ask_Scholar/FatwaA/FatwaA&cid=1122528612952); accessed 29 April 2008.

<sup>204</sup> Al-Qurṭubī, *Al-Jāmi'*, Vol. 2, p. 226.

<sup>205</sup> Al-Alūsī, *Rūḥ al-Ma'ānī*, Vol. 8, p. 140.

Moreover, this chapter has traced the lexical origin of the Arabic word ‘*irhāb*’ and the English word ‘terrorism’, revealing that the words were introduced and then used in the Arabic and English languages respectively. The words, however, have conflicting meanings from the point of view of their lexical origins. More importantly, the Arabic word ‘*irhāb*’ does not occur either in the Qur’ān or in old Arabic lexicons. The chapter also highlights the organizational definitions of terrorism with special focus on the Islamic perspective, gives an evaluation of these definitions and offers a definition which, it is hoped, helps avoid many of the weak points in the definitions cited. It is also hoped that this definition helps to bridge the gap between Western and Eastern scholarship for those who attempt to define terrorism from an Islamic perspective. Significantly, this chapter refers to the efforts made by Muslim scholars to define terrorism within the Islamic context as well as the efforts of some non-Muslim researchers concerned with the religious rather than the Islamic definitions of terrorism.

This chapter has also shown that while modern-day terrorism is an action that is not tackled in the literature of Qur’ān exegetes in either ancient or modern times, the Qur’ān itself nevertheless refers to many of its elements by discussing various types of corruption that may be linked to modern terrorism, and reaches the conclusion that the Qur’ān has a very decisive attitude in prohibiting and condemning all types of corruption committed against the human beings themselves, their property, intellect, honour and religion, as well as other forms, such as destroying the fauna and flora.

Overall, the exegetical contribution of the Qur’ānic discourse concerning killing and other forms of corruption leads to the conclusion that, although the Qur’ān itself does not explicitly define or tackle modern terrorism, it refers to certain elements that are essential in almost all the definitions of terrorism in general and Islamic definitions

in particular. The thematic approach of the Qur'ānic discourse that is dealt with in this chapter paves the way towards further analysis of the Qur'ānic texts thought to be relevant to the English term 'terrorism'. Analysing these texts with a special focus on how the preparation for jihād is carried out and how jihād should be performed will be dealt with in the next chapter, along with a discussion of the important topic of how the derivatives of the term *irhāb* are misquoted and misinterpreted to alter the Qur'ānic reality, with special focus on Qur'ān 8:60.

## CHAPTER TWO

### ARMING FOR DETERRENCE IN THE QUR'ĀN

#### 2.1 Introduction

In Chapter One, an attempt has been made to analyse the Qur'ānic attitude towards various forms of *fasād* (corruption), which is a clear element in almost all definitions of terrorism. In all its forms in the Qur'ān, corruption is a negative use of force, which Muslims are prohibited from practising against their fellow human beings, whether Muslims or non-Muslims. The same applies to acting corruptively towards inanimate objects, and a thorough look at the forms of corruption referred to in the Qur'ān reveals that it is also an aggressive form of behaviour that eventually leads to the destruction of fauna and flora. Overall, this Qur'ānic stance is consistently clear and the areas to which it applies are also well-defined. However, there are other areas where the Qur'ān calls for preparation for the use of force as a deterrent, which is widely misunderstood by some Muslims and non-Muslims who think that it amounts to a call to terrorize others. Stressing the importance of reaching a sound understanding about the use of force by Muslims and the necessity of directing it towards creating harmony between Muslims and non-Muslims, Seyyed Hossein Nasr states, "...since Islam embraces the whole of life..., it must concern itself with *force and power* [emphasis mine] which characterize this world as such. But Islam, in controlling the use of force in the direction of creating

equilibrium and harmony, limits it and opposes violence as aggression to the rights of both God and His creatures as defined by the divine law.”<sup>1</sup>

This chapter, therefore, seeks to explain passages in the Qur’ānic text that are erroneously thought to call for terrorism as a result of the lack of understanding of its call upon Muslims to prepare for the use of force that is necessary for defensive purposes. With this in mind, special focus will be directed to analysing the thematic components incorporated in Qur’ān 8: 60:

“Prepare whatever forces you [believers] can muster, including warhorses, to frighten off God’s enemies and yours, and warn others unknown to you but known to God. Whatever you give in God’s cause will be repaid to you in full, and you will not be wronged.”<sup>2</sup>

Importantly, there are various reasons why these thematic components in this verse are particularly highlighted in this chapter. First, Qur’ān 8: 60 is apparently the only verse in which, according to Jørgen S. Nielsen, the Chair of the Centre for European Islamic Thought at the University of Copenhagen, “...the Qur’anic term that provides the modern Arabic word for terrorism, *irhab*...can be – and actually is – used as a justification for terrorism.”<sup>3</sup> Secondly, the verse under discussion has been widely quoted by some extremist groups<sup>4</sup> such as *al-Jamā’ah al-Islāmiyyah* (Islamic Group,

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<sup>1</sup> Seyyed Hossein Nasr, “Islam and the Question of Violence”, in Aftab Ahmad Malik ed., *With God on Our Side: Politics and Theology of the War on Terrorism* (Bristol: Amal Press, 2005), pp. 275 f.

<sup>2</sup> M. A. S. Abdel Haleem, *The Qur’an: A New Translation* (Oxford: Oxford University Press, 2005), p. 114.

<sup>3</sup> Jørgen S. Nielsen, “The Discourse of ‘Terrorism’ between Violence, Justice and International Order,” in Tahir Abbas, ed., *Islamic Political Radicalism: A European Perspective* (Edinburgh: Edinburgh University Press, 2007), p. 17.

<sup>4</sup> According to Habeck, “Based on one verse in the Qur’an [i.e. Qur’ān 8: 60] as well as few ahadith, the jihadis are convinced that creating fear in the hearts of the unbelievers is not only a sound tactic in their war, but one that is supported by Islamic law.” Mary R. Habeck, *Knowing the Enemy: Jihadist Ideology and the War on Terror* (New Haven: Yale University Press, 2006), p. 132.

IG) in Egypt,<sup>5</sup> before the group declared its initiative to halt violence, as a pretext for condoning killing unbelievers. For example, in a statement attributed to the then ideologue Sayyid Imām al-Sharīf (famously known as Dr Faḍl): “*al-irhāb min al-Islām wa man ankara dhālika faqad kafara*” “Terrorism is part of Islam and whoever denies that has, indeed, become an unbeliever.”<sup>6</sup> While the IG in Egypt has declared repentance, as will be shown in Chapter Three, unfortunately, terrorist groups such as al-Qaeda still embrace the same extremist interpretation of this verse and, of course, some others.<sup>7</sup> Third, this verse was widely quoted in the world media recently after being recited in Arabic and erroneously translated into English in order to justify a fierce campaign in which the Qur’ān has been falsely portrayed by the controversial Dutch politician Geert Wilders as a “fascist book” calling for killing all unbelievers.<sup>8</sup> In a reaction to Wilders’ biased attitude, which is clearly demonstrated in his film about the Qur’ān, the Muslim response ranged from similar counter-productive accusations in which certain biblical verses were, unfortunately, taken out of their contexts in a reactionary fashion,<sup>9</sup> to an academic media response,<sup>10</sup> as well as a detailed printed

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<sup>5</sup> Chapter Three of this thesis refers to the ideological orientation of the IG in Egypt as well as giving a brief history and critique of its beliefs.

<sup>6</sup> ‘Abd al-Raḥmān Spīndārī, *Al-Irhāb min Manzūr Qur’ānī* (Kurdistan: Hawār, 2006), p. 34; Sayyid Imām al-Sharīf, “Al-Irhāb min al-Islām wa Man Ankara Dhālika Faqad Kafara”, [article online]; available from <http://archive.muslimuzbekistan.com/arb/arnews/2004/03/marsad31032004.html>; accessed 8 March 2010.

<sup>7</sup> In Chapter Three of this thesis, the main extremist interpretations of al-Qaeda with particular reference to the Qur’ān are presented and critically analysed.

<sup>8</sup> Wilders published a film on the Internet under the title “Quran license to Kill”. The film was later removed from the website after it sparked huge anger among Muslims. The researcher watched this movie before it was removed. See, “Quran license to Kill”; available from [http://www.liveleak.com/view?i=7d9\\_1206624103](http://www.liveleak.com/view?i=7d9_1206624103); accessed 27 March 2008. See also, “Dutch MP Posts Islam Film on Web”; available from <http://news.bbc.co.uk/1/hi/world/europe/7317506.stm>; accessed 9 March 2010.

<sup>9</sup> “Response to Wilders’ Anti-Koran Film: Saudi Blogger Releases Christian Version of ‘Fitna’”; available from <http://www.spiegel.de/international/world/0,1518,546534,00.html>; accessed 9 March 2010.

response published online by Mawlāy ʿUmar Bin Ḥammād, Moroccan Professor of Qurʾānic studies.<sup>11</sup> Lamentably, Wilders’ political party is on the rise, even with such Islamophobic campaigns.<sup>12</sup> Thus, it is vitally important to understand the above verse in its true context. One of the effective ways of achieving this is by dividing the verse into thematic components in which the views of both traditional and modern exegetes, as well as some modern Muslim scholars, are demonstrated.

The first main thematic component to be discussed in this chapter is how “military preparedness”<sup>13</sup> is interpreted according to Qurʾān 8: 60, including a detailed analysis of modern scholars’ views concerning the issue. The internal and external aspects of military preparedness are discussed in addition to the ruling of the process itself.

Moreover, a new reading of Qurʾān 8: 60 making use of modern scholarly interpretations that are hardly found in the interpretations given by the classical and some modern exegetes will be highlighted in an attempt to come up with a comprehensive understanding of the whole concept of military preparedness from a Qurʾānic perspective.

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<sup>10</sup> “‘Fitnah is Worse than Killing’: Exposing Wilders’ manipulation of the Quran”; available from <http://www.bridges-foundation.org/index.php?pg=article&id=290&lang=2>; accessed 9 March 2010.

<sup>11</sup> Mawlāy ʿUmar Bin Ḥammād, “Qirāʾah Taḥlīliyyah li al-Āyāt al-Wāridah fī al-Film: Al-Suq-ṭ fī al-Fitnah”, [article online]; available from [http://www.islamonline.net/servlet/Satellite?c=ArticleA\\_C&cid=1203758714624&pagename=Zone-Arabic-Tazkia%2FTZALayout](http://www.islamonline.net/servlet/Satellite?c=ArticleA_C&cid=1203758714624&pagename=Zone-Arabic-Tazkia%2FTZALayout); accessed 9 March 2010.

<sup>12</sup> According to John Tyler, “A party that calls Islam a backward religion, wants a ban on headscarves in public life and has compared the Koran to Hitler’s Mein Kampf has made major gains in local elections in the Netherlands”. John Tyler, “The Opportunity Geert Wilders Has Waited for”, [article online]; available from <http://news.bbc.co.uk/1/hi/world/europe/8549155.stm>; accessed 9 March 2010.

<sup>13</sup> Abd Al-Fattah El-Awaisi, “The Conceptual Approach of the Egyptian Muslim Brothers Towards the Palestine Question, 1928-1949”, *Journal of Islamic Studies*, Vol. 2, No. 2, 1991, p. 239.

Furthermore, the lexical connotations of *rahbah* (fear) in the Qur'ān are discussed, with special emphasis on the concept of *turhibūna* (to frighten off) in Qur'ān 8: 60. A detailed analysis of the views of classical and modern exegetes is presented in addition to highlighting the meanings of *turhibūna* in the modern scholarly context. This is followed by a critique of the views of modern exegetes and scholars regarding those addressed by *turhibūna*, according to Qur'ān 8: 60.

## 2.2 Meaning of *Quwwah* in the Qur'ān

In Arabic, the word *quwwah* (power, strength, force) along with its derivatives occurs forty-two times in the Qur'ān taking different lexical forms such as *qawiyy* (mighty, strong) and *quwā* (mighty powers).<sup>14</sup> Interestingly, *quwwah* (pl. *quwā*), according to Elsaid M. Badawi and Muhammad Abdel Haleem, carries five meanings in the Qur'ān: First, power, as in Qur'ān 81: 20. Second, affluence and prosperity, as in 11: 52. Third, strength, as in 30: 54. Fourth, resolution, as in 19: 12. And fifth, firmness, as in 16: 92.<sup>15</sup> Noticeably, *quwwah* is referred to as having both material and immaterial aspects. In Qur'ān 2:63, for example, it refers to exerting efforts to apply what the Torah mentioned when addressing the Children of Israel. The same is the case when Allah addressed the Prophet John in Qur'ān 19:12.<sup>16</sup> In addition, the Qur'ān refers to various forms of material and physical power, whether related to groups representing different nations, as in Qur'ān 28: 78; 30: 9; 40: 22, or individuals such as the Prophet Moses,

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<sup>14</sup> Muḥammad Fu'ād °Abd al-Bāqī, *Al-Mu'jam al-Mufahras li Alfāz al-Qur'ān al-Karīm* (Cairo: Dār al-Ḥadīth, 1988), pp.587 f.; Elsaid M. Badawi and Muhammad Abdel Haleem, *Arabic-English Dictionary of Qur'anic Usage* (Leiden: Brill, 2008), p. 787. See also, Muḥammad Bassām Rushdī al-Zayn, *Al-Mu'jam al-Mufahras li Ma'ānī al-Qur'ān al-°Azīm* (Damascus: Dār al-Fikr, 2<sup>nd</sup> ed., 1996\1417), Vol. 2, p. 968 f.; Al-Rāghib al-Aṣḥānī, *Mufradāt Alfāz al-Qur'ān*, ed. Ṣafwān °Adnān Dawūdī (Damascus: Dār al-Qalam, 2<sup>nd</sup> ed., 2002), pp. 693 f.

<sup>15</sup> Badawi and Abdel Haleem, *Dictionary of Qur'anic Usage*, p. 787.

<sup>16</sup> Al-Sayyid Maḥm-d al-Alūsī, *Rūḥ al-Ma'ānī fī Tafṣīr al-Qur'ān al-°Azīm wa al-Sab° al-Mathānī* (Beirut: Dār Iḥyā' al-Turāth al-°Arabī, n.d.), Vol. 1, p. 281.

who is described in Qur’ān 28: 26 as “strong, trustworthy”.<sup>17</sup> Allah is also referred to as *al-Qawiyy* (the All-Powerful, the Mighty, the Strong) in Qur’ān 11: 66, and *dhul-Quwwah* (the Lord of Power) in 51: 58.<sup>18</sup>

Having referred to some of the main occurrences and usages of *quwwah* and its general meanings in the Qur’ān, it is important then to focus on an aspect of *quwwah* that is essential for the understanding of the main topic of this chapter; namely the forms of *quwwah* referred to in the Qur’ānic verse under discussion.

### 2.2.1 Concept of *Quwwah* according to Classical Exegetes

The classical exegeses of al-Qurṭubī,<sup>19</sup> al-Suyūṭī,<sup>20</sup> ibn Kathīr,<sup>21</sup> and al-Jaṣṣāṣ<sup>22</sup> consider that the *quwwah* Muslims are ordered to prepare in Qur’ān 8: 60 is mainly archery. They all quote the following ḥadīth to support their view: On the authority of °Uqbah ibn °Āmir al-Juhaniyy, who said: I heard the Prophet saying while standing on the pulpit: “Prepare whatever *quwwah* you [believers] can muster”, and then he said, “*Quwwah* is but archery, *quwwah* is but archery, *quwwah* is but archery.”<sup>23</sup>

Al-Rāzī, however, broadens the concept of *quwwah* when he states that no specific *quwwah* is indicated in this verse, arguing that what constitutes *quwwah* is considered *quwwah* in itself, citing weapons and fortresses as examples. He also goes

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<sup>17</sup> Haleem, *Qur'an*, p. 247.

<sup>18</sup> Al-Zayn, *Al-Muʿjam al-Mufahras li Maʿānī al-Qurʾān*, Vol. 2, p. 969.

<sup>19</sup> Muḥammad ibn Aḥmad al-Anṣārī al-Qurṭubī, *Al-Jāmiʿ li Aḥkām al-Qurʾān* (Cairo: Dār al-Shaʿb, n.d.), Vol. 8, p. 35.

<sup>20</sup> °Abd al-Raḥmān ibn al-Kamāl Jalāl al-Dīn al-Suyūṭī, *Al-Durr al-Manthūr fī al-Tafsīr bi al-Maʾthūr* (Beirut: Dār al-Fikr, 1993), Vol. 4, p. 83.

<sup>21</sup> Ismāʿīl ibn °Umar ibn Kathīr, *Tafsīr al-Qurʾān al-°Azīm* (Beirut: Dār al-Fikr, 1980-1/1401), Vol. 2, p. 322.

<sup>22</sup> Aḥmad ibn °Ali al-Rāzī al-Jaṣṣāṣ, *Aḥkām al-Qurʾān*, ed. Muḥammad al-°Šādiq Qamḥāwī (Beirut: Dār Iḥyāʾ al-Turāth al-°Arabī, 1984-5/1405), Vol. 4, pp. 252 f.

<sup>23</sup> Abu Dawūd, *Sunan Abu Dawūd*, no. 2514, in *Mawsūʿat al-Ḥadīth al-Sharīf: Al-Kutub al-Sittah*, ed. °Šāliḥ bin °Abd al-°Azīz °Al al-Shaykh (Riyadh: Dār al-Salām li al-Nashr wa al-Tawzīʿ, 1999) p. 1409.

on to state that although *quwwah* is explained by many exegetes as meaning archery, this does not rule out other forms such as mastering horsemanship, adding that learning how to shoot arrows, use weapons, and ride horses is *farḍ kifāyah* (communal obligation).<sup>24</sup> The apparently broad understanding of *quwwah* held by al-Rāzī is shared by al-Ṭabarī, who states that Allah orders the believers in the above verse to prepare for combat against their enemies in *jihād* by utilizing all available means that might eventually lead to their victory. Such means include weapons, archery, warhorses and other means. He further adds that the concept of *quwwah* in this verse is general, stressing that, while the Prophet explained *quwwah* in the ḥadīth cited above to mean archery, there is no indication in the text that archery is the only meaning intended. Al-Ṭabarī even argues that the above ḥadīth is *daʿīf* (weak),<sup>25</sup> although there is no clear evidence for this, especially considering that this ḥadīth is included in Abū Dawūd's *Sunan* and classified as authentic in this reliable ḥadīth collection.

Furthermore, some other classical exegetes, such as al-Suyūṭī give an unusual explanation of the word *quwwah* in the above verse. *Quwwah*, according to him, refers to male horses, whereas 'warhorses' (i.e. *ribāṭ al-Khayl*) refer to mares.<sup>26</sup> What makes this explanation unusual is that it is not supported either by the Prophetic aḥādīth or by the Arabic language itself. Other classical exegetes, such as Ibn al-ʿArabī leave the word *quwwah* unexplained, while referring in detail to the various advantages of having female horses on the battlefield as compared with males. To support his view, he cites several sayings of the Companions of the Prophet, who argued that female horses were

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<sup>24</sup> Fakhr al-Dīn Muḥammad ibn ʿUmar al-Tamīmī al-Rāzī, *Al-Tafsīr al-Kabīr aw Maḥāṭib al-Ghayb* (Beirut: Dār al-Kutub al-ʿIlmiyyah, 2000), Vol. 15, p. 148.

<sup>25</sup> Muḥammad ibn Jarīr ibn Yazīd ibn Khālid al-Ṭabarī, *Jāmiʿ al-Bayān ʿan Taʾwīl Āy al-Qurʾān* (Beirut: Dār al-Fikr, 1984-5/1405), Vol. 10, p. 32.

<sup>26</sup> Al-Suyūṭī, *Al-Durr al-Manthūr*, Vol. 4, p. 83.

preferred to males because the horse of the Angel Gabriel was a female. This even leads him to argue that it is *mustahabb* (praiseworthy) to have female horses rather than males on the battlefield.<sup>27</sup> Ibn al-°Arabī's view here lacks even lexical support, because a reference to the meaning of the Arabic word *khayl* (horses) in Arabic lexicons proves otherwise.<sup>28</sup>

An in-depth look into the classical exegeses cited above shows that a seemingly limited concept of *quwwah* is encouraged, and followed by classical exegetes in their explanations. This concept, which mostly limits *quwwah* to archery and sometimes leaves the word unexplained, is related to the explanations derived from the well-known ḥadīth of the Prophet cited above. Only al-Rāzī and al-Ṭabarī broaden the concept of *quwwah* to include different types of weapons, fortresses, and horsemanship.<sup>29</sup> Importantly, the occasion of the revelation of the verse—which is strongly linked to the two preceding verses<sup>30</sup>—refers, according to Al-Alūsī, to the Prophet's intention to confront the people of Mecca because he knew they were collaborating with Ban-Khuzā°ah against him and his Companions.<sup>31</sup>

Thus, the context of the revelation of Qur°ān 8: 60 refers to an imminent war between the Muslims and the unbelievers, which naturally necessitated that Muslims

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<sup>27</sup> Muḥammad ibn °Abdullah ibn al-°Arabī, *Aḥkām al-Qur°ān*, ed. Muḥammad °Abd al-Qādir °Aṭā (Beirut: Dār al-Kutub al-°Ilmiyyah, 1996), Vol.2, p. 424.

<sup>28</sup> See, for example, Majma° al-Lughah al-°Arabiyyah, *Al-Mu°jam al-Wajīz* (Cairo: Egyptian Ministry of Education, 1994/1415), p. 217; Shawqī Ḍayf, et al., *Al-Mu°jam al-Wasīṭ* (Cairo: Maktabat al-Shurūq al-Dawliyyah, 4<sup>th</sup> ed., 2004), p. 266.

<sup>29</sup> Al-Rāzī, *Al-Tafsīr al-Kabīr*, Vol. 15, p. 185; Al-Qurṭubī, *Al-Jāmi°*, Vol. 10, p. 30.

<sup>30</sup> “And if you learn of treachery on the part of any people, throw their treaty back at them, for God does not love the treacherous. The disbelievers should not think they have won; they cannot escape.” (Qur°ān 8: 58-59). Haleem, *Qur°an*, p. 114.

<sup>31</sup> Al-Alūsī, *Rūḥ al-Ma°ānī*, Vol. 10, p. 23. See also, Nielsen, “The Discourse of ‘Terrorism’ between Violence, Justice and International Order”, p. 17; °Abd al-Mun°im al-Ḥifnī, *Maws-°at al-Qur°ān al-°Aẓīm* (Cairo: Maktabat Madb- lī, 2004), Vol. 2, p. 1880; Muḥammad °Imārah, *Al-Samāḥah al-Islāmiyyah: Haqīqat al-Jihād wa al-Qitāl wa al-Irhāb* (Cairo: Maktabat al-Shur-q al-Dawliyyah, 2005\1426), p. 79.

arm themselves in order to be able to repel their enemy once they are attacked. The classical exegetical understanding of the verse remains linked to this warring situation, and therefore implicitly rejects the absolute use of *quwwah* beyond this context, especially when innocents are targeted in terrorist acts.

### **2.2.2 Concept of *Quwwah* according to Modern Exegetes**

One of the foremost modern exegetes who discussed the issue of *quwwah* in detail was Quṭb. Commenting on Qur’ān 8: 60, he discusses the concept of *quwwah* and its purposes as follows:

“The first purpose that this *quwwah* serves is to establish peace and security for those who choose to accept Islam so they do not suffer any persecution as a result of this choice. Second, it deters the enemies of Islam from contemplating any form of aggression against the land of Islam. Third, such enemies would be sufficiently intimidated that they would not ever entertain any thought of trying to check the tide of Islam as it fulfills its mission of liberation. Finally, this *quwwah* is to be used to break any force that claims the attributes of the Almighty Allah and enforces its laws and legislation on human beings and refuses to accept that all sovereignty belongs to the Creator alone.”<sup>32</sup>

The four purposes of *quwwah* referred to in the above quotation show the range of meanings Quṭb perceives in *quwwah*. According to him, it is a comprehensive and all-embracing concept; a view that is not shared either by other modern exegetes or by classical ones. *Quwwah*, according to him, has both constructive and destructive aspects. The first and the second purposes above indicate that *quwwah* has an apparently positive and constructive nature. Its aim is to establish peace and security and to save Muslims from persecution at the hands of their enemies. According to the third and fourth purposes, however, it is perceived as something negative and destructive because its aim, in Quṭb’s understanding, is to intimidate those who may

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<sup>32</sup> Sayyid Quṭb, *Fī Zilāl al-Qur’ān* (Cairo: Dār al-Shurūq, 12<sup>th</sup> ed., 1986/1406), Vol. 3, p. 1543; idem, *In the Shade of the Qur’ān*, trans. and ed. Adil Salahi (Leicester: The Islamic Foundation, 2003), Vol. 7, p. 185.

think of stemming the tide of Islamic liberation. In this case, *quwwah* is to be used to break those who refuse to surrender to *ḥākimiyyat Allāh*<sup>33</sup> (Sovereignty of Allah), a controversial concept widely discussed in some of Quṭb's writings. Importantly, Quṭb also perceives *quwwah* as something limitless which Muslims are ordered to secure to the best of their ability.

Having discussed the above four purposes, Quṭb also refers to the importance of acquiring resources as a conditional element in attaining *quwwah*, stressing that the *quwwah* Muslims are ordered to establish should strike fear and disseminate terror in the hearts of the enemies of Allah. According to him, there are two kinds of enemies: those who are open and hostile and therefore known to the entire Muslim community, and others who hide their animosity and hostility towards Islam.<sup>34</sup> In addition to embracing such constructive and destructive forms of *quwwah*, it can be inferred that Quṭb strongly propounds the offensive use of force; an attitude for which he has been severely criticized. This criticism has been pointed out by Mohd Shah Bin Jani, a contemporary researcher who wrote his PhD on Quṭb's view of jihād. Bin Jani states that the source of criticism of Quṭb lies with liberal critics and Western observers, who

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<sup>33</sup> Literally, *ḥākimiyyah* (legal and governmental authority, sovereignty) is a verbal noun derived from the Qur'ānic term *ḥukm* (legal ruling). Technically, it refers to God being the Supreme Legislator in legal and political authority. According to Khatab, "Qutb derived his concept of *hakimiyyah* from the comprehensive Islamic conception of what he repeatedly called *al-wahdah al-kubra* (the great unity). To Qutb, all the teachings of Islam go back to this great principle from which all Islamic theories, laws, commandments, provisions for worship, social relations are derived". See, S. Khatab, "Hakimiyyah and Jahiliyyah in the Thought of Sayyid Qutb," *Middle Eastern Studies*, Vol. 38, No. 3, July 2002, p. 151. According to Nettler, "It [*ḥākimiyyah*] conveyed perfectly his [Quṭb's] conception of Islam as a polity and society under God's sovereignty; it also conveyed Qutb's absolute rejection of 'Muslim' rulers and régimes who did not govern in God's way". See, Ronald L. Nettler, "Guidelines for the Islamic Community: Sayyid Qutb's Political Interpretation of the Qur'ān", *Journal of Political Ideologies*, Vol. 1, No. 2, 1996, p. 189. See also, Hishām Aḥmad °Awaḍ Ja°far, *Al-Ab°ād al-Siyāsiyyah li Maḥ-m al-Ḥākimiyyah: Ru'yah Ma°rifiyyah* (Herndon, Virginia: The International Institute of Islamic Thought, 1995\1416), pp. 22-29; Bustami Khir, *The Concept of Sovereignty in Modern Islamic Political Thought* (Leeds: Leeds Institute for Middle Eastern Studies, 1996), pp. 180-183.

<sup>34</sup> Quṭb, *Fī Zilāl*, Vol. 3, p. 1544; idem, *In the Shade*, Vol. 7, p. 186.

tend to find a direct link between Quṭb's understanding of jihād and the widespread violence and political turbulence that significantly characterized so-called 'Islamic' radicalism in Middle Eastern politics throughout the 1970's and early 1980's.<sup>35</sup> Although Bin Jani sees that the influence of Quṭb on many extremist or radical groups in Egypt and in other Arab countries has apparently been exaggerated, there are elements of truth in the analysis of these liberal and Western critics.<sup>36</sup>

Undoubtedly, these extremist views of Quṭb, in which *quwwah* shifts from being mere military preparedness for deterrent purposes to being an offensive tool whose purpose is to subdue others, have had their impact in shaping the understanding, and hence the attitude of some of the extremist groups such as the IG in Egypt, as well as al-Qaeda and its affiliated groups internationally.<sup>37</sup>

The second important interpretation is that of al-Sha<sup>c</sup>rāwī, who, in his interpretation of the above verse, focuses mainly on three central issues related to *quwwah*. The first is its aspects; the second is its arrangement; and the third is its means.

### **2.2.3 *Quwwah*: Internal and External**

Al-Sha<sup>c</sup>rāwī refers to two aspects of *quwwah*; namely the internal aspect, which he sees as the innate driving force that entirely equips one's mind and body with courage to face the enemy, and the external aspect, which is the possession of modern, sophisticated and long-range weapons as well as all the means that can lead to the real possession of

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<sup>35</sup> Mohd Shah Bin Jani "Sayyid Quṭb's View of Jihad: An Analytical Study of His Major Works" (PhD Thesis, Department of Theology, Islamic Studies, Faculty of Arts, University of Birmingham, United Kingdom, 1998), p. 362.

<sup>36</sup> Ibid., p. 362.

<sup>37</sup> Chapter Three of this thesis deals with this point in detail.

*quwwah*.<sup>38</sup> A close look at al-Sha<sup>c</sup>rāwī's interpretation of *quwwah* in the above verse shows that he agrees with Quṭb on the necessity of acquiring and possessing it. Furthermore, he views *quwwah* as something Muslims are ordered to acquire and exert to the best of their abilities. Once they have done their utmost, they are sure to be supported by Allah, the Omnipotent. To establish this concept, al-Sha<sup>c</sup>rāwī compared the Muslims, who are supported by Allah, with their enemies, who have no source of support at all.<sup>39</sup>

Indeed, a thorough analysis of al-Sha<sup>c</sup>rāwī's view of the internal and external aspects of *quwwah* may reveal that his interpretation is one of the unique interpretations referred to by both traditional and modern exegetes. This is because having 'internal' courage acts as a psychological shield that is as important and vital as taking all possible safety measures when entering the actual battlefield.

Discussing the arrangement of *quwwah*, al-Sha<sup>c</sup>rāwī states that the development of *quwwah* is a preliminary step to war. War, according to him, begins with air missile strikes that are supposed to weaken the enemy before ground forces march forward.<sup>40</sup> He considers this successive arrangement of *quwwah* as a *mu<sup>c</sup>jiz* (inimitable) aspect of the Qur'ānic style, insisting that war has never begun with a ground invasion followed by air strikes; it is always air strikes that precede ground invasion, and not vice versa.<sup>41</sup>

This strict successive arrangement of *quwwah* maintained by al-Sha<sup>c</sup>rāwī is not, however, followed literally in modern warfare. Although the successive arrangement of *quwwah* he referred to is quite common, it is not strictly followed in the way he

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<sup>38</sup> Muḥammad Mutawallī al-Sha<sup>c</sup>rāwī, *Tafsīr al-Sha<sup>c</sup>rāwī* (Cairo: Akhbār al-Yawm, 1991), Vol. 8, p. 4776.

<sup>39</sup> Ibid.

<sup>40</sup> Ibid., Vol. 8, p. 4778.

<sup>41</sup> Ibid.

mentioned. Interestingly, al-Sha<sup>c</sup>rāwī's interpretation of acquiring and possessing *quwwah* remains within the positive aspect of the term, in both its internal and external domains, which further confirms the connection of this thematic component of the verse (i.e. *quwwah*) with an imminent war situation, linked, as earlier explained, to launching deterrent strikes based on military preparedness. This does not rule out the idea of Muslims, both collectively and individually, being required to be militarily prepared to repel possible attacks. However, they are in no way allowed to turn their possession of *quwwah* into a destructive tool to harming civilians beyond a situation where hostilities are launched on a defensive basis, because peace is the norm of the relationship between Muslims and non-Muslims, as explained fully in Chapter Three of this thesis. Although al-Sha<sup>c</sup>rāwī explains *quwwah* in a broader sense, he does not clearly refer to the mechanism for using it, or how it could be attained. This point, however, is clearly outlined by Riḍā.<sup>42</sup> He associates the preparation of *quwwah* with war, stating that such preparation can be achieved in two ways: first, by preparing all means that lead to *quwwah* to the best of Muslims' ability; second, by equipping Muslim soldiers to be ready to defend the *ummah* (community of Muslims worldwide) in case of attack. Riḍā states that the preparation of *quwwah* referred to in the verse we are discussing differs according to time and place.<sup>43</sup> Although he agrees with the classical exegetes that *quwwah* here refers mainly to archery, as stated in the Prophetic ḥadīth above, he nevertheless maintains that the wording of the verse is general, and so it is obligatory upon Muslims in this age to spare no efforts in manufacturing various weapons such as

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<sup>42</sup> Muḥammad Rashīd Riḍā, *Tafsīr al-Qur'ān al-Ḥakīm: Al-Mushtahir bi ism Tafsīr al-Manār* (Cairo: Dār al-Manār, 2<sup>nd</sup> ed., 1947\1366), Vol. 10, p. 69.

<sup>43</sup> *Ibid.*, Vol. 10, p. 69.

tanks, warships and warplanes. He also states that mastery and excellence in developing the range of military industries is *farḍ kifāyah* (communal obligation) upon Muslims.<sup>44</sup>

Moreover, al-Mawḍūdī stresses that Muslims should have their “standing army” on the alert whenever needed in order for them not to be caught unawares and then hurriedly have to look around to build their defences when it is too late.<sup>45</sup> Falling short to carrying out this communal duty is, according to Darwazah, a heinous sin because it runs counter to the general Divine order in the verse and as a result exposes Muslim countries to many physical and psychological harms.<sup>46</sup>

*Quwwah*, it turns out, is a broad concept according to modern exegetes. Although its interpretation is influenced by the way it was explained by classical exegetes, the verse is still seen as being applicable to modern day military developments. With the exception of Quṭb’s seemingly extreme view of *quwwah* being used as a “backbreaking tool”, other modern exegetes observe that it is vital to apply *quwwah* in times of both war and peace.

It may also be noted that modern exegetes do not refer to the Muslim state as the body responsible for the preparation of *quwwah*. Rather, they highlight the role of individual Muslims as if it were they to whom the verse is mainly addressed. The failure to develop the necessary means of *quwwah*, which is *farḍ kifāyah*, according to them, is a heinous sin. Again, the role of the Muslim state is clearly marginalized, and it is only the individual’s role that is stressed. Having discussed the purposes of the preparation of *quwwah* – its aspects, conditions and diversity according to time and place – according

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<sup>44</sup> Ibid., Vol. 10, p. 70.

<sup>45</sup> Sayyid Abul A‘lā al-Mawḍūdī, *Towards Understanding the Qur’ān*, trans. and ed. Zafar Ishaq Ansari (Leicester: The Islamic Foundation, 1990), Vol. 3, p. 146 f.

<sup>46</sup> Muḥammad ‘Azzah Darwazah, *Al-Tafsīr al-Ḥadīth: Tartīb al-Suwar Ḥasab al-Nuzūl* (Beirut: Dār al-Gharb al-Islāmī, 2<sup>nd</sup>. ed., 2000), Vol. 7, p. 81.

to modern Qur'ānic exegetes, we now move to a broader and more comprehensive view, which is presented by some modern scholars.

#### **2.2.4 Concept of *Quwwah* according to Modern Scholars**

The study of the concept and aspects of the preparation of *quwwah* in a modern scholarly context, reveals clearly that there is no significant difference concerning the importance and necessity of such preparation between modern Muslim scholars, on the one hand, and classical and modern exegetes, on the other. All classical and modern exegetes, as well as some modern scholars, agree on the necessity of Muslims' preparation of *quwwah*. However, there are diverse views among modern scholars concerning the concept of the *quwwah* that Muslims are ordered to prepare, according to Qur'ān 8: 60.

Modern scholars agree that *quwwah* in this verse is not literally limited to the physical aspect of military *quwwah* alone. Rather, it extends to encompass economic, educational, technical, administrative, moral, intellectual, psychological, financial and medical *quwwah*. It differs from one time to another and from one place to another.<sup>47</sup>

Of the many modern scholars who have discussed the concept of the preparation of *quwwah* in Qur'ān 8: 60 in great detail is Aḥmad Nār. He widely discusses various

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<sup>47</sup> See, for example, Aḥmad Nār, *Al-Qitāl fī al-Islām* (Ḥumṣ: Al-Maktabah al-Islāmiyyah, 2<sup>nd</sup> ed., 1968), pp. 23-125; Yūsuf al-Qaraḍāwī, *Fiqh al-Jihād: Dirāsah Muqāranah li Aḥkāmīhi wa Falsafātihi fī Daw' al-Qur'ān wa al-Sunnah* (Cairo: Maktabat Wahbah, 2009\1430), Vol. 1, p. 533; Muḥammad al-Ḥabīb ibn al-Khūjah, *Al-Jihād fī al-Islām* (Tunis: Al-Dār al-Tūnisīyyah li al-Nashr, 1968\1386), p. 35; Aḥmad Muḥammad Khalaf al-Mumnī, *Al-Ta'bi'ah al-Jihādiyyah fī al-Islām* (Amman: Dār al-Arqam li al-Nashr wa al-Tawzī', 1986\1406), pp. 28-30; Aḥmad Shalabī, *Al-Jihād wa al-Nuḏum al-Askariyyah fī al-Taḥkīm al-Islāmī* (Cairo: Maktabat al-Nahḍah al-Miṣriyyah, 2<sup>nd</sup> rev. & enl. ed., 1974), p. 54; Al-Ḥifnī, *Maws'at al-Qur'ān*, p. 1880; 'Alī 'Abd al-Qādir Al-Qarālah, *Al-Muqāwamah wa al-Irhāb min Manẓ-r Islāmī* (Amman: Dār 'Ālam al-Thaqāfah li al-Nashr wa al-Tawzī', 2005), p. 110; El-Awaisi, "The Conceptual Approach of the Egyptian Muslim Brothers", p. 239; Muḥammad 'Imārah, *Hal al-Islām Huwa al-Ḥall: Limādhā wa Kayf?* (Cairo: Dār al-Shur-q, 1995\1415), p. 198; S. K. Malik, *The Quranic Concept of War* (Lahore: Wajidalis, 1979), p. 144.

concepts of the preparation of *quwwah* in more than seventy pages in his *Al-Qitāl fī al-Islām*.<sup>48</sup> In Nār's view, the preparation of *quwwah* includes five main categories:<sup>49</sup> Theoretical preparation, material preparation, managerial preparation, technical preparation, and financial preparation. Nār goes on to mention the sub-categories of each kind and their importance. He, for example, divides theoretical preparation into two main sub-categories: scientific, which includes ideas, principles and ideology; and moral, which includes the behaviour to be followed by both leaders and soldiers.<sup>50</sup> He also states that material preparation includes three sub-categories: preparing individuals for the battlefield, preparing military supplies, and preparing the necessary ammunition.<sup>51</sup>

Although Nār's view of the concept of *quwwah* is detailed, it is mostly related to military preparation. This reality is difficult to hide when he discusses technical preparation, for example.<sup>52</sup> Laudably, Nār has broadened the concept of the preparation of *quwwah* in an unprecedented way in terms of the categories and sub-categories he outlines in detail. However, the way he continually links the concept of the preparation of *quwwah* to achieving excellence in the battlefield limits his seemingly detailed concept of *quwwah*. It is also noteworthy that only Nār's detailed discussion about the preparation of *quwwah* seems to be highlighted in some of the modern English-written literature concerned with the issue.<sup>53</sup>

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<sup>48</sup> Nār, *Al-Qitāl*, pp. 23-125; Zāfir al-Qāsimī, *Al-Jihād wa al-Ḥuqūq al-Dawliyyah al-ʿĀmmah fī al-Islām* (Beirut: Dār al-ʿIlm li al-Malāyīn, 1982), p. 246.

<sup>49</sup> Nār, *Al-Qitāl*, p. 26.

<sup>50</sup> *Ibid.*

<sup>51</sup> *Ibid.*, p. 97.

<sup>52</sup> *Ibid.*, p. 126.

<sup>53</sup> Indeed, El-Awaisi's article is a very clear example of that. See El-Awaisi, "The Conceptual Approach of the Egyptian Muslim Brothers", p. 239.

Moreover, it seems that Nār is not the only scholar whose view about *quwwah* in the verse in question is limited to military preparedness. The renowned Muslim scholar Yusuf al-Qaraḏāwī considers that preparing military *quwwah* is the most important aspect of preparation in this verse, although such *quwwah*, in his understanding, is not sufficient by itself. Nevertheless, being self-sufficient in acquiring it—as opposed to acquiring it from others—for possible future use on the battlefield may become inevitable for Muslims.<sup>54</sup>

Referring to modern ways of possessing *quwwah*, al-Qaraḏāwī also draws a clear line between possessing and using weapons of mass destruction (WMD). According to him, the Muslim *ummah* is obliged to possess these kinds of weapons. At the same time, he considers it strictly forbidden in Islam to use these weapons against others. He argues that Islam forbids killing non-combatants – women, children, the aged, farmers, and monks – let alone killing thousands or even millions at the same time by using WMD.<sup>55</sup> This last view of al-Qaraḏāwī is supported by the al-Azhar House of Fatwā in Egypt. An Arabic *fatwā* (legal opinion) that first appeared on [www.islamonline.net](http://www.islamonline.net) on December 23, 2002 and was updated on April 10, 2007, states that manufacturing and possessing WMD is an obligation upon Muslims in order to deter the enemies of Islam, and defend Muslims provided that this does not lead to transgression against non-combatants. It is even obligatory, according to al-Azhar House of Fatwā, for Muslim countries to use any weapon that they deem suitable to defend themselves if using such weapons is necessary for self-defence.<sup>56</sup> This *fatwā* by al-Azhar has been condemned by some Western authors such as Anne-Marie

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<sup>54</sup> Al-Qaraḏāwī, *Fiqh al-Jihād: Dirāsah Muqāranah*, Vol. 1, p. 536.

<sup>55</sup> *Ibid.*, Vol. 1, pp. 590 f.

<sup>56</sup> Al-Azhar House of Fatwā, “Imtilāk al-Ummah lī al-Asliḥah al-Nawawīyyah”, [article online]; available from [http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-Arabic-Ask\\_Scholar/FatwaA/FatwaA&cid=1122528620106](http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-Arabic-Ask_Scholar/FatwaA/FatwaA&cid=1122528620106); accessed 29 August, 2007.

Delcambre<sup>57</sup> (1943-), who claims that on the basis of this *fatwā*, “...the Islamic university of al-Azhar, in Egypt, preaches war”, so, “Why should we expect Al-Azhar to speak the same language of peace as Pope John-Paul II?”.<sup>58</sup> Noticeably, Delcambre’s claim here is baseless because she selectively chooses to refer to that part of the *fatwā* which serves her interest, while ignoring the conditions laid by the *fatwā* which limit war to defensive purposes only. This selective approach can be erroneously applied to any other religious legal source, including, of course, the speeches and statements of the late Pope John-Paul II (1920-2005). Such attitudes should have no place in academic discussion, whose protagonists should remain objective, something that is absent from the view held by Delcambre. In addition, she mistakenly refers to the “the Islamic university of al-Azhar” as the source of the *fatwā*, which is not the place from where it was originally issued, although the House of Fatwa is an institution affiliated to al-Azhar.

Moreover, some modern scholars, such as the famous American scholar Muzammil Siddiqi,<sup>59</sup> have opposed the opinion of al-Qaraḏāwī and that of al-Azhar House of Fatwā, declaring that Islam is against all forms of WMD.<sup>60</sup> In his critique, Siddiqi does not distinguish between the possession and the use of WMD, but it is clear from the context that he is against both, especially towards the end of his *fatwā*, where

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<sup>57</sup> Anne-Marie Delcambre is Professor of Arabic at the Lycée Louis-le-Grand, Paris.

<sup>58</sup> Anne-Marie Delcambre, *Inside Islam* (Milwaukee, Wisc.: Marquette University Press, 2005), p. 18.

<sup>59</sup> Muzammil Siddiqi is the current president of the Fiqh Council of North America and former president of the Islamic Society of North America (ISNA), USA.

<sup>60</sup> Muzammil Siddiqi, “How Islam Views Possession of Nukes”, [article online]; available from [http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-English-Ask\\_Scholar/FatwaE/FatwaE&cid=1119503545986](http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-English-Ask_Scholar/FatwaE/FatwaE&cid=1119503545986); accessed 29 August, 2007.

he calls for a universal ban on testing, developing and possessing all weapons of mass destruction and nuclear weapons.<sup>61</sup>

Thus, the differences between the views of some modern scholars regarding the possession and use of WMD by Muslim countries reflects opposing attitudes. All that has been written so far about this issue, according to the best knowledge of the researcher, does not amount to a detailed study. Therefore, it is necessary that individual and collective *ijtihād* (exertion of intellectual reasoning in understanding laws)<sup>62</sup> be applied in order to study this important topic in light of Qur’ān 8:60. Nevertheless, the researcher considers that the possession of WMD by Muslim countries may be a necessity in the contemporary age in order for Muslims to more successfully achieve the required deterrence that is clearly envisaged in Qur’ān 8: 60.

All in all, none of the above modern scholars have referred to any negative aspect of using *quwwah* against non-Muslims while employing violent means that may lead to killing. On the contrary, their discussion in general applies to times of both war and peace.<sup>63</sup> Even at times when military conflict between Muslims and non-Muslims becomes inevitable, preparation for the use of *quwwah* is still limited to an enemy who shows animosity or at least serious intention of attacking Muslims. Interesting, however, is the absence of any interpretations by modern scholars—as is the case with classical and modern exegetes too, except for Quṭb— which call for the ‘abuse’ of *quwwah* in a way that is harmful to others. This which justifies the rejection of the extremist interpretations both by terrorist groups who twist the context of the above

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<sup>61</sup> Ibid.

<sup>62</sup> See Wael B. Hallaq, “Was the Gate of Ijtihād Closed?”, *International Journal of Middle Eastern Studies*, Vol. 16, No. 1, March, 1984, pp. 3 f.

<sup>63</sup> Al-Ḥifnī, *Maws-‘at al-Qur’ān*, p. 1880.

verse, and by some non-Muslims whose understanding of the verse proves to be superficial, as indicated earlier in this chapter.

### 2.3 Warhorses in the Qur'ān 8: 60

*Ribāṭ*, which is originally derived from the root r-b-ṭ (tie or to bind), literally refers to the place where horses are usually tethered to protect the frontiers, to horses themselves, and to places used for accommodation by poor *ṣ-ḥīs* in ancient times.<sup>64</sup> According to Al-Aṣḥāhānī, *ribāṭ* in the Qur'ān has two meanings: first, *ribāṭ al-khayl* (warhorses), as in Qur'ān 3: 200; 8: 60. Second, *ribāṭ al-naḥs* (self-control) as in 8: 11; 18: 14; 28: 10.<sup>65</sup> Al-Raḥm-nī states that, like *jihād*, the word *ribāṭ* carries various meanings, although it is widely attached to *ribāṭ al-Khayl*.<sup>66</sup>

Quṭb opines that *ribāṭ al-khayl*, which is one of the main aspects of *quwwah* in the verse under discussion, is not something that is literally restricted to horses. Rather, it goes beyond to include other forms of *quwwah*. He argues that Allah mentioned warhorses in the verse because they were the most prominent means of fighting when the Qur'ān was revealed.<sup>67</sup>

According to al-Qaraḍāwī, the *khayl* of our modern age are tanks, armoured vehicles, warships, submarines, gunboats, rockets and air missiles, as well as other various forms of sophisticated weapons used on land, sea and air. To him *khayl* is just a

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<sup>64</sup> Majma' al-Lughah al-<sup>o</sup>Arabiyyah, *Al-Mu'jam al-Wajīz*, p. 252; Ḍayf, *Al-Mu'jam al-Wasīṭ*, p. 323; Al-Aṣḥāhānī, *Mufradāt Alfāz*, p. 338 f.; Muḥammad al-Raḥm-nī, *Al-Dīn wa al-Ayduyul-jyā: Jadaliyyat al-Dīnī wa al-Siyāsī fī al-Islām wa fī al-Markisiyyah* (Beirut: Dār al-Ṭalī<sup>o</sup>ah li al-Ṭibā<sup>o</sup>ah wa al-Nashr, 2005), p. 52; Ibn al-Khūjah, *Al-Jihād*, p. 32.

<sup>65</sup> Al-Aṣḥāhānī, *Mufradāt Alfāz*, p. 338 f. See also, Muḥammad Muṣṭafā Muḥammad, *Al-Fihris al-Mawḍū'ī li Āyāt al-Qur'ān al-Karīm* (Beirut: Dār al-Jīl, 4<sup>th</sup> ed., 1989\1409), p. 335.

<sup>66</sup> Al-Raḥm-nī, *Al-Dīn wa al-Ayduyul-jyā*, p. 53.

<sup>67</sup> Quṭb, *Fī Zilāl*, Vol. 3, p. 1543; idem, *In the Shade*, Vol. 7, p. 185. See also, Muḥammad <sup>o</sup>Atrīs, *Al-Mu'jam al-Wāfī Likalimāt al-Qur'ān al-Karīm* (Cairo: Maktabat al-Ādāb, 2006\1427), p. 451 f.; Patrick Sookhdeo, *Understanding Islamic Terrorism: The Islamic Doctrine of War* (Pewsey: Isaac Publishing, 2004), p. 60; Al-Ḥifnī, *Maws-<sup>o</sup>at al-Qur'ān*, p. 1881.

tool in jihād that is subject to change according to time, place and circumstance. He further stresses that the human element is the real power and that any state-of-the-art technology that is applied to war is useless unless accompanied by capable and well-trained soldiers.<sup>68</sup> As earlier stated with regard to the preparation of *quwwah, ribāṭ al-khayl* in its modern sense should be understood as a tool in a defensive war, which is therefore not allowed to be used as a tool of disseminating fear and terror in the hearts of non-Muslims who do not have an issue with Muslims. Rather, it is a tool whose objective is to make the enemies of Muslims think twice before attacking their frontiers.<sup>69</sup>

#### 2.4 Lexical Connotations of *Rahbah* in the Qur’ān

The Arabic root *r-h-b*, which generally refers to ‘fear’<sup>70</sup>, and its lexemes such as *turhibūna* (to frighten off), *ruhbān* (monks), *istarhaba* (to seek to frighten) occur thirteen times in the Qur’ān in ten *suwar* (chapters).<sup>71</sup> The lexemes of this root word appear in three main lexical forms in the Qur’ān; verbal form, verbal noun form, and active participle form. The three forms do not convey identical meanings, and are easily noticed in the Qur’ān.<sup>72</sup> The thirteen occurrences refer to meanings such as fearing

<sup>68</sup> Al-Qaraḍāwī, *Fiqh al-Jihād: Dirāsah Muqāranah*, Vol. 1, p. 590.

<sup>69</sup> The Islamic Fiqh Council, “Bayān Makkah al-Mukarramah bi-Sha’n al-Irhāb wa Qarārāt al-Dawrah al-Sābi‘ah ‘Asharah”, *The Islamic Fiqh Council Journal*, Issue No. 17, 2004/1425, p. 272.

<sup>70</sup> For more details about the principal Qur’ānic concepts that are usually translated by the English word ‘fear’ see, Scott C. Alexander, “Fear” in Jane Dammen McAuliffe, ed., *The Encyclopaedia of the Qur’ān* (Leiden: Brill, 2002), Vol. 2, pp. 194-198.

<sup>71</sup> ‘Abd al-Bāqī, *Al-Mu‘jam al-Mufahras*, p. 325; Badawi and Abdel Haleem, *Dictionary of Qur’anic Usage*, pp. 384 f.; Al-Aṣḥānī, *Mufradāt Alfāz*, pp. 366 f. See also, ‘Abd al-Raḥmān Sulaymān al-Maṭrūdī, *Nazrah fī Maḥm al-Irhāb wa al-Mawqif Minhu fī al-Islām*, Dirāsāt Mu‘āṣirah 17 (Riyadh: King Faisal Center for Research and Islamic Studies, 2004\1425), pp. 11 f.

<sup>72</sup> See Qur’ān 2:40, 5: 82, 7: 116, 7: 154, 8: 60, 9: 31, 9: 34, 16: 51, 21: 90, 28: 32, 57: 27, 59: 13. See also, Al-Zayn, *Al-Mu‘jam al-Mufahras li Ma‘ānī al-Qur’ān*, Vol. 1, p. 515; Muḥammad Bahjat Muṣṭafā al-Jazzār, “Al-Jarā’im al-Irhābiyyah: bayna al-Qān- n Al-Waḍ‘ī wa al-Sharī‘ah

Allah and being grateful for His favours (Qur’ān 2:40), according to al-Ṭabarī;<sup>73</sup> fearing His punishment and being aware that one must not worship or associate partners along with Him (Qur’ān 16: 51);<sup>74</sup> disseminating fear among people through the use of magic tricks used by the magicians of Pharaoh in his challenge to the Prophet Moses (Qur’ān 7: 116);<sup>75</sup> those who fear Allah especially when they commit sins (Qur’ān 7: 154);<sup>76</sup> the hypocrites being very fearful of Muslims (Qur’ān 59: 13);<sup>77</sup> monks (Qur’ān 9:31-34), and monasticism (Qur’ān 57:154).<sup>78</sup> These meanings mentioned by al-Ṭabarī are also cited by al-Aṣfahānī (d. 425), who adds that the Arabic word *irhāb* originally refers to terrifying camels.<sup>79</sup> The textual meanings mentioned by al-Ṭabarī and al-Aṣfahānī are entirely the meanings mentioned by other classical Arab lexicographers.<sup>80</sup>

The above lexical and contextual meanings of *rahaba* and its lexemes reveal that *al-rahab* (fear) and *irhabūnī* (fear Me i.e. Allah) are contextually associated with worshipping Allah and obeying Him. The two lexemes usually address unbelievers and the hypocrites. The word *al-rahab* and *istarhabūhum* (to seek to frighten them) occur in the context of magicians, and baseless imaginative thoughts that occur in people’s minds. This is in addition to other meanings denoting lying and deceit. *Al-rahb* (awe or

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al-Islāmiyyah fī Ḍaw’ Aḥkām al-Qaḍā’” (PhD. Thesis, Faculty of Law, Zagazig University, Egypt, 2002), pp. 40 f.; Al-Ṭāhir Maḥdī al-Bilīlī, *Maḥm al-Irhāb fī al-Fikr al-Insānī wa al-Sharī‘ah al-Islāmiyyah: Dirāsah Muqāranah wa Ta‘rīf* (Al-Mans-rah, Egypt: Dār al-Kalimah, 2006\1427), pp. 26 f.; Muntaṣir Sa‘īd Ḥamm-dah, *Al-Irhāb: Dirāsah Fiqhiyyah fī al-Tashrī‘ al-Jinā‘ī al-Islāmī* (Alexandria, Egypt: Dār al-Jāmi‘ah al-Jadīdah li al-Nashr, 2008), pp. 69 f.

<sup>73</sup> Al-Ṭabarī, *Jāmi‘ al-Bayān*, Vol. 1, p. 251.

<sup>74</sup> Ibid., Vol. 14, p. 118.

<sup>75</sup> Ibid., Vol. 9, p. 20.

<sup>76</sup> Ibid., Vol. 9, p. 71.

<sup>77</sup> Ibid., Vol. 28, p. 47.

<sup>78</sup> Ibid., Vol. 27, p. 241.

<sup>79</sup> Al-Aṣfahānī, *Mufradāt Alfāz*, p. 367.

<sup>80</sup> Muḥammad ibn Abī Bakr ibn ‘Abd al-Qādir al-Rāzī, *Mukhtār al-Ṣaḥḥāh*, ed. Maḥmūd Khāṭir (Beirut: Maktabat Lubnān Nashirūn, 1995), p. 109.

fear) refers to an extreme fear of Allah due to the miracles with which the Prophet Moses was supported. The word *rahaban* denotes fear of the punishment of Allah.<sup>81</sup>

Almost all these meanings refer to a two-way relationship. First, it refers to man's relationship with Allah, which is contextually set in fearing His punishment after hoping for His reward. Second, it refers to man-man relationship as described by the hypocrites' fear of Muslims mentioned above. This entire explanation led Zakī Abū Ghaḍḍah, a modern Egyptian researcher in Islamic studies, to state that the Arabic root *r-h-b* and all its derivatives in the Qur'ān denote positive meanings indicative of a total abhorrence of killing, destruction, spreading injustice, and occupying others' lands.<sup>82</sup>

#### **2.4.1 *Turhibūna* in Qur'ān 8: 60**

It is mainly because of their failure to understand the context of Qur'ān 8: 60 in general and the word *turhibūna* (to frighten off) in particular that some Muslims and non-Muslims, whose views are referred to earlier in this chapter, erroneously state that Islam is a religion that supports terrorism, extremism, and violence. 'Abd al-Raḥmān Sulaymān al-Maṭr-dī, a contemporary Saudi Muslim researcher, states that some writers claim that the teachings of Islam, as well as some verses and rulings in the Qur'ān, support terrorism and even call Muslims to adopt it. Although he does not name any of these writers, authors such as Schwartz-Barcott, Dobrot and Grinstein are clear examples.<sup>83</sup> Importantly, the views of such writers do not represent mainstream Western scholarship.

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<sup>81</sup> Badawi and Abdel Haleem, *Dictionary of Qur'anic Usage*, pp. 384 f.

<sup>82</sup> Zakī 'Ali Al-Sayyid Abū Ghaḍḍah, *Al-Irhāb fī al-Yahūdiyyah wa al-Masīḥiyyah wa al-Islām wa al-Siyāsāt al-Mu'āṣirah* (Al-Mansūrah: Dār al-Wafā', 2002), p. 132; Al-Maṭrūdī, *Naḥrah fī Maḥm al-Irhāb*, pp. 36 f.

<sup>83</sup> T.P. Schwartz-Barcott, *War, Terror and Peace in the Qur'an and in Islam: Insights for Military and Government Leaders* (Carlisle, PA: Army War College Foundation Press, 2004), p.

Furthermore, he states that these writers also claim that the texts and meanings of some Qur'ānic verses, among which is certainly Qur'ān 8: 60, and Prophetic aḥādīth call for terrorism. He describes this claim as baseless.<sup>84</sup> Al-Maṭrūdī stresses the importance of refuting this claim, arguing that a study of the lexical connotations of all the Qur'ānic verses containing the word '*irhāb*' and its lexemes is, therefore, necessary to dismiss such thesis.<sup>85</sup> He does not do this himself, but he does deal with Qur'ān 8: 60 in detail. It is because of the above claim that discussing the views of classical and modern exegetes concerning the word *turhibūna* is extremely important in this context.

#### **2.4.2 *Turhibūna* as Interpreted by Classical Exegetes**

Although researchers like al-Maṭrūdī state that the word *rahaba* and its derivatives refer solely to fear in the Qur'ān, according to the collective views of the exegetes,<sup>86</sup> it is proven otherwise upon meticulously tracing the meanings of the word in the Qur'ān. Although the meanings generally refer to fear, the absolute statement of al-Maṭrūdī loses its academic support when the views of the classical exegetes are examined, not only regarding the word and its derivatives, as he says, but concerning the word *turhibūna* alone.

Al-Ṭabarī, for example, states that the word *turhibūna* refers to bringing *khizy* (humiliation) to the enemies of Allah and the enemies of the Muslims.<sup>87</sup> There is,

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60; Laurence Andrew Dobrot, "The Global War on Terrorism: A Religious War?," [article online]; available from <http://www.strategicstudiesinstitute.army.mil/pdffiles/pub822.pdf>; accessed 20 March 2010, p. 8; Joseph Grinstein, "Jihad and the Constitution: The First Amendment Implications of Combating Religiously Motivated Terrorism", *The Yale Law Journal*, Vol. 105, No. 5, March 1996, p. 1353.

<sup>84</sup> 'Abd al-Raḥmān Sulaymān al-Maṭrūdī, "Al-Irhāb wa Ra'y al-Qur'ān Fih", *Journal of Qur'anic Studies*, Vol. 6, No. 1, 2004, p. 176.

<sup>85</sup> Ibid.

<sup>86</sup> Ibid., p. 175.

<sup>87</sup> Al-Ṭabarī, *Jāmi' al-Bayān*, Vol. 10, p. 30.

however, a significant difference between *khawf* (fear) and *khizy*, although the latter may refer to some physical and psychological aspects of the former. Ibn Kathīr and al-Rāzī also interpret *turhibūna* to mean fear.<sup>88</sup> However, al-Rāzī adds that *turhibūna* in this verse is intended to achieve five main objectives. They are, first, to prevent the unbelievers from invading the land of Islam; second, to make them committed to paying the *jizyah*<sup>89</sup> (poll tax); third, to make them embrace Islam; fourth, to prevent them from supporting other unbelievers against Muslims; and fifth, to increase the pride of Muslims.<sup>90</sup> These objectives have not been stated by other traditional exegetes in the way classified by al-Rāzī, and it may be said that some of them are weak in their arguments because, for example, there are no examples in Islamic history that non-Muslims paid *jizyah* in advance for fear of the overwhelming *quwwah* of the Muslims. In addition, being fearful of the power of others may lead people to leave their homeland, but it will not affect their belief or make them change their religious convictions. Of course there is a reference in the Qur’ān (16: 106-107)<sup>91</sup> to declaring

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<sup>88</sup> Ibn Kathīr, *Tafsīr al-Qur’ān*, Vol. 2, p. 323.

<sup>89</sup> *Jizyah* is a tax paid by non-Muslims in return for their protection by Muslims against outside aggression. See, Quṭb: *In the Shade*, Vol. 7, p. 188. According to Abu Munshar, this tax was neither heavy nor unjust. See, Maher Y. Abu-Munshar, *Islamic Jerusalem and Its Christians: A History of Tolerance and Tensions* (London: Tauris Academic Studies, 2007), p. 25. According to al-Faruqī “...[it is] a far lesser economic and financial burden than the *zakat* imposed upon Muslims.” Ismail R. al-Faruqī, “Islam and Other Faiths: The World’s Need for Humane Universalism”, in Altaf Gauhar, ed., *The Challenge of Islam* (London: Islamic Council of Europe, 1978), p. 101. See also, Al-Ḥifnī, *Maws-‘at al-Qur’ān*, pp. 1925 f., 2338. Nowadays with military conscription imposed on the nationals of certain countries regardless of whether they are Muslims or non-Muslims, there is no way to claim money from non-Muslims under the name of *jizyah* or under any other name. See, Y-suf al-Qaraḍāwī, *Al-Dīn wa al-Siyāsah: Ta’šīl Warad Shubuhāt* (Cairo: Dār al-Shur-q, 2007\1428), p. 184. See also, Labeeb Ahmed Bsoul, “International Treaties (Mu’ahadat) in Islam: Theory and Practice in the Light of Siyar (Islamic International Law)” (PhD Thesis, Institute of Islamic Studies, McGill University, Montreal, August 2003), pp. 123-129.

<sup>90</sup> Al-Rāzī, *Al-Tafsīr al-Kabīr*, Vol. 15, p. 149.

<sup>91</sup> “Falsehood is fabricated only by those who do not believe in God’s revelation: they are the liars. With the exception of those who are forced to say they do not believe, although their hearts remain firm in faith, those who reject God after believing in Him and open their hearts to

disbelief under coercion for fear of persecution, but again one may be compelled by physical fear to deny belief, while one's heart remains true.

Moreover, when Muslims demonstrate before people of other faiths that they are strong and powerful, it does not mean that they are doing so out of pride and ostentation. On the contrary, the true Muslim is the one who expresses more humility towards His Lord when his *quwwah* increases by showing more mercy towards all creatures, and not just his fellow humans. Furthermore, al-Rāzī's first objective, concerning preventing the unbelievers from invading the land of Islam as a result of seeing the *quwwah* of the Muslims, is an indirect call to peace. Unlike the other objectives, it can be assumed that this one may lead to peaceful co-existence among nations and, therefore, helps prevent war from breaking out.

Given the above, it should be made clear that the 'collective' view of the exegetes stated by al-Maṭrūdī above is not as 'collective' as he states. Importantly, the aims of fear mentioned by al-Rāzī cannot be absolutely followed or adopted in the way to which he refers. Equally important is to consider the views of modern exegetes regarding the aim of *turhib-na* in this verse, so as to discern the difference between what al-Rāzī and modern exegetes have stated.

### **2.4.3 *Turhibūna* as Interpreted by Modern Exegetes**

Modern exegetes vary in the level of emphasis they give to the objective of *turhib-na* in the verse under discussion. Riḍā's interpretation is almost a repetition of those stated by al-Rāzī,<sup>92</sup> while Darwazah does not refer to the objective of *turhibūna* or its centrality in

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disbelief will have the wrath of God upon them and a grievous punishment awaiting them.” Haleem, *Qur'an*, p. 173.

<sup>92</sup> Riḍā, *Tafsīr al-Qur'ān al-Hakīm*, Vol. 10, p. 74.

the verse at all.<sup>93</sup> Al-Sha<sup>c</sup>rāwī, however, refers to *al-tawāzun al-silmī* (peaceful equilibrium)—an apparently different yet almost identical objective. According to him, this peaceful equilibrium can be achieved when fear is disseminated in the other party by a certain country displaying various military, economic and media powers. For him, this show of *quwwah* can be viewed as an effective way of preventing war from breaking out. As a result, the enemy of Muslims will think twice before attacking them.<sup>94</sup> Thus according to al-Sha<sup>c</sup>rāwī, *turhibūna* encompasses peaceful, positive and comprehensive meanings. It is peaceful because it helps prevent war; it is positive because its aim is not just to disseminate negative fear leading to the outbreak of war but to use the *quwwah* for a legally acceptable objective; and it is comprehensive because it refers to the importance of achieving excellence not only in military fields, but also in other economic and media fields as well.

Moreover, the known enemy, according to al-Sha<sup>c</sup>rāwī, originally refers to the unbelievers of Quraysh, as well as the Jews and the hypocrites; whereas the unknown enemy of the Muslims refers to those who may not appear on the battlefield but who harbour animosity towards Muslims beyond the battlefield.<sup>95</sup> The view of al-Sha<sup>c</sup>rāwī, which considers hypocrites to be the known enemy, does not seem to be accurate because hypocrites, by the nature of their character and actions, are more akin to be unknown enemies. His understanding of *al-tawāzun al-silmī* is almost the same as ‘*al-silm al-musallah*’ (armed peace), coined by Riḍā, who argues that *al-silm al-musallah*’ in this context refers to the fear that exists in the hearts of the enemies of Muslims as a result of seeing the latter’s *quwwah* on the increase, which will eventually lead to the

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<sup>93</sup> Darwazah, *Al-Tafsīr al-Ḥadīth*, Vol. 7, p. 81.

<sup>94</sup> Al-Sha<sup>c</sup>rāwī, *Tafsīr*, Vol. 8, p. 4776.

<sup>95</sup> *Ibid.*, Vol. 8, p. 4780.

prevention of war. On the other hand, if Muslims did not show that they were powerful, or if they lagged behind in equipping themselves with the necessary *quwwah*, they would fail to achieve the objectives of *turhibūna* and, as a result, would become vulnerable to any possible attack by their enemies.<sup>96</sup>

The above two interrelated concepts of ‘*al-tawāzun al-silmī*’ and ‘*al-silm al-musallah*’ are also referred to by the late renowned Egyptian scholar Muṣṭafā Zayd (1917-1978) not as his own original idea, but as a phrase he takes from other exegetes. Zayd states that the aim of ‘*al-silm al-musallah*’ is to strike fear into the hearts of the enemies of Muslims, especially the polytheists, the Jews, and other enemies unknown to them.<sup>97</sup>

Zayd criticizes al-Rāzī who, according to him, claims that one of the meanings of *turhibūna* in the verse is to strike fear into the hearts of some Muslims who may harbour animosity towards their fellow Muslims.<sup>98</sup> In his response to al-Rāzī’s claim, Zayd states that al-Rāzī’s view cannot be accepted unless the Muslims who are thinking of attacking their fellow Muslims consider them as *bughāh*<sup>99</sup> (rebels). Thus, according

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<sup>96</sup> Riḍā, *Tafsīr al-Qur’ān al-Ḥakīm*, Vol. 10, p. 75. See also, Aḥmad ‘Alī al-Imām, “Ru’yah Ta’šiliyyah Limafh- m al-Irhāb”, *Scientific Review of the European Council for Fatwa and Research*, No. 6, January 2005, p. 31.

<sup>97</sup> Muṣṭafā Zayd, *Sūrat al-Anfāl: ‘Arḍ wa Tafsīr* (Cairo: Dār al-Fikr al-‘Arabī, 3<sup>rd</sup> ed., 1957\1377), pp. 147 f.

<sup>98</sup> *Ibid.*, pp. 147 f., footnote (a).

<sup>99</sup> *Bughāh* (sing. *bāghī*) are those who attempt to overthrow a legitimate ruler by violence. See, Muḥyī al-Dīn ibn Sharaf al-Nawawī, *Al-Majm- ‘: Sharḥ al-Muhadhdhab*, ed. Muḥmūd Matḥrajī (Beirut: Dār al-Fikr, 2000), Vol. 20, p. 337; See also, Khaled Abou El Fadl, “Political Crime in Islamic Jurisprudence and Western Legal History”, *U.C. Davis Journal of International Law & Policy*, Vol. 4, No. 1, Winter 1998, p. 11, n. 43; Aḥmad ibn ‘Abd al-Ḥalīm Ibn Taymiyah, *Al-Khilāfah wa al-Mulk*, Min Rasā’il Shaykh al-Islām Ibn Taymiyah 4, ed. Ḥammād Salāmah and Muḥammad ‘Iwīdīyah (Al-Zarqā’, Jordan: Maktabat al-Manār, 2<sup>nd</sup> ed., 1994/1414), pp. 62-69; Mohd Farid bin Mohd Sharif, “*Baghy* in Islamic Law and the Thinking of Ibn Taymiyya”, *Arab Law Quarterly*, Vol. 20, No. 3, 2006, pp. 289-295.

to Zayd, Muslims in this case would be targeting the *bughāh* only.<sup>100</sup> However, al-Rāzī's claim and its refutation by Zayd are not supported either by the context of the verse or by logic. Careful scrutiny of the verses preceding and following Qur'ān 8: 60 shows that the context and the occasion of revelation of the verse refer to the relationship between Muslims and the unbelievers. There is no reference to *bughāh* in *sūrat al-Anfāl* in general or to the context of Qur'ān 8: 60 in particular.

Moreover, al-Rāzī's claim is far from being logically acceptable, as Muslims cannot be ordered to prepare the necessary *quwwah* to strike fear into the hearts of their fellow Muslims, unless the latter are hypocrites known to the Muslim community. However, common sense generally refers to *quwwah* being prepared by Muslims in anticipation of being attacked by non-Muslim enemies. Even if there is animosity between factions within the Muslim community, then reconciliation, not fighting, according to Qur'ān 49: 9,<sup>101</sup> should be given priority.

#### **2.4.4 Fear or Intimidation**

In a further explanation of the objectives of *turhibūna*, Sayyid Quṭb clearly states that the first and main objective behind the preparation of *quwwah* is to strike terror into the hearts of the enemies of Allah, who can be either open and known for their hostility, or discreet with their feelings and not openly hostile towards Muslims. Quṭb also refers to the fact that the *quwwah* of Muslims is intended to intimidate their enemies even though the latter may not directly suffer the consequences.<sup>102</sup> Thus, Quṭb's view of *turhibūna*

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<sup>100</sup> Zayd, *Sūrat al-Anfāl*, pp. 147 f., footnote (a).

<sup>101</sup> "If two groups of the believers fight, you [believers] should try to reconcile them; if one of them is [clearly] oppressing the other, fight the oppressors until they submit to God's command, then make a just and even-handed reconciliation between the two of them: God loves those who are even-handed." Haleem, *Qur'an*, p. 338.

<sup>102</sup> Quṭb, *Fī Zilāl*, Vol. 3, p. 1544; idem, *In the Shade*, Vol. 7, p.186.

goes beyond the positive dissemination of fear stated by al-Sha<sup>c</sup>rāwī and Riḍā above. He highlights the necessity of intimidation, which is a close equivalent to the Arabic word *ru<sup>c</sup>b*, as a necessary element in achieving the objective of *turhibūna*. Quṭb can be viewed here as an advocate of a relatively extreme view that supports both fear, as a simple equivalent of *turhibūna*, and intimidation or *ru<sup>c</sup>b*. What makes Quṭb's view relatively extreme here is that he seeks to equate *irhāb* with *ir<sup>c</sup>āb*. Even though both words carry similar lexical connotations in Arabic by virtue of the fact that they both refer to fear, *ir<sup>c</sup>āb* refers specifically to panic, an aspect referring to physical intimidation, which is not connoted by the lexical Arabic word *irhāb*.<sup>103</sup>

#### **2.4.5 *Turhibūna* in a Modern Scholarly Context**

Abdullāh al-Najjār<sup>104</sup>, a contemporary Muslim scholar, views that the word *turhibūna* in this verse should be restricted to existing or imminent military confrontation between two armies, and that such confrontation should have a legal cause and objective. Al-Najjār also argues that it is not part of the legitimate causes or objectives to use *turhibūna* to deter those who are not at war with Muslims. Neither should it be used to cause destruction or unjust killing. He reluctantly declares that the apparent meaning of *turhibūna* in the verse refers to threatening the use of *quwwah*, and that it does not refer to inflicting actual harm.

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<sup>103</sup> For detailed lexical differences between *rahbah* and *ir<sup>c</sup>āb*, see for example, Muḥammad ibn Ya<sup>c</sup>qūb al-Fayrūz Ābādī, *Al-Qamūs al-Muḥīṭ* (Beirut: Mu'assasat al-Risālah, n.d.), pp. 115-118.

<sup>104</sup> Abdullāh Mabruk al-Najjār is a professor of Comparative Jurisprudence at al-Azhar University in Cairo. He is also a member of the Islamic Research Academy affiliated to al-Azhar.

Al-Najjār stresses that *turhibūna* should not be directed towards those who are not at war with Muslims.<sup>105</sup> In this context, he does not refer to a deterrent *quwwah* that is supposed to protect Muslims from being attacked, a point clearly highlighted by modern exegetes. Rather, he gives precedence to an apparently apologetic approach while attempting to condemn international terrorism and reject any link between the latter and Islam. By stating that *turhibūna* is not directed towards those who are not at war with Muslims, al-Najjār is following a defeatist approach that is far beyond that presented by modern exegetes. Stating that *turhibūna* can only be applied at times of conflict between warring factions is a very limited explanation of a comprehensive concept as explained by the traditional and modern exegetes. This comprehensive concept is permanent by nature in times of both war and peace. It is a positive approach propounded by many other modern scholars such as al-Maṭrūdī who states that *turhibūna* lexically carries both positive and negative meanings. Al-Maṭrūdī adds that what is meant in the verse is the positive meaning, which prohibits killing, corruption and destruction and eventually leads to a permanent state of peace.<sup>106</sup> Unlike al-Najjār, al-Maṭrūdī views *turhibūna* as being equally directed towards those who are at war and those who live in peace with Muslims, because its aim is to stop war if it breaks out or to prevent it from happening in the first place. Thus, it can be argued that al-Maṭrūdī's explanation here is more convincing and balanced compared to that of al-Najjār.

In addition to the defeatist and the balanced approaches championed by al-Najjār and al-Maṭrūdī above, another extreme explanation of *turhibūna* can be clearly seen in

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<sup>105</sup> ʿAbdullāh Mabruk al-Najjār, “Taḥdīd al-Mafāhīm fī Majāl al-Ṣirāʿ al-Basharī: Al-Jihād, al-Qitāl, al-ʿUnf, al-Irhāb”, *The Truth about Islam in a Changing World*, Researches and Proceedings of the Fourteenth General Conference of the Supreme Council for Islamic Affairs (Qalyūb: al-Ahram Commercial Press, 2003), pp. 820 f.

<sup>106</sup> Al-Maṭrūdī, “Al-Irhāb”, p. 75; Al-Imām, “Ruʿyah Taʿshīyyah Limafh- m al-Irhāb”, p. 32.

the emotional writings and fiery statements issued by some Muslims and non-Muslims who adopt violence as a basis for relations between Muslims and non-Muslims. The proponents of this extreme view do injustice to the entire verse, especially the word *turhibūna*, by quoting it out of context.

## 2.5 Decontextualizing Qur’ān 8: 60

Certain extreme views of Qur’ān 8: 60 are widespread in many written statements made by the proponents of violence as a basic norm in Muslim-non-Muslim relations. Harshly referring to and criticizing one of these widespread written statements, ‘Abdul-Raḥmān Spīndārī<sup>107</sup> lashed out against those who twist the meaning of the word *turhibūna* in this verse, naming them “terrorism theorists”.<sup>108</sup> Spīndārī argues that their claim is baseless and they only share in Islam in name. He refers to one of the widely-propagated statements: “*al-irhāb min al-Islām wa man ankara dhālika faqad kafara*” “Terrorism is part of Islam and whoever denies that has, indeed, become an unbeliever.”<sup>109</sup> This statement, as earlier indicated in the introduction to this chapter, is attributed—according to Spīndārī, to Sayyid Imām al-Sharīf who quotes Qur’ān 8: 60, claiming that terrorizing unbelieving enemies is a religious obligation dictated by the verse. Al-Sharīf further states that those who deny this are unbelievers, quoting also Qur’ān 29: 47<sup>110</sup> to support his view.<sup>111</sup>

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<sup>107</sup> Spīndārī is a professor of Qur’ānic exegesis in Kurdistan, Iraq.

<sup>108</sup> Spīndārī, *Al-Irhāb*, p. 34.

<sup>109</sup> Ibid.; Al-Sharīf, “Al-Irhāb min al-Islām”; accessed 8 March 2010.

<sup>110</sup> “This is the way We sent the Scripture to you [Muhammad]. Those to whom We had already given Scripture believe in [the Qur’an] and so do some of these people. No one refuses to acknowledge Our revelations but the defiant.” Haleem, *Qur’an*, p. 255.

<sup>111</sup> Ibid.; Al-Sharīf, “Al-Irhāb min al-Islām”; accessed 8 March 2010.

In fact, Spīndārī's harsh criticism of the "terrorism theorists" lacks any firm foundation. Although his *Al-Irhāb min Manzūr Qur'ānī* was published in 2006, he seems not to have noticed that al-Sharīf and other members of the IG in Egypt declared a non-violent initiative a few years prior to the publication of his book. The leaders of the IG in Egypt led by al-Sharīf, who adopted violence in the early 1970s, announced their non-violent initiative on 5 July 1997 in a statement read by Muḥammad al-Amīn °Abd al-°Alīm, one of their members.<sup>112</sup> This culminated in the publication of several books condemning violence and later rectified various issues related to jihād.<sup>113</sup> Although it is extremely difficult to identify a specific discussion of Qur'ān 8: 60, it can be generally observed from their publications about the topic of jihād in general that the IG in Egypt has forsaken its original notion of violence and now prohibits killing or terrorizing non-Muslim civilians.<sup>114</sup>

Admitting that the members of the IG in Egypt have recently stopped violence does not rule out the fact that there are other misguided groups who continue until today to declare their unilateral war against non-Muslims; targeting both civilians and military

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<sup>112</sup> Salwā Muḥammad al-°Awwā, *Al-Jamā'ah al-Islāmiyyah al-Musallaḥah fī Misr 1974-2004* (Cairo: Maktabat al-Shurūq al-Dawliyyah, 2006), p. 146. This unilateral ceasefire, according to Omar Ashour, "...surprised observers, officials and even many IG members and commanders. The ceasefire declaration contradicted the militant literature of the group, the previous vows of its leaders to continue the armed struggle... In 2002, the leadership of the IG not only dismantled its armed wings, but also renounced its radical literature, published new books and replaced its curricula..." Omar Ashour, *The De-Radicalization of Jihadists: Transforming Armed Islamist Movements* (London; New York: Routledge, 2009), p. 1. See also, Omar Ashour, "A World Without Jihad?: The Causes of De-Radicalization of Armed Islamist Movements" (PhD Thesis, Department of Political Science, McGill University, Montreal, Canada, May 2008), p. 193.

<sup>113</sup> Osāmah Ibrāhīm Ḥāfiẓ, et al, *Mubādarat Waqf al-°Unf: Ru'yah Wāqi'iyah wa Nazrah Shar'iyah* (Cairo: Maktabat al-°Ubaykān, 2004), pp. 52 f.

<sup>114</sup> Ḥamdī °Abd al-Rahmān °Abd al-°Azīm, et. al, *Taṣlīḥ al-Aḍwā' °alā mā Waqa' fī al-Jihād min Akḥṭā'* (Cairo: Maktabat al-Turāth al-Islāmī, 2002/1422), p. 78; Sayyid Imām al-Sharīf, "Al-Ḥalaqah al-Tāsi'ah min Wathīqat Tarshīd al-°Amal al-Jihādī: Ḍawābiḥ al-Takfīr", [article online]; available from [http://www.islamonline.net/servlet/Satellite?c=ArticleA\\_C&cid=1195032611220&pagename=Zone-Arabic-Daawa%2FDWALayout](http://www.islamonline.net/servlet/Satellite?c=ArticleA_C&cid=1195032611220&pagename=Zone-Arabic-Daawa%2FDWALayout); accessed 6 December 2007.

personnel alike and taking the verse under discussion out of context. These groups, according to al-Najjār, harm Islam although they wrongly think that they are serving it. Their line of thinking, according to him, is short-sighted and they have distanced themselves from the current realities of life, choosing a peculiar lifestyle in which they blindly imitate the eating habits, way of dressing, and line of thinking of the early days of Islam.<sup>115</sup> Although al-Najjār here mainly criticizes the outward appearance of misguided groups, other scholars, such as al-Qaraḍāwī, state that the main problem of those groups lies in their minds, not in their conscience. Al-Qaraḍāwī argues that the majority of such groups have a sincere intention, which is to serve Islam, but he adds that good intentions do not justify illegal actions.<sup>116</sup> Here, it can be argued that al-Qaraḍāwī is far more balanced in his judgment than al-Najjār, who lays much emphasis on the appearances and lifestyles of these groups rather than on their ideology or intentions.

With all the above in mind, it can be further added that most of the “terrorism theorists” and the misguided groups referred to above have not had a religious education that is capable of giving them scholarly insight. Therefore, their misguided views about Muslim-non-Muslim relations in general and Qur’ān 8: 60 in particular are neither scholarly nor authoritative.

Having referred to Qur’ān 8: 60 as a verse that has been taken out of context, it can be further stated that some modern Muslim researchers have misnamed the verse, calling it “*āyat al-irhāb*” (The Verse of Terrorism) arguing that, as long as the Qur’ān

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<sup>115</sup> Al-Najjār, “Taḥdīd al-Mafāhīm fī Majāl al-Ṣirā’ al-Basharī”, p. 823.

<sup>116</sup> Yūsuf al-Qaraḍāwī, *Al-Islām wa al-‘Unf: Nazarāt Ta’šīliyyah* (Cairo: Dār al-Shurūq, 2005), p. 49.

has “*āyat al-sayf*” (The Verse of the Sword)<sup>117</sup>, there is nothing wrong, in their view, with following the same pattern and calling Qur’ān 8: 60 the “The Verse of Terrorism”.<sup>118</sup> In view of the detailed discussion above, it is clear that giving the verse this name is a serious mistake.

## 2.6 The Enemy in Qur’ān 8: 60

Of the forty-two occurrences of the Arabic word *‘aduww* (enemy) in the Qur’ān,<sup>119</sup> two are mentioned in Qur’ān 8: 60<sup>120</sup>, and enmity is also referred to indirectly. The verse under discussion thus refers to three types of enemies in succession: the enemy of Allah, the enemy of Muslims, and other unknown enemies of Muslims who are only known to Allah. Compared with the details of other main themes of the verse, it can be observed that it gives little emphasis to clarifying who the known enemies (i.e. the enemy of Allah and the enemy of Muslims) are. Al-Ṭabarī states that the known enemy in the verse refers to the polytheists,<sup>121</sup> while he says the hidden enemy refers either to hypocrites or to the jinn, giving precedence to the jinn because the hypocrites, at the time the verse under discussion was revealed, were not fearful of the might of the Muslims or their weapons.<sup>122</sup> Al-Ṭabarī’s explanation here is not substantiated by either contextual or historical analysis of the verse. The reason why he interprets the hidden enemy in the verse as referring to the jinn may be because the jinn belong to the realm

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<sup>117</sup> According to al-Qaraḍāwī, classical exegetes themselves differ in identifying which verse of the Qur’ān is ‘The Verse of the Sword’. Al-Qaraḍāwī, *Fiqh al-Jihād: Dirāsah Muqāranah*, Vol. 1, pp. 284-305. For more details on the ‘The Verse of the Sword’, please refer to Chapter Three of this thesis.

<sup>118</sup> Haytham <sup>c</sup>Abd al-Salām Muḥammad, *Maḥmūm al-Irhāb fī al-Sharī‘ah al-Islāmiyyah* (Beirut: Dār al-Kutub al-‘Ilmiyyah, 2005), p. 33.

<sup>119</sup> Badawi and Abdel Haleem, *Dictionary of Qur’anic Usage*, p. 606.

<sup>120</sup> <sup>c</sup>Abd al-Bāqī, *Al-Mu‘jam al-Muḥras*, pp. 449 f.

<sup>121</sup> Al-Ṭabarī, *Jāmi‘ al-Bayān*, Vol. 10, p. 29.

<sup>122</sup> *Ibid.*, Vol. 10, p. 32.

of *ghayb* (the unseen) whereas the context of the verse mainly suggests a human, though hidden, enemy.

Furthermore, Darwazah asserts that the unknown enemy in the verse cannot refer to the jinn. According to him, those who take this view refer to a ḥadīth in which the Prophet gives this explanation, but Darwazah stresses that this ḥadīth is not mentioned in any of the collections of authentic aḥādīth, so it cannot be considered authentic.<sup>123</sup>

Darwazah's argument here is very strong, reasonable and supported by evidence. Although he rejects the jinn as a possible interpretation, he adds that it is better to stop struggling to discover the identity of the unknown enemy in the verse. What is more important, according to him, is to prepare *quwwah* in order to face any known or unknown enemies who may attack the Muslim community.<sup>124</sup>

Moreover, the interpretation that considers the unknown enemy to be human is also supported by many modern exegetes such as Riḍā, who copies and supports the opinion of al-Rāzī who, according to him, states that the hypocrites are the unknown enemy, that only when the hypocrites see the might of Muslims will they be persuaded to forsake the hidden unbelief in their hearts and become sincere believers in Islam. He further adds that the hypocrites, who customarily seek to spread corruption and chaos within the Muslim community, will cease to do so when they see the might of Muslims on the increase.<sup>125</sup> However, Riḍā rejects al-Rāzī's first argument, maintaining that it is better to say that the hypocrites will try to adapt themselves to the teachings of Islam in order to become sincere believers. For Riḍā, the person has no control over his heart<sup>126</sup>

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<sup>123</sup> Darwazah, *Al-Taḥfīr al-Ḥadīth*, Vol. 7, p. 78.

<sup>124</sup> Ibid., Vol. 7, p. 78.

<sup>125</sup> Al-Rāzī, *Al-Taḥfīr al-Kabīr*, Vol. 15, p. 115.

<sup>126</sup> Riḍā, *Taḥfīr al-Qur'ān al-Ḥakīm*, Vol. 10, p. 74.

so, for him, changing one's attitude comes first and foremost from adapting one's outward behaviour rather than one's heart.

Al-Sha<sup>c</sup>rāwī adopts what may be termed a “futuristic vision” concerning the unknown enemy when he states that it goes beyond the combatants in the battlefield to include all those enemies outside it who declare war against Allah, His Prophet, and the Muslim community. He further argues that this “futuristic vision” confirms the accuracy of the Qur'ānic style, adding that the general meanings of the verse under discussion, and the meaning of the unknown enemies in particular, are revealed day by day. With the passing of time, many unknown enemies will appear which Muslims do not know much about, but they are known to Allah.<sup>127</sup>

It is worth stressing here that the views of al-Sha<sup>c</sup>rāwī and Darwazah that tend to generalize the unknown enemy are more reasonable. Had Allah wished to specify the unknown enemy, He would have mentioned it and saved the exegetes the mental agony of attempting to unravel its secrets. Generalizing the enemy by making it unknown to Muslims may act as a motivating factor for Muslims to be on the alert against any unexpected attacks. In this regard, such generalization raises a warning sign for Muslims to achieve the necessary level of preparation in various military and non-military fields, which is the main requirement set out in the verse under discussion.

## **2.7 End of Qur'ān 8: 60**

It is difficult to find a strong link between the explanations of classical exegetes of the end of the verse under discussion and its main components discussed above. However, two apparent attitudes can be observed; the first does not provide any explanation for the last part of the verse, which refers to spending in the cause of Allah. This attitude

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<sup>127</sup> Al-Sha<sup>c</sup>rāwī, *Tafsīr*, Vol. 8, p. 4780.

can easily be noticed in Ibn al-<sup>c</sup>Arabī's exegesis.<sup>128</sup> It may be because Ibn al-<sup>c</sup>Arabī generally gives priority to verses or parts of verses that contain legislative rulings, so he left the last part of the verse unexplained. The second attitude emerges in some other classical exegetes who adopt a general explanation, as earlier stated, in which Allah is encouraging Muslims to spend in His cause, being assured of His generous rewards in this world and in the Hereafter, although there is hardly any reference to the importance of spending in the process of preparation of *quwwah* that is the subject of the first part of the verse.<sup>129</sup> On the other hand, it is clear that modern exegetes, such as al-Sha<sup>c</sup>rāwī, Quṭb and Riḍā, link the end of the verse to its beginning, stating that good preparation of *quwwah* entails generous giving.<sup>130</sup> However, this link is variously expressed. For example, al-Sha<sup>c</sup>rāwī strongly urges Muslims to spend generously so as to prepare for facing their enemies in case they are attacked, although this preparation and spending should lead them to justice, not to transgression. Al-Sha<sup>c</sup>rāwī refers to Qur'ān 8: 60 to support his argument.<sup>131</sup> In addition, Quṭb stresses that the encouragement to spend in the verse means that Muslims should have *takāful* (mutual support), which is intended to enable them to carry out jihād in the cause of Allah.<sup>132</sup> Quṭb's focus on solidarity here is also emphasized by Riḍā, who stresses that it is incumbent upon the *ummah* to spend in Allah's cause in order to make the necessary preparations. If Muslims are miserly and refuse to spend, Riḍā considers that the Muslim ruler has the right to order the rich to spend according to their ability in order to protect the *ummah* from its enemies.<sup>133</sup> Riḍā

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<sup>128</sup> Ibn al-<sup>c</sup>Arabī, *Aḥkām*, Vol. 2, p. 426.

<sup>129</sup> Al-Ṭabarī, *Jāmi<sup>c</sup> al-Bayān*, Vol. 10, p. 33.

<sup>130</sup> Al-Sha<sup>c</sup>rāwī, *Tafsīr*, Vol. 8, p. 4781; Quṭb, *Fī Zilāl*, Vol. 3, p. 1544; idem, *In the Shade*, Vol. 7, p. 186; Riḍā, *Tafsīr al-Qur'ān al-Ḥakīm*, Vol. 10, pp. 75 f.

<sup>131</sup> Al-Sha<sup>c</sup>rāwī, *Tafsīr*, Vol. 8, p. 4781.

<sup>132</sup> Quṭb, *Fī Zilāl*, Vol. 3, p. 1544; idem, *In the Shade*, Vol. 7, p. 186.

<sup>133</sup> Riḍā, *Tafsīr al-Qur'ān al-Ḥakīm*, Vol. 10, p. 76.

uniquely links spending in the cause of Allah in this verse to what he calls “*al-jihād al-wāqī*” (protective jihād), in which those who have been wronged launch an attack to resist the wrongdoers.<sup>134</sup> Riḍā states that there is a very strong link between the verse under discussion and Qur’ān 22: 39-40.<sup>135</sup> In comparison with what other traditional and modern exegetes have said, Riḍā provides a very in-depth and straightforward explanation of the last part of the verse. His view concerning “*al-jihād al-wāqī*” is difficult to trace in the explanations given by both the classical and the modern exegetes whose views have been highlighted in this chapter.

## 2.8 Conclusion

From the foregoing discussion, it would appear that the meaning of the text of the Qur’ān, like any other divine text, can be easily altered if studied without lending due importance to its original context. This may explain why this chapter has attempted to present the views of classical and modern exegetes, as well as those of some modern scholars, regarding Qur’ān 8: 60, the context of which originally relates to the strong possibility of an outbreak of war between Muslims and non-Muslims. It calls for Muslims to be well prepared for possible or imminent military attacks against them.

The various thematic components highlighted in this chapter— include the preparation of *quwwah*, the warhorses, *turhib-na*, and spending in the cause of Allah— are all means that should serve Muslim causes in times of both war and peace.

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<sup>134</sup> Ibid. Vol. 10, p. 76.

<sup>135</sup> Ibid. “Those who have been attacked are permitted to take up arms because they have been wronged—God has the power to help them—those who have been driven unjustly from their homes only for saying, ‘Our Lord is God.’ If God did not repel some people by means of others, many monasteries, churches, synagogues, and mosques, where God’s name is much invoked, would have been destroyed. God is sure to help those who help His cause—God is strong and mighty” (Haleem, *Qur’an*, p. 212).

*Quwwah*, it emerges, should not literally be limited to the physical and military preparations. Rather, it is a comprehensive concept that encompasses economic, educational, intellectual and even psychological domains.

Moreover, the possible use of *quwwah* within the military domain should be directed against an enemy whose animosity is known to Muslims or is seriously planning to attack them. While classical exegetes, especially al-Rāzī and al-Ṭabarī, broadened the understanding of military *quwwah* to include various weapons, fortresses and horsemanship, their interpretations reveal that the use of *quwwah* is limited to self-defence. This is also the view expressed by all modern exegetes with the exception of Quṭb.

Quṭb's extremist understanding of the use of *quwwah* in the verse under discussion has contributed to a huge degree of misunderstanding about verses discussing military confrontation within the Qur'ān in general, and particularly Qur'ān 8: 60. This misunderstanding is exemplified by some extremist Muslim groups who embrace Quṭb's views and attempt to apply them by giving themselves the authority to kill people of other faiths, lamentably, in the name of Islam. This also gives some non-Muslims, who already have biased attitudes towards Muslims, the justification to attack the Qur'ān as a fascist book preaching hatred and animosity, as has been carefully orchestrated by Wilders, whose 'abuse' of the verse under discussion can not be denied.

The 'abuse' demonstrated by erroneously naming the verse discussed above "The Verse of Terrorism" is not limited to Wilders and other Western politicians, but also encompasses some Muslims who, while not apparently known for harbouring extremist views, still lack sound understanding, which increases the perplexity of the already perplexed mind of the reader.

Although the vitally important comprehensive understanding of this Qur'ānic verse has been attempted in this chapter, it remains essential to go further, beyond military preparedness for the purposes of deterrence. This can be achieved by attempting to understand the Qur'ānic discourse on the wider concept of jihād, according to classical and modern exegetes and how it too is understood by modern terrorist groups such as al-Qaeda. This and other jihād-related issues will be dealt with in the next chapter.

# CHAPTER THREE

## JIHAD VS. TERRORISM IN QUR'ĀNIC DISCOURSE

### 3.1 Introduction

Jihād is a widely-invoked term in almost every debate taking place about the Qur'ān in our contemporary world. It is an intrinsically Qur'ānic term whose enormous resonance in classical and modern exegeses requires deep analysis. This chapter is an attempt to examine the exegetical literature with regard to this word within the Qur'ānic context, with a particular focus on contemporary Islamic and Western scholarship.

Whilst 'jihād' carries a broader meaning than mere fighting, this chapter will focus mainly on the military aspect, with special reference to relations between Muslims and non-Muslims. There is often seen to be a division between considering jihād as something equal to violence and war and considering it as something that can also be practised in non-violent domains, such as spiritual jihād.

Because jihād and terrorism are sometimes seen as synonymous by the public,<sup>1</sup> we shall use the attacks of September 11<sup>th</sup> 2001 as a case study,<sup>2</sup> to clarify whether such attacks are justified by the Qur'ān. The reason for singling out these attacks does not mean that others similar to them are less important, but is because of their

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<sup>1</sup> According to Abou El Fadl, "No aspect of Islamic religion is in the public eye and all over the media on a daily basis as much as the issue of jihad and terrorism." Khaled Abou El Fadl, *The Great Theft: Wrestling Islam from the Extremists* (New York: HarperCollins, 2005), p. 220.

<sup>2</sup> This idea is pushed by M. al-Atawneh. See, Muhammad al-Atawneh, "Shahda [sic] Versus Terror in Contemporary Islamic Legal Thought: The Problem of Suicide Bombers", *Journal of Islamic Law and Culture*, Vol. 10, No. 1, April 2008, pp. 18, 26 f.; Randall also states that "Since September 11, 2001, there has been an exponential explosion of the media's use of the term *jihad* to describe violent acts by terrorists." See, Albert B. Randall, *Holy Scriptures as Justifications for War: Fundamentalist Interpretations of the Torah, the New Testament, and the Qur'an* (Lewiston, NY: Edwin Mellen Press, 2007), p. 201.

international impact on relations between Muslims and non-Muslims on the one hand, and the vivid presentation of the innocent victims and the alleged perpetrators on the other. The September 11<sup>th</sup> attacks remain an area where the different aspects of jihād and terrorism<sup>3</sup> will continue to give rise to controversy between moderate views, which are given less coverage, and the voices of terrorists and extremists, which receive a disproportionate amount of exposure.

To reach a sound understanding of the subject, it is therefore important for this chapter to present the various stages of jihād, as portrayed in the Qur’ān,<sup>4</sup> considering the many verses<sup>5</sup> that refer to it and asking how they are understood by modern terrorist groups in a bid to serve their agendas.

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<sup>3</sup> According to Goyal, “It is significant that terrorism has come to acquire extraordinary prominence in global discourse only after September 11, 2001.” D.R. Goyal, “International Terrorism: Challenge and Response”, in Mahavir Singh, ed., *International Terrorism and Religious Extremism: Challenges to Central and South Asia* (New Delhi: Published for Maulana Abul Kalam Azad Institute of Asian Studies, Kolkata [by] Anamika Publishers & Distributors, 2004), p. 4.

<sup>4</sup> For limitation purposes, this Chapter is only highlighting the Qur’ānic concept of jihād. For comprehensive studies of jihād in the Sunnah see, for example, Ab- Zayd °Abd al-Rahmān °Alī Rādī, “Al-Jihād fī Ḍaw’ al-Sunnah: Asbābuh wa Kayfiyyatuh wa Natā’ijuh” (PhD thesis, Department of Ḥadīth, Faculty of Usūl al-Dīn, al-Azhar University, Cairo, 1976); Ibrāhīm ibn Ibrāhīm Ṭaha al-Qaysī, “Al-Jihād fī al-Sunnah” (MA diss., Al-Imam Muhammad Ibn Saud Islamic University, Riyadh, Saudi Arabia, 1979). See also, Muḥammad Sayyid Ṭantāwī, *Al-Sarāyah al-Ḥarbiyyah fī al-°Ahd al-Nabawī* (Cairo: al-Sharikah al-Miṣriyyah li al-Ṭibā°ah wa al-Nashr, 1971/1391), pp. 29-167; Muhammad Hamidullah, *The Battlefields of the Prophet Muhammad, with Maps, Illustrations and Sketches: A Contribution to Muslim Military History* (New Delhi: Kitab Bhavan, 2003); idem, *The Emergence of Islam: Lectures on the Development of Islamic World-View, Intellectual Tradition and Polity*, trans. and ed. Afzal Iqbal (Islamabad: Islamic Research Institute, 1993), pp. 172-193; Gulzar Ahmed, *The Prophet’s Concept of War* (Lahore: Islamic Book Foundation, 1986); °Alī Jum°ah, *Al-Jihād fī al-Islām* (Cairo: Nahḍat Misr li al-Ṭibā°ah wa al-Nashr wa al-Tawzī°, 2005), pp. 35-71; Rasha al-Disuqi, *Unveiling Jihad* (Giza: Halā li al-Nashr wa al-Tawzī°, 2006/1425), pp. 150-202; Ṣalāḥ Ab- al-Su°-d, *Al-Ras- l Ṣallā Allāhu °Alayhi wa Sallam wa al-Sayf: Dirāsah li al-Nazariyyah al-Qur’āniyyah fī al-Jihād wa al-Ḥarb wa Taṭbīqātuhā fī al-Da°wah al-Muḥammadiyyah* (Giza: Maktabat al-Nāfizah, 2006), pp. 49-99; °Abd al-Ḥamīd Shākīr, *Ghazawāt al-Ras- l* (Tripoli, Lebanon: Jarr- s Press, 1996/1416), pp. 12-153.

<sup>5</sup> To understand the importance of jihād in the Qur’ān see, °Ārif Khalīl Ab- °Īd, *Al-°Alāqāt al-Dawliyyah fī al-Fiqh al-Islāmī* (Amman: Dār al-Nafā’is, 2007/1427), pp. 114-118.

### 3.2 The Literal and Technical Meanings of Jihād

The Arabic word jihād generally refers to ‘striving’ or exerting one’s utmost effort to do something.<sup>6</sup> The Qur’ān refers to these two meanings in 9: 79 and 24: 53.<sup>7</sup> In these two Qur’ānic occurrences, the words *juhd* (striving) and *jahd* (doing one’s utmost) are used respectively to denote these two lexical meanings. Consulting the Qur’ān with special reference to the verses where the term jihād and its derivatives occur shows that there are five forms (*jāhada*, *jahd*, *juhd*, *jihād* and *mujāhidūn*) occurring in forty one places<sup>8</sup> in eighteen *suwar* (chapters).<sup>9</sup>

Haykal—after citing various lexical definitions of the term jihād— defines the term as “...exerting the utmost effort in one’s struggle between two sides; physical and non-physical”.<sup>10</sup> The two sides, as understood from Haykal’s explanations, are good and evil inclinations within the human soul. Therefore, the one who exercises jihād attempts, through his struggle, to overcome his evil inclinations, whether physically by fighting the enemy on the battlefield, verbally by speaking respectfully to one’s parents, or otherwise by refraining from fulfilling one’s sexual desire in an unlawful way.<sup>11</sup>

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<sup>6</sup> Al-Rāghib al-Aṣfahānī, *Mufradāt Alfāz al-Qur’ān*, ed. Ṣafwān ‘Adnān Dawūdī (Damascus: Dār al-Qalam, 2<sup>nd</sup> ed., 2002), p. 208; Jamāl al-Dīn Muḥammad bin Makram ibn Manzūr, *Lisān al-‘Arab* (Beirut: Dār Ṣādir, 6<sup>th</sup> ed., 1997/1417), Vol. 3, p. 133.

<sup>7</sup> Ibid.

<sup>8</sup> Elsaid M. Badawi and Muhammad Abdel Haleem, *Arabic-English Dictionary of Qur’anic Usage* (Leiden: Brill, 2008), pp. 177 f.; Muḥammad Fu’ād ‘Abd al-Bāqī, *Al-Mu‘jam al-Mufahras li Alfāz al-Qur’ān al-Karīm* (Cairo: Dār al-Ḥadīth, 1988), pp. 182 f. See also, Edward William Lane, *An Arabic- English Lexicon* (Beirut: Librairie Du Liban, 1968), Vol. 2, pp. 473 f.; Ṣubḥī ‘Abd al-Ra’ūf ‘Aṣar, *Al-Mu‘jam al-Mawḍū‘ī li Āyāt al-Qur’ān al-Karīm* (Cairo: Dār al-Faḍīlah li al-Nashr wa al-Tawzī‘ wa al-Taṣdīr, 1990), pp. 217-230.

<sup>9</sup> Reuven Firestone, “Jihad”, in Gabriel Palmer-Fernandez ed., *Encyclopedia of Religion and War* (New York: Routledge, 2004), p. 235.

<sup>10</sup> Muḥammad Kheir Haykal, *Al-Jihād wa al-Qitāl fi al-Siyāsah al-Shar‘iyyah* (Beirut: Dār al-Bayāriq, 3<sup>rd</sup> ed., 1996/1417), Vol. 1, pp. 38 f.

<sup>11</sup> i.e. outside of wedlock.

Jihād can also be against the self,<sup>12</sup> the devil, *al-fussāq* (sinful and immoral people) and unbelievers.<sup>13</sup> Although the above types of jihād are commonly discussed in classical and many modern texts, the meaning of the term is not confined to them. There are other modern lexical meanings that have surfaced as a result of globalization, jihād being a global term. The eminent Muslim scholar Y-suf al-Qaraḍāwī perceives that the modern concept of jihād includes the struggle to communicate the message of Islam by using all sophisticated means, such as radio, satellite channels and the Internet.<sup>14</sup> This means that the meaning of jihād goes far beyond its apparently limited scope, especially in the modern context. It seems that al-Qaraḍāwī is not alone in holding this view. In his ‘*Islam in the Digital Age*’, Gary R. Bunt discusses e-jihad as a modern activity necessitated by cyber Islamic environments.<sup>15</sup> With this broad vision of the literal meanings of jihād, it is hardly surprising to find some modern researchers citing up to

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<sup>12</sup> The question of how one can exercise jihād against oneself is perfectly answered by Haykal. He states that “...when one tries their best to give preference to good inclinations over evil ones then they are exercising *jihād al-nafs*.” See Haykal, *Al-Jihād*, Vol. 1, p. 38.

<sup>13</sup> According to al-Shawkānī (1182-1250), “...one exercises jihād against the devil by avoiding his schemes and against immoral people by following the order of changing that which is prohibited according to Islam. This can be done with one’s hand, then tongue, then denying the act by one’s heart as a last resort. The jihād can also be exercised against unbelievers using these three methods in addition to using one’s wealth.” Muḥammad bin ‘Alī bin Muḥammad al-Shawkānī, *Nayl al-Awṭār: Sharḥ Muntaqā al-Akḥbār min Aḥādīth Sayyid al-Akhyār* (Cairo: Sharikat Maktabat wa Maṭba‘at Muṣṭafā al-Bābī al-Ḥalābī wa Awlāduh, last ed., n.d.), Vol. 7, p. 236. See also Al-Aṣfahānī, *Mufradāt Alfāz*, p. 208; Muḥammad al-Ḥabīb ibn al-Khūjah, *Al-Jihād fī al-Islām* (Tunis: al-Dār al-Tūnisiyyah li al-Nashr, 1968/1386), pp. 33 f.; S. Abdullah Schleifer, “Understanding Jihad: Definition and Methodology”, *The Islamic Quarterly*, Vol. 28, No. 3, Third Quarter 1984, pp. 121 f.

<sup>14</sup> Yūsuf ‘Abdullāh al-Qaraḍāwī, “Mafhūm al-Jihād: Ta’šīl wa Tarshīd”, [article online]; available from [http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-Arabic-Ask\\_Scholar/FatwaA/FatwaA&cid=1122528621352](http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-Arabic-Ask_Scholar/FatwaA/FatwaA&cid=1122528621352); accessed 6 April 2009.

<sup>15</sup> Gary R. Bunt, *Islam in the Digital Age: E-jihad, Online Fatwas and Cyber Islamic Environments* (London: Pluto Press, 2003), pp. 26 f. In his *iMuslims*, Bunt also adds that e-jihād encompasses a wide range of understandings that go beyond the military jihād to include spiritual jihād as well. See his, *iMuslims: Rewiring the House of Islam* (Chapel Hill: University of North Carolina Press, 2009), p. 183.

twenty-four meanings of the term jihād that can be identified if a simple tracking of its shades of meaning is analysed.<sup>16</sup>

Contrary to these broad literal meanings, the technical meaning of jihād is strongly limited to one aspect: the armed struggle against non-Muslims. Although this meaning is enshrined in almost all classical and modern exegeses of the Qur’ān, it is very difficult to find an exegete who defines it. Perhaps exegetes see no benefit in defining a term whose meaning is very clear, at least to them. Sunnī jurists, however, made great efforts to define the term. For the sake of brevity, only the Ḥanafī definition of jihād is cited here:<sup>17</sup>

“To exert one’s utmost effort in fighting for Allah’s cause by increasing the number of fighters or by assisting them with one’s own money, advice or any other means.”<sup>18</sup>

This Ḥanafī definition is a telling example of how the meaning of jihād moves from the broad literal definition to the limited sense of armed struggle against non-Muslims, in at least the mindsets of jurists. Haykal, however, stresses this view and adds that it is espoused not only by jurists but also by the scholars of ḥadīth, exegetes and writers of the Prophet’s biography.<sup>19</sup> Furthermore, this definition, as well as other technical ones, reveal two important points about jihād, which are examined further

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<sup>16</sup> An Egyptian linguistic researcher named al-Ḥalawānī offers a seemingly comprehensive survey of the literal meanings of jihād in his MA dissertation, which is mainly concerned with discussing some aspects of semantic changes with special reference to three religious terms among which is jihād. See, °Alī As-Sayyid Ḥasan al-Ḥalawānī, “Some Aspects of Semantic Change and Religious Terminology” (MA diss., Department of English, Faculty of Languages, Minya University, Egypt, 2003), pp. 64-68, 85, 161.

<sup>17</sup> For a comprehensive citation of and commentary on the four major Sunnī juristic definitions of jihād see Abdulrahman Muhammad Alsumaih, “The Sunni Concept of Jihad in Classical Fiqh and Modern Islamic Thought” (PhD thesis, Department of Politics, University of Newcastle Upon Tyne, 1998), p. 14. See also, Haykal, *Al-Jihād*, Vol. 1, pp. 40-45.

<sup>18</sup> Muḥammad Amīn ibn °Umar ibn °Ābidīn, *Hāshiyat Radd al-Muḥtār °alā al-Durr al-Mukhtār: Sharḥ Tanwīr al-Abṣār* (Beirut: Dār al-Fikr, 2000/1421), Vol. 4, p. 121.

<sup>19</sup> Haykal, *Al-Jihād*, Vol. 1, p. 40. See also, Rudolph Peters, *Jihad in Classical and Modern Islam: A Reader* (Princeton: Markus Wiener Publishers, 2<sup>nd</sup>. rev. & enl. ed., 2005), p. 1.

below. First, jihād should be *fi sabīlillāh* (for Allah’s sake). Second, the fact that jihād is defined as “*qitāl*” (fighting) merits careful consideration of this latter term, which is also frequently used by exegetes and legal jurists, along with other related terms such as *ḥarb* (war), and how these terms are used in the Qur’ān. These three terms are selected because of the growing interest in them by modern researchers as terms denoting “human conflict” in the Qur’ān. The text is in many circumstances subjected to “torturous interpretations” in order to defend certain ideological views.<sup>20</sup> This will also be discussed later in this chapter. In addition, explaining the various meanings of jihād and its related terms helps remove the ambiguity that dominates some academic discussions.<sup>21</sup>

To begin with the first point, the phrase *fi sabīlillāh* is connected with jihād thirteen times<sup>22</sup> in the Qur’ān (2: 218; 4: 95; 5: 35, 54; 9: 19, 20, 41, 88; 29: 6, 69; 49:

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<sup>20</sup> Randall, *Holy Scriptures as Justifications for War*, pp.175- 177. Although Randall mentions other related terms such as *ghazw* (raiding) and *ribāt* (warhorses), it is not essential to define them here. See also, Alsumaih, *The Sunni Concept of Jihad*, pp. 14-17. Moreover, Firestone argues that studying such terminologies is important for studies concerned with the issue of jihād in general. See Reuven Firestone, *Jihād: The Origin of Holy War in Islam* (Oxford: Oxford University Press, 1999), p. 18. Bonner also states that reaching a precise understanding of these terms is essential for understanding both the doctrinal and historical contexts in which they occur. See also, Michael Bonner, *Jihad in Islamic History: Doctrines and Practice* (Princeton: Princeton University Press, 2006), p. 2; A.G. Noorani, *Islam and Jihad: Prejudice Versus Reality* (London: Zed Books, 2002), p. 49.

<sup>21</sup> A clear reference to such ambiguity is Elzain’s MA dissertation. She concludes that the absence of one universal definition of jihād leads to a division not only among Muslims but also among non-Muslims. However, this conclusion by Elzain is questionable because she selectively cites very few definitions of the term, disregarding any reference to the lexical definitions and how far they have influenced perceptions about jihād. See Carol Elzain, “Modern Islamic Terrorism, Jihad and the Perceptions of Melbourne’s Muslim Leaders” (MA diss., School of Global Studies, Social Science and Planning, RMIT University, 2008), pp. 52-63.

<sup>22</sup> This survey has been reached after consulting °Aṣar’s thematic dictionary about the Qur’ān and tracking all the occurrences of jihād cited by him. See °Aṣar, *Al-Mu‘jam al-Mawḍū‘ī*, pp. 217-230; See also, Muḥammad Muṣṭafā Muḥammad, *Al-Fihris al-Mawḍū‘ī li Āyāt al-Qur’ān al-Karīm* (Beirut: Dār al-Jīl, 4<sup>th</sup> ed., 1989/1409), pp. 223-340. For a comprehensive survey of all the occurrences of jihād in the Qur’ān, see Ibrāhīm bin °Umar bin Ḥasan al-Rabbāṭ al-Biqā‘ī, *Al-Istishād bi Āyāt al-Jihād*, ed. Marzūq °Alī Ibrāhīm (Cairo: Dār al-Risālah, 2002/1423). See

15; 60: 1; 61: 11). In these occurrences, different forms are used such as *yujāhidūna fi sabīlillāh* (they strive for Allah’s sake) as in 5: 54 and *jāhadū finā* (they strive for Our cause) as in 29: 69. Clearly the number of verses that convey this meaning, as well as the ways they have been interpreted, the dominant meaning of *fi sabīlillāh*, when annexed to the word *jihād*, is fighting non-Muslims. Although this is emphasized in the Qur’ān,<sup>23</sup> other occurrences of *jāhada*, *yujāhidu*, *jāhadū* (for example, in Qur’ān 29: 6, 69<sup>24</sup>) refer to something different. Al-Alūsī states that the meaning of the phrase in the first of these two verses refers to striving one’s utmost in obeying Allah, whilst in the second verse it alludes to striving to please Him, whether the struggle is military or otherwise.<sup>25</sup> Thus, the Qur’ānic term *fi sabīlillāh* is not as widely attached to military *jihād* as sometimes depicted by some modern researchers, such as Randall, Firestone and others, who attempt to interpret *jihād* and *jihād fi sabīlillāh* in the same way. The United Arab Emirates judicial and religious councilor al-Hāshimī attempts to assert that the great majority of exegetes would favour the military-based meaning<sup>26</sup> for both *jihād* and *jihād fi sabīlillāh*. However, a close examination of the occurrence of these two phrases in the exegetical literature proves otherwise, as explained by al-Alūsī. What further weakens al-Hāshimī’s argument is that he neither cites any exegetical views to

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also, ‘Abd al-Ṣab-r Marz-q, *Mu‘jam al-A‘lām wa al-Mawḍ-‘āt fi al-Qur’ān al-Karīm* (Cairo: Dār al-Shur-q, 1995/1415), pp. 485-498.

<sup>23</sup> S.K. Malik, *The Quranic Concept of War* (Lahore: Wajidalis, 1979), pp. 22, 142.

<sup>24</sup> “Those who exert themselves do so for their own benefit...” and “...We shall be sure to guide to Our ways those who strive hard for Our cause”, M.A.S. Abdel Haleem, *The Qur’an: A New Translation* (Oxford: Oxford University Press, 2005), pp. 252, 256.

<sup>25</sup> Al-Sayyid Maḥm-d al-Alūsī, *Rūḥ al-Ma‘ānī fi Tafṣīr al-Qur’ān al-‘Azīm wa al-Sab‘ al-Mathānī* (Beirut: Dār Iḥyā’ al-Turāth al-‘Arabī, n.d.), Vol. 20, p. 138, Vol. 21, p. 14.

<sup>26</sup> ‘Alī bin al-Sayyid ‘Abd al-Raḥmān al-Hāshimī, “Al-Jihād: Maqāṣiduh wa Ḍawābiṭuh”, in *The Truth about Islam in a Changing World*, Researches and Proceedings. The Fourteenth General Conference of the Supreme Council for Islamic Affairs (Cairo: Maṭābi‘ al-Ahrām al-Tujāriyyah, 2003/1424), p. 741.

support his claim nor admits that the military meaning of jihād cannot be taken as general.

On the other hand, Robert D. Crane maintains that the Qur’ān refers to jihād only in the sense of intellectual effort.<sup>27</sup> A very similar view is maintained by Khaled Abou El Fadl, who states that “...the Qur’an does not use the word jihad to refer to warfare or fighting.”<sup>28</sup> The views of Crane and Abou El Fadl are questionable because the Qur’ān does use the word jihād and some of its lexemes in the context of fighting in 2: 218; 4: 95; 8: 72, 74-75; 9: 16, 20, 41, 86; 47: 31; 61: 11.<sup>29</sup>

As explained, the phrase ‘jihād fī sabīlillāh’, in its various occurrences in the Qur’ān, carries various military and non-military meanings. Riḍā’s explanation of Qur’ān 2: 207 is a clear example. He states that the phrase *fī sabīlillāh* generally refers to the way in which a believer chooses to live in order for him to please Allah.<sup>30</sup> Even when the phrase is used in the context of fighting, it seeks to distinguish jihād in the Qur’ān from other wars such as those that took place during the *jāhiliyyah* (pre-Islamic ignorance).<sup>31</sup> Within the Qur’ānic context, it generally refers to the “...way of truth and

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<sup>27</sup> Robert D. Crane, “Hirabah versus Jihad”, [article online]; available from [http://www.theamericanmuslim.org/tam.php/features/articles/terrorism\\_hirabah\\_versus\\_jihad/](http://www.theamericanmuslim.org/tam.php/features/articles/terrorism_hirabah_versus_jihad/); accessed 27 April 2009.

<sup>28</sup> Khaled Abou El Fadl, “Islam and Violence: Our Forgotten Legacy”, in John J. Donohue and John L. Esposito eds, *Islam in Transition: Muslim Perspectives* (Oxford: Oxford University Press, 2<sup>nd</sup> ed., 2007), p. 463.

<sup>29</sup> For a refutation of Crane’s view see David Cook, *Understanding Jihad* (Berkeley: University of California Press, 2005), pp. 43, 218.

<sup>30</sup> Muḥammad Rashīd Riḍā, *Tafsīr al-Qur’ān al-Ḥakīm: Al-Mushtahir bi ism Tafsīr al-Manār* (Cairo: Dār al-Manār, 2<sup>nd</sup> ed., 1947/1366), Vol. 2, p. 254; Kāmil Salāmah al-Daqs, *Āyāt al-Jihād fī al-Qur’ān al-Karīm: Dirāsah Mawḍū‘iyyah wa Tārīkhiyyah wa Bayāniyyah* (Kuwait: Dār al-Bayān, 1972/1392), p. 13; Firestone, *Jihād: The Origin of Holy War*, p. 74.

<sup>31</sup> Mustansir Mir, “Jihād in Islam”, in Hadia Dajani-Shakeel and Ronald A. Messier eds, *The Jihād and Its Times* (Ann Arbor: Centre for Near Eastern and North African Studies, The University of Michigan, 1991), p. 114; °Abdullāh bin Ibrāhīm al-Zāhīm, *Al-Jihād fī al-Islām: Maḥm-muh wa Ahdāfuh wa Anwā‘uh wa Ḍawābiḥuh Dirāsah Ta’šīliyyah* (Beirut: Mu’assasat al-Rayyān li al-Ṭibā‘ah wa al-Nashr wa al-Tawzī‘, 2007/1428), p. 77.

justice, including all the teachings it gives on the justifications and conditions for the conduct of war and peace”.<sup>32</sup>

Unlike jihād, the term *qitāl*, to which the phrase *fi sabīlillāh* is also annexed in the Qur’ān, carries an exclusively military meaning. The phrase *fi sabīlillāh* is mentioned along with *qitāl* only thirteen times in the Qur’ān (2: 154, 190, 244; 3: 157, 169; 4: 74, 75, 76, 84; 9: 111; 47: 4; 61: 4; 73: 20).<sup>33</sup> However, *fi sabīlillāh* carries different shades of meanings and is frequently annexed to other concepts, such as spending in the cause of Allah (in 2: 195, 261, 262); and emigrating for fear of persecution (as in 4: 100).<sup>34</sup> Moreover, the word *qatala* (to kill) and its various lexemes such as *qutila* (to be killed), *qātala* (to fight against), and *taqtīl* (intense killing) occur one hundred and seventy times in the Qur’ān.<sup>35</sup>

### 3.2.1 Is Jihād Limited to Fighting in the Qur’ān?

Alsumaih argues that the words jihād and *qitāl* are used with the same meaning in the Qur’ān.<sup>36</sup> This view, however, is not supported by solid evidence, as can be understood from our previous discussion, where jihād was shown to be a much broader term than *qitāl* in the Qur’ān. Al-Azhar University professor al-Khalafī considers that there is what may be termed a “*um-m wa khuṣ-ṣ*” (general-specific) relationship between the

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<sup>32</sup> Muhammad Abdel Haleem, *Understanding the Qur’an: Themes and Style* (London: Tauris, 1999), p. 62. See also, Ahmed Mohsen Al-Dawoody, “War in Islamic Law: Justifications and Regulations” (PhD Thesis, University of Birmingham, Department of Theology and Religion, School of Philosophy, Theology and Religion, College of Arts and Law, August 2009), p. 99.

<sup>33</sup> This figure has been reached after consulting °Aṣar’s thematic dictionary and tracking all the occurrences of both terms in their different linguistic forms as cited by him. See °Aṣar, *Al-Muʿjam al-Mawḍūʿī*, pp. 217-230. See also, °Abd al-Ṣabūr Marzūq, *Muʿjam al-ʿlām wa al-Mawḍūʿāt fi al-Qur’ān al-Karīm* (Cairo: Dār al-Shurūq, 1995/1415), pp. 485-498; Firestone, “Jihad”, *Encyclopedia of Religion*, p. 235; His, *Jihād: The Origin of Holy War*, p. 140, n. 23.

<sup>34</sup> For these few examples and others, see °Abd al-Bāqī, *Al-Muʿjam al-Mufahras*, pp. 341-343.

<sup>35</sup> Badawī and Abdel Haleem, *Dictionary of Qur’anic Usage*, pp. 736 f. See also, Arne A. Ambros, *A Concise Dictionary of Koranic Arabic* (Wiesbaden: Reichert, 2004), p. 219.

<sup>36</sup> Alsumaih, *The Sunni Concept of Jihad*, p. 15.

two terms, arguing that every *qitāl* is jihād, but not every jihād is *qitāl*.<sup>37</sup> Darwazah stresses this view, arguing that there are numerous verses in the Qur’ān (such as 22: 78; 25: 52 and 29: 69) that support this approach. Whenever fighting is specified, Darwazah argues that the Qur’ān uses the word *qitāl* or one of its lexemes (as in 2: 190; 4: 73, 84). He also argues that there are other verses (such as 4: 94 and 9: 86) where jihād means fighting.<sup>38</sup> Having clarified the relationship between jihād and *qitāl*, the last term to present here is *ḥarb*.

*Ḥarb* is the general word for “war”.<sup>39</sup> As explained in Chapter Five of this thesis, this term, as used in the Qur’ān, carries various meanings such as enmity, killing, and disobedience and occurs “...far less frequently in the Qur’ān”<sup>40</sup> than jihād and *qitāl*—eleven times in four lexical forms. The verb ‘*ḥāraba*’ (to fight) occurs twice, in Qur’ān 5: 33; 9: 107. The noun *ḥarb* occurs four times, in Qur’ān 2: 279; 5: 64; 8: 57; 47: 4,<sup>41</sup> the last three of which mean fighting.<sup>42</sup> The modern Tunisian scholar Ibn al-

<sup>37</sup> °Abd al-°Azīm Badawī al-Khalafī, “Al-Ḥarb wa al-Salām fī al-Islām fī Daw’ Sūrat Muḥammad °Alayhi al-Salām” (MA diss., Department of *Da°wah* and Islamic Culture, Faculty of Usūl al-Dīn, al-Azhar University, Cairo, 1994/1415), p. 7. Furthermore, al-Ḥalawānī stresses al-Khalafī’s view, pointing out that *qitāl* is a hyponym, while jihād is the superordinate. See al-Ḥalawānī, *Some Aspects*, pp. 75 f. See also, Firestone, “Jihad”, *Encyclopedia of Religion*, p. 235.

<sup>38</sup> Muḥammad °Azzah Darwazah, *Al-Jihād fī Sabīl Allāh fī al-Qur’ān wa al-Ḥadīth* (Beirut: Dār al-Nāshir li al-Ṭibā°ah wa al-Nashr wa al-Tawzī° wa al-°I°lān, 2<sup>nd</sup> ed., 1990/1410), pp. 5-7. See also, Yūsuf al-Qaraḍāwī, *Khitābunā al-Islāmī fī °Aṣr al-°Awlamah* (Cairo: Dār al-Shurūq, 2004/1424), p. 163; L. Ali Khan, *A Theory of International Terrorism: Understanding Islamic Militancy*, *Developments in International Law* (Leiden: Martinus Nijhoff Publishers and VSP, 2006), Vol. 56, pp. 186 f.

<sup>39</sup> Firestone, “Jihad”, *Encyclopedia of Religion*, p. 235. Ibn Manẓūr states that *ḥarb* is the antonym for *silḥ* (peace). See Ibn Manẓūr, *Lisān*, Vol. 1, pp. 302 f. See also, Ambros, *A Concise Dictionary*, p. 68.

<sup>40</sup> Reuven Firestone, “Jihād”, in Andrew Rippin ed., *The Blackwell Companion to the Qur’ān* (Oxford: Blackwell, 2006), p. 312.

<sup>41</sup> °Abd al-Bāqī, *Al-Mu°jam al-Mufahras*, p. 196. For the technical meanings of the word *ḥarb* from an Islamic perspective, see Bakr Zakī Ibrāhīm °Awaḍ, “Mabda’ al-Salām fī al-Risālāt al-Samāwiyyah wakayfa Yumkin Taṭbīquh fī al-Mujtama° al-Mu°āṣir” (PhD Thesis, Department of *Da°wah* and Islamic Culture, Faculty of Usūl al-Dīn, al-Azhar University, Cairo, 1984/1404), pp. 1 f; Aḥmad Maḥmūd Karīmah, *Al-Jihād fī al-Islām: Dirāsah Fiqhiyyah Muqāranah* (Cairo: Maṭābi° al-Dār al-Handasiyyah, 2003/1424), p. 115.

Khūjah, however, apologetically tries to disassociate Muslims' involvement in war in the Qur'ānic context. He claims that in the Qur'ān, *ḥarb* is only mentioned to demonstrate how vicious the enemies are in their mischievous machinations against Muslims. Ibn al-Khūjah quotes Qur'ān 5: 64 to support his argument,<sup>43</sup> but this is the only verse where his argument applies. Consideration of the interpretation of *ḥarb* in the Qur'ān 8: 57, for example, shows that *ḥarb* is something in which both Muslims and their enemies are mutually involved.<sup>44</sup> A careful study of these occurrences gives rise to two main observations. First, unlike *jihād* and *qitāl*, the term *ḥarb* is not followed by the phrase '*fī sabīlillāh*'. Second, the expression 'holy war', which is,

“...a Western concept referring to war that is fought for religion, against adherents of other religions, often in order to promote religion through conversion, and with no specific geographic limitation”<sup>45</sup>

does not occur in the Qur'ān, even literally.<sup>46</sup> Johnson, a prolific Western writer, concludes:

“The term “holy war” itself is problematic, since it is relatively late in Western usage and since it does not directly translate any of the regularly used Muslim terms, including the central term ‘jihad’”<sup>47</sup>

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<sup>42</sup> For a confirmation of this view, see the term *ḥarb* successively interpreted as fighting in Muḥammad ibn Aḥmad al-Anṣārī al-Qurṭubī, *Al-Jāmi' li Ahkām al-Qur'ān* (Cairo: Dār al-Sha'b, n.d.), Vol. 6, p. 240; Fakhr al-Dīn Muḥammad ibn 'Umar al-Tamīmī al-Rāzī, *Al-Tafsīr al-Kabīr aw Maḥāṭib al-Ghayb* (Beirut: Dār al-Kutub al-'Ilmiyyah, 2000), Vol. 15, p. 146; Al-Alūsī, *Rūḥ al-Ma'ānī*, Vol. 26, p. 41. See also, Wahbah al-Zuḥaylī, *Āthār al-Ḥarb fī al-Fiqh al-Islāmī: Dirāsah Muqāranah* (Damascus: Dār al-Fikr, 3<sup>rd</sup> ed., 1998/1419), p. 31; Al-Daqs, *Āyāt al-Jihād fī al-Qur'ān*, p. 11; Al-Zāḥim, *Al-Jihād fī al-Islām*, p. 90. For a well-focused study on the Qur'ānic concept of war with regard to its causes, object, ethics, strategies and conduct, see Malik, *The Quranic Concept*, pp. 7-72.

<sup>43</sup> Ibn al-Khūjah, *Al-Jihād*, p. 30.

<sup>44</sup> Riḍā, *Tafsīr al-Qur'ān al-Ḥakīm*, Vol. 10, p. 56; Muḥammad Mutawallī al-Sha'rāwī, *Tafsīr al-Sha'rāwī* (Cairo: Akhbār al-Yawm, 1991), Vol. 8, pp. 4768 f.

<sup>45</sup> Firestone, “Holy War Idea in the Biblical Tradition”, *Encyclopedia of Religion*, p. 180.

<sup>46</sup> Jamal Badawi, “Muslim/Non-Muslim Relations: Reflections on Some Qur'ānic Texts”, *Scientific Review of the European Council for Fatwa and Research*, No. 6, January 2005, p. 271.

<sup>47</sup> James Turner Johnson, *The Holy War Idea in Western and Islamic Traditions* (University Park, Pa.: Pennsylvania State University Press, 1997), p. 25. Abou El Fadl also maintains a very similar view. He states that, ““Holy War” (in Arabic *al-harb al-muqaddasa*) is not an

Johnson proves that *al-ḥarb al-muqaddasah*, which is the Arabic phrase commonly used to translate the English term ‘holy war’, is not an honest translation,<sup>48</sup> whether from an Islamic or a Qur’ānic perspective, for two reasons: 1) The phrase, as stated, does not occur, either in the Qur’ān<sup>49</sup> or in its classical interpretations. 2) The term is originally a Western term that finds no parallel in either the historical or the legal books of Islamic jurisprudence.<sup>50</sup> More difficult still, the term has been used, intentionally or otherwise, to tarnish the image of jihād in the Qur’ān, not only in Western academic literature<sup>51</sup> but also in the Western media.<sup>52</sup> Although famous

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expression used in the Qur’anic text or by Muslim theologians.” He also adds that, “...in Islamic theology, war is never *holy* [emphasis his].” Abou El Fadl, *The Great Theft*, p. 222.

<sup>48</sup> According to Lawrence, “‘Holy War’...fails to explain, the semantic range of *jihād* in Arabic/Islamic contexts.” Bruce B. Lawrence, “Reconsidering ‘Holy War’ (Jihād) in Islam”, *Islam and Christian-Muslim Relations*, Vol. 1, No. 2, Dec. 1990, p. 261. According to Haleem, “‘Holy War’ does not exist as a term in Arabic, and its translation into Arabic sounds quite alien.” See, Haleem, *Understanding the Qur’an*, p. 62. See also, W. Montgomery Watt, *Islamic Political Thought: Basic Concepts* (Edinburgh: Edinburgh University Press, 1980), p. 18; Mohamed Mokbel Mahmud Elbakry, “The Legality of ‘War’ in Al-Shari’a Al-Islamiya (The Islamic Law) and Contemporary International Law: Comparative Study” (PhD Thesis, University of Glasgow, 1987), p. 239; Al-Dawoody, “War in Islamic Law”, p. 157; Muhammad Fathi Osman, “Islam, Terrorism, and Western Misapprehensions” in Ibrahim M. Abu-Rabi’ ed., *The Blackwell Companion to Contemporary Islamic Thought* (Malden, MA: Blackwell, 2006), p. 383; Hans Küng, “Religion, Violence and ‘Holy Wars’”, *International Review of the Red Cross*, Vol. 87, No. 858, June 2005, p. 259.

<sup>49</sup> Abou El Fadl, *The Great Theft*, p. 226; A. Rashied Omar, “Conflict and Violence”, in Richard C. Martin, ed., *Encyclopedia of Islam and the Muslim World* (New York: Macmillan Preference USA, 2004), Vol. 1, p. 158.

<sup>50</sup> The term rather has a Christian origin, beginning in Europe in the eleventh century during the Crusades. John L. Esposito and Dalia Mogahed, *Who Speaks for Islam?: What a Billion Muslims Really Think* (New York: Gallup Press, 2007), p. 75. See also, Abou El Fadl, *The Great Theft*, p. 222; Loretta Napoleoni, *Modern Jihad: Tracing the Dollars Behind the Terror Networks* (London: Pluto Press, 2003), p. 277; idem, “Modern Jihad: The Islamist Crusade”, *SAIS Review*, Vol. 23, No. 2, Summer-Fall, 2003, p. 66, no. 1.

<sup>51</sup> See, for example, Hector Avalos, *Fighting Words: The Origins of Religious Violence* (Amherst, N.Y.: Prometheus Books, 2005), pp. 283-299; Goyal, “International Terrorism”, p. 4.

<sup>52</sup> According to Jerald F. Dirks, “...the American media continues to insist on mistranslating *jihad* as “Holy War”, despite the fact that the Arabic equivalent of “Holy War” appears nowhere in the Qur’an, despite the fact that the term “Holy War” owes its popularity and conceptual foundation to its use by Christians in justifying the *Reconquista* (Christian conquest of Muslim Andalusia) and the Occidental barbarisms of the Christian Crusades.” Jerald F. Dirks, *Understanding Islam: A Guide for the Judaeo-Christian Reader* (Beltsville, Maryland: Amana

Western authors such as Lewis attempt to convince readers that, because the words *ḥarb* and *muqaddas* are mentioned in the Qur’ān separately, there is no problem in using them together in this distorted translation,<sup>53</sup> their arguments are not convincing. Lewis admits that the term ‘holy war’ “...does not occur in classical Islamic texts”, adding that it has only recently been introduced into Arabic.<sup>54</sup> This is reason enough to cast doubts on his argument, as his deduction clearly decontextualizes the Qur’ānic words.<sup>55</sup> Undoubtedly, such views obscure the way jihād is portrayed, in Islam in general and in the Qur’ān in particular.<sup>56</sup> Moreover, Peters ascribes the widespread occurrence of such erroneous translation to the “...influence of Western languages” *prima facie*.<sup>57</sup>

Thus jihād, as a Qur’ānic term, cannot be defined as ‘holy war’, either in theory or in practice. It is a term whose literal connotations encompass many aspects and, although this chapter is mainly concerned with the military aspect of jihād in the

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Publications, 2003/1424), p. 321. For an excellent survey of how the term jihād is ‘abused’ by being rendered as ‘holy war’ in the Western media, see Al-Ḥalawānī, *Some Aspects*, pp. 81-83. See also, Hassan Hathout, *Reading the Muslim Mind* (Plainfield, Ind.: American Trust Publications, 2005), pp. 107 f.; Noor Mohammad, “The Doctrine of Jihad: An Introduction”, *Journal of Law and Religion*, Vol. 3, No. 2, 1985, p. 381.

<sup>53</sup> Bernard Lewis, *The Political Language of Islam* (Chicago: The University of Chicago Press, 1988), pp. 71 f.

<sup>54</sup> *Ibid.*, p. 72. The same view is maintained by Talal Asad. See, Talal Asad, *On Suicide Bombing* (New York: Columbia University Press, 2007), p. 11.

<sup>55</sup> On the basis of Lewis’s deduction, anyone can bring together two different words from the Qur’ān and attempt to link them together in one way or another. It is worth mentioning that some modern researchers may be directly or indirectly affected by such justifications. See, for example, Stephen Akpiok-bisa Agilinko, “A Comparative Study of the Just War and Islamic Jihad Traditions: An Analytical Approach” (MA diss., Department of Religious Studies, University of Lancaster, 2002), p. 39.

<sup>56</sup> Asma Barlas, “Jihad, Holy War, and Terrorism: The Politics of Conflation and Denial”, *American Journal of Islamic Social Sciences*, Vol. 20, No. 1, Winter 2003, pp. 46 f.; Muḥammad °Imārah, *Al-Samāḥah al-Islāmiyyah: Ḥaqīqat al-Jihād wa al-Qitāl wa al-Irhāb* (Cairo: Maktabat al-Shur-q al-Dawliyyah, 2005/1426), p. 51.

<sup>57</sup> Rudolph Peters, *Islam and Colonialism: The Doctrine of Jihad in Modern History* (The Hague: Mouton, 1979), p. 4. See also, Rudolph Peters, *Jihad in Mediaeval and Modern Islam: The Chapter on Jihad from Averroes’ Legal Handbook ‘Bidayat al-Mujtahid’ and the Treatise ‘Koran and Fighting’ by the late Shaykh al-Azhar, Mahmud Shaltut* (Leiden: Brill, 1977), p. 4; *idem*, *Al-Islām wa al-Isti°mār: °Aqīdat al-Jihād fī al-Tārīkh al-Ḥadīth* (Cairo: Dār Shadhī li al-Nashr bi al-Ta°āwun ma°a al-Ma°had al-H-landī li al-Āthār al-Miṣriyyah wa al-Buḥ-th al-°Arabiyyah, 1985), pp. 11 f.

Qur'ān, it is still unjust to link even this aspect to the theory of 'holy war' or to translate military jihād itself, which is an intrinsically Qur'ānic concept, as stated, as 'holy war', which is an expression alien to both Islamic history and Qur'ānic language.

The above discussion shows that jihād, and other terms related to it that occur in the Qur'ān, require an in-depth examination with regard to the interpretation of the verses in which they occur, in order to reach a sound understanding of the Qur'ānic passages frequently cited by "radical Islamists",<sup>58</sup> which—according to them—justify killing non-Muslims.<sup>59</sup> This will begin with tracing the origin of such 'interpretations', a vital element in our discussion. More important, however, is to discuss the different legislative stages of military jihād in the Qur'ān in order to be better able to analyse and hence assess whether certain Qur'ānic verses constitute a legally valid evidence or not.

### 3.2.2 Meccan vs. Medinan Verses

It is essential before presenting the various stages of military jihād<sup>60</sup> in the Qur'ān to clarify an important fact that is not widely discussed by some modern Western scholars.

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<sup>58</sup> By 'radical Islamists' is meant marginal Muslim groups or individuals who lack the theological education to assume a scholarly stance but who, nevertheless, erroneously assume they have authoritative views regarding different aspects of jihād. They are sometimes referred to as "radicals", "Islamists" and "extremists" in this thesis. According to Omar Ashour, "*radical* [emphasis his] Islamist groups are those movements that ideologically reject democracy as well as the legitimacy of political and ideological pluralism. They also aim for revolutionary social, political and economic changes and refuse to work within the established state institutions." Omar Ashour, *The De-Radicalization of Jihadists: Transforming Armed Islamist Movements* (London; New York: Routledge, 2009), p. 4. For a special reference as to why the term "Islamist" should be used and how it differs from other terms, especially the term "Islamic", see Jeremy D. Kowalski, "The Geographical and Spatial Imaginings of Islamist Extremism/Terrorism" (MA diss., University of Waterloo, Ontario, Canada, 2005), pp. 4 f. See also Mehdi Mozaffari, "What is Islamism? History and Definition of a Concept", *Totalitarian Movements and Political Religions*, Vol. 8, No. 1, March 2007, pp. 17-33.

<sup>59</sup> Richard Bonney, *Jihād: From the Qur'ān to bin Laden* (Basingstoke: Palgrave Macmillan, 2004), p. 28.

<sup>60</sup> The fighting referred to in the discussion below is fighting between Muslims and non-Muslims as indicated in the Qur'ān, although the Qur'ān also mentions fighting between

When the thorny issue of jihād in the Qur’ān is raised, they start with the Medinan verses in which the legalization of jihād is clearly established.<sup>61</sup> They fail to pay considerable attention to the fact that, during the Meccan period, Muslims were prohibited from fighting despite being oppressed. Most classical and modern exegetes consulted for this thesis may have omitted to clarify this point, but al-Qurṭubī’s interpretation bridges this important gap. He states that fighting had been banned before the Prophet’s emigration to Medina in 622.<sup>62</sup> He maintains that a consistent message, instructing Muslims to repulse aggression with forgiveness and respond to oppression with patience, can be deduced from verses revealed during this period. These include Qur’ānic verses such as 41: 34; 23: 96; 73: 10; 88: 22, all revealed in Mecca.<sup>63</sup> A deeper look into the Qur’ān shows that there are also other verses that can be cited here, such as Qur’ān 96: 1-5; 109: 1-6; 53: 29; 7: 199- 200; 25: 30-31; 35: 18- 26; 20: 130; 26: 216; 27: 70, 78, 81, 91- 93; 28: 56, 87, 88.<sup>64</sup>

Although persecution of the nascent Muslim community in Mecca continued for over ten years, threatening the establishment of the new believers, Muslims were

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Muslims, as in Qur’ān 49:9-10. For a discussion of both, see Maḥm-d Shalt-t, *Al-Islām wa al-‘Alāqāt al-Dawliyyah fī al-Silm wa al-Ḥarb* (Cairo: Maṭba‘at al-Azhar, n.d.), pp. 26-29.

<sup>61</sup> Firestone is a clear example of these scholars. See Firestone, *Jihād: The Origin of Holy War*, pp. 47 f.

<sup>62</sup> Al-Qurṭubī, *Al-Jāmi‘*, Vol. 2, p. 247. See also Khan, *A Theory of International Terrorism*, pp. 172- 177; Eric Bordenkircher, “An Analysis of Jihād in the Context of the Islamic Resistance Movement of Palestine” (MA diss., Faculty of Graduate Studies and Research, Institute of Islamic Studies, McGill University, Montreal, 2001), pp. 11 f.

<sup>63</sup> The order of verses here follows al-Qurṭubī. See, Al-Qurṭubī, *Al-Jāmi‘*, Vol. 2, p. 247.

<sup>64</sup> Here, the order of *suwar* is chronological as per their revelation, not according to the order in which they currently appear in the Qur’ān. Although it may seem very clear from Ghunaym’s book that he depends on *al-Sīrah al-Ḥalabiyyah* in saying that the number of verses amounts to 70, consulting the original shows otherwise. See Aḥmad Ghunaym, *Al-Jihād al-Islāmī: Dirāsah ‘Ilmiyyah fī Nuṣ-ṣ al-Qur’ān wa Ṣiḥāḥ al-Ḥadīth wa Wathā’iq al-Tārīkh* (Cairo: Dār al-Ḥamāmī li al-Ṭibā‘ah, 1975/1394), pp. 9 f., nn. 1-7. Al-Ḥalabī only mentions three occurrences (Qur’ān 4: 77; 32: 30; 73: 10) to support his argument. See ‘Alī ibn Burhān al-Dīn al-Ḥalabī, *Insān al-‘Uy-n: Al-Sīrah al-Ḥalabiyyah fī Sīrat al-Amīn al-Ma’m-n* (Beirut: Dār al-Ma‘rifah, 1400), Vol. 2, p. 343. See also, Asma Afsaruddin, “Views of Jihad Throughout History”, *Religion Compass*, Vol. 1, No. 1, 2007, p. 165.

ordered not to fight, even in retaliation. This clearly indicates that the Meccan period, as far as the Qur’ān is concerned, was marked by non-violence and non-aggression from the Muslim side.<sup>65</sup> Al-Daqs strongly argues that a careful study of all the Qur’ānic verses undoubtedly leads to the conclusion that all the jihād verses and legislative rulings related to them were revealed during the Medinan period. Based on this, al-Daqs further argues that jihād during the Meccan period can be termed *al-jihād al-silmī* (peaceful jihād)<sup>66</sup> whereas in the Medinan period it can be termed *al-jihād al-ḥarbī* (military jihād).<sup>67</sup>

Peace thus proves to dominate the Meccan revelations in the Qur’ān.<sup>68</sup> Admittedly, Qur’ān 42: 39-42, according to Darwazah, indirectly refers to the principle of defending oneself in case of oppression by fighting and, although these verses were revealed during the Meccan period, they are the foundation for the Medinan revelations which permit fighting.<sup>69</sup> The reason why the revelations did not directly command

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<sup>65</sup> Mohammad Hashim Kamali, “Issues in the Understanding of *Jihād* and *Ijtihād*”, *Islamic Studies*, Vol. 41, No. 4, Winter 1423/2002, pp. 619 f.

<sup>66</sup> In peaceful jihād, a Muslim strives in the cause of Allah without resorting to violence. See, Khan, *A Theory of International Terrorism*, p. 178.

<sup>67</sup> Al-Daqs presents a distinguished survey of the most authentic classical narrations to reach this important conclusion. See, Al-Daqs, *Āyāt al-Jihād fī al-Qur’ān*, pp. 185-208.

<sup>68</sup> An examination of some of the Prophet’s aḥādīth in the Meccan period leads to the same conclusion. Khabbāb narrated that he along with some of the Prophet’s companions came to the Prophet (peace be upon him) while he was leaning on his cloak in the shade of the Ka’bah. He said, we complained to him saying, “Will you ask Allah to help us? Will you beseech Him for us?” He, then sat with a red face and said, “A (believing) person from among those who were before you used to be captured and placed in a pit. Then a saw is brought and put on his head splitting it into two halves to the extent that his flesh is combed with iron combs and removed from his bones, yet he remains committed to his religion. By Allah! This religion [Islam] will eventually be victorious to the extent that a traveler between Sanaa and Hadramaut will fear nobody but Allah and the wolf devouring his sheep, but you are impatient.” Abū Dawūd, *Sunan Abū Dawūd*, no. 2649, in *Mawsū‘at al-Ḥadīth al-Sharīf: Al-Kutub al-Sittah*, ed. Ṣāliḥ bin ‘Abd al-‘Azīz ‘Al al-Shaykh (Riyadh: Dār al-Salām li al-Nashr wa al-Tawzī‘, 1999), pp. 1418 f. In his commentary on this ḥadīth Ghunaym states that the victory of Islam should not necessarily be achieved by fighting. He quotes Qur’ān 29: 2, 3 to anchor this concept because these two verses were revealed right after this ḥadīth was narrated. See, Ghunaym, *Al-Jihād al-Islāmī: Dirāsah ‘Ilmiyyah*, pp. 11 f., nn. 9-11.

<sup>69</sup> Darwazah, *Al-Jihād fī Sabīl Allāh*, pp. 55 f.

fighting is that they were revealed at a time when Muslims were persecuted. In Medina, when the situation changes, Darwazah argues, the Qur'ānic tone changes to adapt to the new environment.<sup>70</sup> Quṭb explains that the peace that existed in the Meccan period was an exception to the established rule Muslims had to follow after migrating to Medina, which was to defend themselves when they were oppressed.<sup>71</sup>

The above seemingly counter-arguments of Darwazah and Quṭb do not rule out the fact that a non-fighting strategy was the basic rule to which all Muslims adhered during the Meccan period, regardless of whether or not the above verses indirectly refer to repelling aggression during the Meccan period of revelations.

Qur'ān 42: 41, according to al-Ṭabarī, carries a rather direct meaning calling for forgiving wrongdoers.<sup>72</sup> Thus, the exceptional interpretations of Darwazah and Quṭb fail to rule out the basic rule of non-combat which the overwhelming majority of Meccan verses assert, as discussed above. Accepting this, however, does not necessarily mean that peace dominates the scene when Muslims are weak and that once their weakness ceases, they start an open military campaign against all non-Muslims. An examination of the legislation regarding jihād during the Medinan period will aid us in understanding the issue better.

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<sup>70</sup> Ibid., p. 56.

<sup>71</sup> Sayyid Quṭb, *Fī Zilāl al-Qur'ān* (Cairo: Dār al-Shurūq, 12<sup>th</sup> ed., 1986/1406), Vol. 5, pp. 3166 f.

<sup>72</sup> Muḥammad ibn Jarīr ibn Yazīd ibn Khālid al-Ṭabarī, *Jāmi' al-Bayān 'an Ta'wīl Āy al-Qur'ān* (Beirut: Dār al-Fikr, 1984-5/1405), Vol. 25, p. 38.

### 3.2.3 Stages of Military Jihād

Apart from a few Western academic studies<sup>73</sup> which refer to the stages of military jihād in the Qur’ān, the idea of discussing the various stages is not given due consideration in the vast amount of related literature from the last two decades. Appealing to the Qur’ān itself, however, reveals what can be called a ‘carefully orchestrated theory’ of jihād, in which the relationship between Muslims and non-Muslims is established. This theory, in the researcher’s view, merits greater consideration, in view of the fact that all the military jihād-related verses in the Qur’ān can easily be manipulated into reductionist and exclusivist interpretations in which their original contexts are forcibly altered.<sup>74</sup> This will eventually lead to the highjacking of the Qur’ānic text by terrorists from Muslim and non-Muslim faith groups who may lack understanding of the sequence of the gradual approach enshrined in the Qur’ān concerning its legislation on military jihād. This gradualness in the legislation of jihād is famously marked by three different stages.

The first stage began, according to Ibn al-‘Arabī, after the Prophet established his rule in Medina. Allah permitted him to fight in retaliation after he and his companions were oppressed and tortured.<sup>75</sup> Although Cook tries to belittle the amount of torture to which Muslims were subjected in this period by claiming that it was

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<sup>73</sup> For a modern study that takes much interest in explaining different stages of jihād with reference to the Qur’ān, see Firestone, *Jihād: The Origin of Holy War*, pp. 51-65.

<sup>74</sup> Abdullahi Ahmed An-Na’im, “Why Should Muslims Abandon Jihad? Human Rights and the Future of International Law”, *Third World Quarterly*, Vol. 27, No. 5, 2006, p. 792.

<sup>75</sup> Examples of such oppression and torture, according to Ibn al-‘Arabī, were the failed attempt to assassinate the Prophet by the unbelievers of Mecca and the killing of Sumayyah bint Khayyāt, the mother of ‘Ammār ibn Yāsir, by Ab- Jahl. Muḥammad ibn ‘Abdullāh ibn al-‘Arabī, *Aḥkām al-Qur’ān*, ed. Muḥammad ‘Abd al-Qādir ‘Aṭā (Beirut: Dār al-Kutub al-‘Ilmiyyah, 1996), Vol. 1, p. 456.

“...individual rather than institutional in nature”,<sup>76</sup> his argument is not substantiated by evidence. When the torture reaches the head of the nascent state (i.e. the Prophet), it clearly indicates to what extent it is systematic and institutionally orchestrated. Qur’ān 29: 2, 3 and 68: 51 clearly establish this argument.<sup>77</sup> Thus, attempting to argue that Muslims in the Meccan period were subjected to a “minor level”<sup>78</sup> of persecution is a questionable statement. Qur’ān 22: 39 was revealed because of the ongoing unbearable persecution at that time.<sup>79</sup>

In this regard, verses 22: 39-40<sup>80</sup> are widely-known as the oldest reference to jihād in the Qur’ān.<sup>81</sup> When interpreting these two verses, al-Sha‘rāwī refers to the different stages of the legislation on jihād, stressing that 22: 39 marks the beginning of the first stage.<sup>82</sup> Al-Sha‘rāwī’s interpretation is apparently a leading contribution because reference to classical exegetes such as al-Qurṭubī and al-Ṭabarī shows that they,

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<sup>76</sup> David Cook, *Martyrdom in Islam* (Cambridge, New York: Cambridge University Press, 2007), p. 14.

<sup>77</sup> “Do people think they will be left alone after saying ‘We believe’ without being put to the test?”, “The disbelievers almost strike you down with their looks when they hear the Qur’an.” See Haleem, *Qur’an*, pp. 252, 386. It is noteworthy that these two verses come in two Meccan chapters.

<sup>78</sup> Cook, *Martyrdom*, p. 14.

<sup>79</sup> Both al-Nīsāb-rī and al-Suy-ṭī emphasise this. See, Ab- al-Ḥasan ‘Alī bin Aḥmad al-Nīsāb-rī, *Asbāb al-Nuz-l*, ed. Sharīf Muḥammad ‘Abd al-Raḥmān (n.p: Dār al-Taqwā, 2005), p. 195; ‘Abd al-Raḥmān bin Abī Bakr al-Suy-ṭī, *Lubāb al-Nuq-l fī Asbāb al-Nuz-l*, ed. Muḥammad Tāmir (n.p: Dār al-Taqwā, 2004), p. 154. See also, ‘Alī Bin Nafi‘ al-‘Alyānī, *Ahammiyyat al-Jihād: Fī Nashr al-Da‘wah al-Islāmiyyah wa al-Radd ‘alā al-Ṭawā’if al-Ḍāllah fīh* (Riyadh: Dār Ṭībah, 1985/1405), p. 142.

<sup>80</sup> “Those who have been attacked are permitted to take up arms because they have been wronged— God has the power to help them— those who have been driven unjustly from their homes only for saying, ‘Our Lord is God.’...” See Haleem, *Qur’an*, p. 212.

<sup>81</sup> Al-Ṭabarī, *Jāmi‘ al-Bayān*, Vol. 17, p. 172; Al-Alūsī, *Rūḥ al-Ma‘ānī*, Vol. 17, p. 162; Al-Daqs, *Āyāt al-Jihād fī al-Qur’ān*, p. 73; Adam L. Silverman, “Just War, Jihad, and Terrorism: A Comparison of Western and Islamic Norms for the Use of Political Violence”, *Journal of Church and State*, Vol. 44, No. 1, 2002, p. 78. This article has been recently republished in David Cook ed., *Jihad and Martyrdom: Critical Concepts in Islamic Studies* (London: Routledge, 2010), Vol. 4, p. 7.

<sup>82</sup> Al-Sha‘rāwī, *Tafsīr*, Vol. 16, p. 9836. See also, Ḥusayn Mujīb al-Miṣrī, *Ghazawāt al-Ras-l Bayn Shu‘arā’ al-Shu‘-b al-Islāmiyyah: Dirāsah fī al-Adab al-Islāmī al-Muqāran* (Cairo: Al-Dār al-Thaqāfiyyah li al-Nashr, 2000/1420), p. 22.

for example, do not clearly refer to this gradual approach, although it can easily be inferred from their interpretations.<sup>83</sup> However, Firestone's discussion of the stages of military jihād in the Qur'ān and the way he classifies them may lead the reader to believe that he has come up with an original classification,<sup>84</sup> but a critical analysis suggests otherwise, as shown by the indirect reference in the classical exegetes and the direct reference of the modern exegetes indicated above.

Furthermore, Firestone marks the Meccan period of non-combat earlier discussed as 'stage one', although a detailed examination shows that the great majority of Muslim researchers and exegetes do not consider the Meccan period as a stage of military jihād in the Qur'ān. The question that should be posed to Firestone then is: How can we consider 'non-confrontation' as a stage in fighting within the Qur'ānic context, when the Book itself does not mention fighting during the Meccan period, as concluded above!?! Thus, the first stage that marks the beginning of the legislation on military jihād in the Qur'ān starts with the revelation of Qur'ān 22: 39-40 in Medina.

However, Qur'ān 22: 39-40 are not the only verses referring to the first stage.<sup>85</sup> Another verse similar to them, such as Qur'ān 2: 190,<sup>86</sup> also constitutes the Qur'ānic basis for fighting. Although al-Ṭabarī and Ibn Kathīr cite an interpretation to the effect that 2: 190 is the first verse commanding Muslims to fight in self-defence<sup>87</sup>, a reference

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<sup>83</sup> Al-Ṭabarī, *Jāmi' al-Bayān*, Vol. 17, 172; Al-Qurṭubī, *Al-Jāmi'*, Vol. 12, p. 68.

<sup>84</sup> Firestone, *Jihād: The Origin of Holy War*, pp. 51-56; idem, "Disparity and Resolution in the Quranic Teachings on War: A Reevaluation of a Traditional Problem", *Journal of Near Eastern Studies*, Vol. 56, No. 1, January 1997, pp. 4-17.

<sup>85</sup> Discussion of all the numerous verses that speak about each stage of fighting in the Qur'ān is extremely difficult in a limited study such as this. The verses considered are therefore fairly representative of each stage. For a similar discussion of this point, see Silverman, "Just War, Jihad, and Terrorism", p. 81.

<sup>86</sup> "Fight in God's cause against those who fight you, but do not overstep the limits: God does not love those who overstep the limits." See Haleem, *Qur'an*, p. 21.

<sup>87</sup> Al-Ṭabarī, *Jāmi' al-Bayān*, Vol. 2, p. 189; Ismā'īl ibn 'Umar ibn Kathīr, *Tafsīr al-Qur'ān al-Aẓīm* (Beirut: Dār al-Fikr, 1980-1/1401), Vol. 1, p. 227. See also, David Dakake, "The Myth of

to al-Nīsāb-rī and al-Suy-ṭī proves otherwise,<sup>88</sup> indicating that 2: 190 is the second verse in this stage of defensive combat. Whether or not it is the first to be revealed in this regard is a contentious issue, especially among classical exegetes. However, it may be more appropriate to consider that Qur’ān 22: 39 preceded Qur’ān 2: 190 because the former constitutes permission to engage in fighting that was prohibited *ab initio*, whereas the latter clearly ordains fighting in self-defence. It seems more logical to conclude that the permission to fight precedes fighting in self-defence.

Indeed, Qur’ān 22: 39 and 2: 190 denote two important facts relevant to laymen before academics: 1) fighting can only be launched by Muslims in self-defence when they are oppressed. 2) although Muslims are allowed to fight, they are not allowed to initiate hostilities, to fight non-combatants or to respond to aggression disproportionately. This is confirmed by all classical and modern exegetes who attempt to interpret Qur’ān 2: 190. They state that the prohibition in the verse includes all non-combatants such as women, children, the infirm, the aged, monks, rabbis, the sick, and all who conclude peace agreements with Muslims and those who proffer peace.<sup>89</sup> Ibn Kathīr also adds that killing animals and burning trees that do not benefit the enemy are also forbidden.<sup>90</sup> Riḍā notably asserts that, in this verse, avoiding non-aggression is not restricted to fighting on the battlefield, but starts before it, as Muslims are prohibited

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a Militant Islam”, in Aftab Ahmad Malik, ed., *The State We Are in: Identity, Terror and the Law of Jihad* (Bristol: Amal Press, 2006), p. 73.

<sup>88</sup> Al-Nīsāb-rī, *Asbāb*, p. 31; Al-Suy-ṭī, *Lubāb al-Nuq-l*, pp. 33 f. See also, Muḥammad al-Şādiq °Afīfī, *Al-Mujtama° al-Islāmī wa al-°Alāqāt al-Dawliyyah* (Cairo: Mu’assasat al-Khānjī, 1980), p. 128.

<sup>89</sup> See for example, Al-Ṭabarī, *Jāmi° al-Bayān*, Vol. 2, p. 190; Al-Rāzī, *Al-Tafsīr al-Kabīr*, Vol. 5; p. 110; Al-Alūsī, *Rūḥ al-Ma°ānī*, Vol. 2, p. 74; Quṭb, *Fī Zīlāl*, Vol. 1, p. 188; idem, *In the Shade of the Qur’ān*, trans. and ed. Adil Salahi (Leicester: The Islamic Foundation, 1999/1420), Vol. 1, p. 210.

<sup>90</sup> Ibn Kathīr, *Tafsīr al-Qur’ān*, Vol. 1, p. 227. See also, °Abd al-Mun°im al-Ḥifnī, *Maws-°at al-Qur’ān al-°Aẓīm* (Cairo: Maktabat Madb-ī, 2004), Vol. 2, pp. 1866 f.

from initiating fighting without being attacked. They are also not allowed to resort to other forms of destruction, such as demolishing infrastructure, uprooting trees, etc...<sup>91</sup>

The second stage of military jihād in the Qur’ān is usually marked by verses directly ordering Muslims to fight those who fight them. Compared with other stages, this stage—according to Firestone—is referred to by the greatest number of military verses.<sup>92</sup> For purposes of brevity, we refer here only to Qur’ān 2: 191, 194; and 9: 36 as clear examples of this stage. As in the first stage, Muslims are to fight in *daf‘ al-‘udwān* (fending off aggression)<sup>93</sup> directed against themselves or their lands. Haykal states that such aggression must have been launched by non-Muslims against Muslims, arguing that Qur’ān 2: 190, 194; 4: 91; 9: 36; and 22: 39 anchor this concept.<sup>94</sup> Here, it can also be added that this stage is a continuation of defensive fighting in the Qur’ān.<sup>95</sup> Haykal also considers that pre-emptive fighting too is permitted for Muslims according to Qur’ān 4: 75 and 8: 58.

The writer of this thesis is of the opinion that very little or no criticism would be directed against Muslims if they resorted to defensive or even pre-emptive fighting, especially if their motives were to defend themselves. However, Muslims have been facing and will continue to face harsh criticism as a result of the various interpretations of the last stage of military jihād in the Qur’ān. Because there is no unified view

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<sup>91</sup> Riḍā, *Tafsīr al-Qur’ān al-Ḥakīm*, Vol. 2, pp. 208 f.

<sup>92</sup> Firestone, *Jihād: The Origin of Holy War*, p. 77.

<sup>93</sup> Al-Zuḥaylī defines *‘udwān* as: “Direct or indirect aggression against the property or the land of Muslims in a way which affects their territorial independence, oppresses them, spreads sedition amongst them, threatens their security, jeopardizes their safety, stems the spread of the Islamic *da‘wah*, or any other schemes in which Muslims realize that there are hidden schemes plotted against any of the above.” Al-Zuḥaylī, *Āthār al-Ḥarb*, p. 91. In his commentary on al-Zuḥaylī’s definition, Haykal states that it refers to some, but not all, of the forms of oppression, arguing that the lexical generality of the Arabic word *‘udwān* dictates such an understanding. See, Haykal, *Al-Jihād*, Vol. 1, pp. 609 f.

<sup>94</sup> Haykal, *Al-Jihād*, Vol. 1, pp. 611-613.

<sup>95</sup> Ghunaym, *Al-Jihād al-Islāmī: Dirāsah ‘Ilmiyyah*, p. 20.

concerning this final stage, the need arises to identify the individual approaches of classical and modern exegetes in order to discover their impact on the modern conception of military jihād in the Qur’ān.

### 3.2.4 Classical Interpretative Theory of the Final Stage

According to the classical jihād theory, all unbelievers are seen as the avowed enemies of Muslims, and Muslims are therefore obliged to fight them until they embrace Islam or pay *jizyah*<sup>96</sup> (poll tax). The enmity because of which non-Muslims, according to the classical theory, are to be fought against, arises as a result of their *kufir* (disbelief).<sup>97</sup> The following Qur’ānic verse constitutes the main criterion upon which the above judgment is based:

“Fight them until there is no more persecution [*fitnah*], and that worship is devoted to God. If they cease hostilities, there can be no {further} hostility, except towards aggressors.”<sup>98</sup> (Qur’ān 2: 193)

In their commentaries on the above verse, al-Ṭabarī<sup>99</sup>, al-Qurṭubī<sup>100</sup>, Ibn al-‘Arabī<sup>101</sup>, al-Suy-ṭī<sup>102</sup>, al-Jaṣṣāṣ<sup>103</sup>, al-Rāzī<sup>104</sup>, and al-Al-sī<sup>105</sup> are united in maintaining

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<sup>96</sup> This term has been explained earlier in Chapter Two of this thesis.

<sup>97</sup> According to Adams, *kufir* destabilizes the whole society because it entails the denial of the existence of God. This, in turn, leads to disorder and corruption in society. Charles J. Adams, “Kufir” in John L. Esposito ed., *The Oxford Encyclopedia of the Modern Islamic World* (New York: Oxford University Press, 1995), Vol. 2, pp. 439 f.; See also Bordenkircher, “An Analysis of Jihād”, p. 16.

<sup>98</sup> Haleem, *Qur’an*, pp. 21 f.

<sup>99</sup> Al-Ṭabarī, *Jāmi‘ al-Bayān*, Vol. 2, pp. 194 f. See also, Abdulkader Tayob, “An Analytical Survey of al-Ṭabarī’s Exegesis of the Cultural Symbolic Construct of *Fitna*”, in G.R. Hawting and Abdul-Kader A. Shareef, eds, *Approaches to the Qur’ān* (London: Routledge, 1993), p. 161.

<sup>100</sup> Al-Qurṭubī, *Al-Jāmi‘*, Vol. 2, p. 353.

<sup>101</sup> Ibn al-‘Arabī, *Aḥkām*, Vol. 1, p. 155.

<sup>102</sup> ‘Abd al-Raḥmān ibn al-Kamāl Jalāl al-Dīn al-Suyūṭī, *Al-Durr al-Manthūr fī al-Tafsīr bi al-Ma’thūr* (Beirut: Dār al-Fikr, 1993), Vol. 1, p. 495.

<sup>103</sup> Aḥmad ibn ‘Ali al-Rāzī al-Jaṣṣāṣ, *Aḥkām al-Qur’ān*, ed. Muḥammad al-Ṣādiq Qamḥāwī (Beirut: Dār Iḥyā’ al-Turāth al-‘Arabī, 1984-5/1405), Vol. 1, pp. 324 f.

<sup>104</sup> Al-Rāzī, *Al-Tafsīr al-Kabīr*, Vol. 5, p. 113.

<sup>105</sup> Al-Alūsī, *Rūḥ al-Ma‘ānī*, Vol. 2, p. 76.

that *fitnah* in this verse means unbelief. Ibn Kathīr<sup>106</sup>, however, is seemingly silent about expressing his view concerning *fitnah* here. Schleifer maintains that Ibn Kathīr interprets *fitnah* as idolatry or polytheism, depending on al-Qurṭubī’s interpretation. A reference to al-Qurṭubī’s interpretation, however, shows that he maintains his views without reference to Ibn Kathīr’s interpretation—reason enough to cast doubt on Schleifer’s statement.<sup>107</sup>

Of the above classical exegetes, al-Ṭabarī and al-Qurṭubī provide detailed explanations for their attitudes on the Qur’ānic *casus belli*. Al-Ṭabarī emphasizes that the above verse is a Divine instruction for the Prophet to fight the unbelievers until there is no more *fitnah*, i.e. until there is no more *shirk* (polytheism).<sup>108</sup> Al-Qurṭubī stresses this hostile attitude towards non-Muslims. He states that authoritative figures such as Ibn ‘Abbās (d. 68/687), Qatādah (d. 118/736) and others interpreted *fitnah* in this verse to mean “...polytheism and all forms of persecution done by the unbelievers against Muslims”.<sup>109</sup> Moreover, *naskh*<sup>110</sup> (abrogation) plays a central role in this classical theory.

<sup>106</sup> Ibn Kathīr, *Tafsīr al-Qur’ān*, Vol. 1, p. 288.

<sup>107</sup> S. Abdullah Schleifer, “Jihad: Modernist Apologists, Modern Apologetics”, *The Islamic Quarterly*, Vol. 28, No. 1, First Quarter 1984, p. 32, 45, n. 45.

<sup>108</sup> Al-Ṭabarī, *Jāmi‘ al-Bayān*, Vol. 2, p. 194.

<sup>109</sup> Al-Qurṭubī, *Al-Jāmi‘*, Vol. 2, p. 353.

<sup>110</sup> Literally, *naskh* has several meanings, including to annul, obliterate or cancel. Ibn Manẓūr states that *naskh* means to replace one thing by another. *Naskh*, as far as the Qur’ān is concerned, means that one Qur’ānic ruling or verse restricts, modifies or even abrogates another. In the Qur’ān, *naskh* takes various forms. First, the Qur’ān has abrogated the Divine Scriptures revealed before it, such as the Torah and the Gospels. Second, certain Qur’ānic verses are blotted out, resulting in a) verses whose text and rulings are both repealed, and b) verses whose text is believed to have been abrogated but whose rulings remain *muḥkam* (in effect), and c) some of the earlier commandments in the Qur’ān are abrogated by the later revelations. Of these forms, the third type is the one highlighted in this study. It is worth adding that there is no consensus among classical and modern scholars on the theory of *naskh*. Classical jurists such as Ab- Muslim al-Aṣḥānī (d. 1066) rejected the doctrine of *naskh* in the Qur’ān altogether. Some scholars in recent times, such as Muḥammad Ali, Muḥammad Asad, Cherif Bassiouni and Abou El Fadl, have also rejected it. For more elaboration on the literal and technical meanings of *naskh*, its detailed types and various polemical issues related to it, see Ibn Manẓūr, *Lisān*, Vol. 2, p 615; Lane, *Lexicon*, Vol. 8, p. 2788; Abi Maṣṣ-r ‘Abd al-Qāhir bin Ṭāhir bin Muḥammad al-Baghdādī, *Al-Nāsikh wa al-Mans-kh*, ed. Ḥilmī Kāmil As‘ad ‘Abd al-

The proponents of the theory of abrogation consider Qur’ān 2: 106 and 16: 101 as the main evidence upon which this theory is built.<sup>111</sup> The classicists view Qur’ān 9: 5 as constituting the underlying principle of Muslim external relations and as abrogating approximately 113 verses.<sup>112</sup> Al-Qaraḍāwī, while rejecting this view, states that the classical exegetes themselves differ on identifying which verse of the Qur’ān is *āyat al-sayf* (The Verse of the Sword). Simply put, he throws doubt on citing Qur’ān 9: 5, 36, and 41 as representative verses.<sup>113</sup> This may explain why Bin Jani prefers the plural form (i.e. The Verses of the Sword) [emphasis mine].<sup>114</sup> Moreover, the members of the International Union for Muslim Scholars (IUMS) reiterate that early scholars and exegetes do not agree on which verse of the Qur’ān is the ‘Verse of the Sword’. Therefore, they argue, it is neither reasonable nor legitimate to render null and void the

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Hādī (Amman: Dār al-<sup>o</sup>Adawī, n.d.), pp.39-267; <sup>o</sup>Abd al-Raḥmān bin Ibrāhīm al-Maṭr-dī, *Al-Naskh fī al-Qur’ān al-<sup>o</sup>Azīm* (Riyadh: Maṭābi<sup>o</sup> Jāmi<sup>o</sup>at al-Malik Su<sup>o</sup>-d, 1994/1414), pp. 5-121; Mohammed Shah Bin Jani, “Sayyid Qutb’s View of Jihād: An Analytical Study of His Major Works” (PhD Thesis, Department of Theology, Islamic Studies, Faculty of Arts, University of Birmingham, United Kingdom, 1998), p. 119, n. 60; Abdullah Saeed, *Interpreting the Qur’ān: Towards a Contemporary Approach* (Oxford: Routledge, 2006), pp. 77-89, 168-170; John Burton, “Abrogation”, in Jane Dammen McAuliffe, ed., *The Encyclopaedia of the Qur’ān* (Leiden: Brill, 2002), Vol. 1, pp. 11-19; Jane Dammen McAuliffe, “The Tasks and Traditions of Interpretation”, in Jane Dammen McAuliffe, ed., *The Cambridge Companion to the Qur’ān* (Cambridge: Cambridge University Press, 2006), p. 187; M. Cherif Bassiouni, “Evolving Approaches to Jihad: from Self-defense to Revolutionary and Regime Change Political Violence”, *Journal of Islamic Law and Culture*, Vol. 10, No. 1, April 2008, p. 67, n. 20; Abou El Fadl, *The Great Theft*, pp. 240 f.; Muṣṭafā Zayd, *Al-Naskh fī al-Qur’ān al-Karīm: Dirāsah Tashrī<sup>o</sup>yyah Tarīkhiyyah Naqdiyyah* (Cairo: Dār al-Fikr al-<sup>o</sup>Arabī, 1963/1383), Vol. 2, pp. 503-547; John Burton, “Naskh”, *Encyclopaedia of Islam*, New ed., Vol. 7, pp. 1009-1012; David S. Powers, “The Exegetical Genre *Nāsikh al-Qur’ān wa Mans-khuhu*”, in Andrew Rippin ed., *Approaches to the History of the Interpretation of the Qur’ān* (Oxford: Clarendon, 1988), pp. 117-138; John Burton, *The Collection of the Qur’ān* (Cambridge: Cambridge University Press, 1977), pp. 46-104.

<sup>111</sup> McAuliffe, “The Tasks and Traditions”, p. 187; Al-Dawoody, “War in Islamic Law”, pp. 89-92.

<sup>112</sup> Bin Jani, “Sayyid Qutb’s View of Jihād”, p. 120. Al-Qaraḍāwī mentions several narratives, stating that, according to some scholars, Qur’ān 9: 5 has abrogated 140 verses. Yūsuf al-Qaraḍāwī, *Fiqh al-Jihād: Dirāsah Muqāranah li Ahkāmihī wa Falsafatihī fī Ḍaw’ al-Qur’ān wa al-Sunnah* (Cairo: Maktabat Wahbah, 2009/1430), Vol. 1, p. 310.

<sup>113</sup> Al-Qaraḍāwī, *Fiqh al-Jihād: Dirāsah Muqāranah*, Vol. 1, pp. 284- 305.

<sup>114</sup> Bin Jani, “Sayyid Qutb’s View of Jihād”, pp. 120 f.

definitive Qur’ānic verses, which call for peace, because of the disagreement among the scholars about this issue.<sup>115</sup>

It can be deduced from the above classical theory that *shirk* and *kufr* are the main causes behind the hostile attitude of Muslims towards non-Muslims. The core essence of this classical exegetical theory is based on the assumption that Muslims have to launch all-out war against non-Muslims because of the latter’s unbelief. To them, military jihād is the *al-aṣl* (overriding principle) upon which the norm of external relations between Muslims and non-Muslims is based.

### 3.2.5 Modern Interpretative Theory of the Final Stage

In his interpretation of ‘*fitnah*’ in Qur’ān 2: 193, Riḍā clearly sets out his view concerning the final stage of military jihād. He considers that ‘*fitnah*’ in this verse refers to the attempt of the unbelievers to oppress, torture and expel Muslims from their homeland, as well as to confiscate their property. He argues that no greater affliction can befall a human being than being oppressed and tortured for adopting a creed that has already permeated his soul and intellect.<sup>116</sup> Riḍā quotes ‘Abduh as saying that interpreting ‘*fitnah*’ in this verse to mean *kufr* takes the interpretation of the verse out of its original context. ‘Abduh<sup>117</sup> also maintains that the insistence of the classicists on considering military jihād as the basic norm of external relations between Muslims and non-Muslims prevented them from saying that permission to fight is conditional on

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<sup>115</sup> International Union for Muslim Scholars, *Al-Mithāq al-Islāmī* (n.p.: International Union for Muslim Scholars, n.d.), p. 55. For the bilingual online website of the IUMS: <http://www.iumsonline.net/english/index.shtml>; accessed 23 July 2009. See also, Al-Ḥifnī, *Maws-‘at al-Qur’ān*, Vol. 2, p. 1876.

<sup>116</sup> Riḍā, *Tafsīr al-Qur’ān al-Ḥakīm*, Vol. 2, p. 209. See also, Kamali, “Issues in the Understanding of *Jihād*”, p. 621.

<sup>117</sup> For a well-structured presentation of ‘Abduh’s modernist views with special reference to this particular point, see Bordenkircher, “An Analysis of *Jihād*”, pp. 34-40.

prior attack from the side of the unbelievers. In a bid to demonstrate how the safety of believers with regard to their creed is vital, °Abduh argues, the classicists insist on making military jihād the basic principle *stricto sensu*. He adds that this verse was revealed to establish the same defensive purpose of military jihād previously established by Qur’ān 22: 39-40.<sup>118</sup> It is clear that °Abduh and Riḍā are strong adherents of the defensive jihād theory. Thus, their view contrasts sharply with that of the classicists above.

As far as ‘The Verse of the Sword’ is concerned, Riḍā maintains that there are different opinions as to whether it is Qur’ān 9: 5 or 9: 36 or both.<sup>119</sup> He argues that the insistence of the classicists on maintaining that the verses pertaining to patience, coexistence and tolerance were abrogated by *āyat al-sayf* carries no weight as far as abrogation is concerned. Riḍā’s view is apparently in favour of discounting any link between the above two verses as far as abrogation is concerned. To further establish this, he tries to back his opinion by citing al-Al-sī’s view, which follows a similar pattern.<sup>120</sup> However, an examination of al-Al-sī’s interpretation of the verse<sup>121</sup> may reveal that his attitude is not as uniform as that of °Abduh and Riḍā, although he too is more inclined to the defensive theory.

Moreover, al-Sha°rāwī states that ‘*fitnah*’ in Qur’ān 2: 193, and 134 refers to the trials and tribulations that befell Muslims at the hands of the unbelievers in the early days of Islam. These arbitrary actions, according to him, are worse than killing, and so it is justified for Muslims to resort to fighting in self-defence.<sup>122</sup> Like Riḍā, al-Sha°rāwī is

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<sup>118</sup> Ibid., p. 210.

<sup>119</sup> Ibid., p. 199.

<sup>120</sup> Ibid., p. 200.

<sup>121</sup> Al-Alūsī, *Rūḥ al-Ma°ānī*, Vol. 10, pp. 49-51.

<sup>122</sup> Al-Sha°rāwī, *Tafsīr*, Vol. 2, pp. 824-828.

a staunch advocate of defensive combat, but he broadens its scope to encompass lifting the yoke of oppression from the subjects of some tyrant non-Muslim rulers—at the time when Islam was in its nascent stage, who oppress the masses and block their way to the religion of Islam.<sup>123</sup> For al-Sha<sup>c</sup>rāwī, this latter objective of military jihād is still defensive, even though launched without prior aggression. He takes the views that defence entails fighting to remove the obstacles that may hinder Islam from reaching oppressed masses. However, the wide and easy accessibility of modern means of communication as a result of the information revolution no longer necessitate applying this method of propagating Islam to non-Muslims. The use of this tool may have been a necessary justification for Muslims in certain historical periods, such that this method of calling others to Islam was viewed as the main, if not the only, effective tool at that time. However, the non-Muslim masses living within the modern nation-state system find it easy to choose between Islam and other religions, thanks to the more than adequate available means of propagating the message of Islam to others. Interestingly too, the Qur’ān has established freedom of religion in many of its verses, such as Qur’ān 2: 256, 272; 3: 20; 16: 82; 25: 43; 88: 21-22.

Moreover, there is almost no discussion in al-Sha<sup>c</sup>rāwī’s interpretation of *āyat al-sayf* of whether or not it abrogates other verses.<sup>124</sup> Although a reference to his explanation of Qur’ān 2: 106 shows that he gives due regard to the discussion of the ‘abrogation’, his handling of the theory within the context of military jihād is clearly very limited.

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<sup>123</sup> Ibid., Vol. 2, pp. 825 f.; See also his, *Al-Jihād fī al-Islām*, rev. & ed. Markaz al-Turāth Likhidmat al-Kitāb wa al-Sunnah (Cairo: Maktabat al-Turāth al-Islāmī, 1998/1419), pp. 157 f., 180-198.

<sup>124</sup> Al-Sha<sup>c</sup>rāwī, *Tafsīr*, Vol. 8, pp. 4874-4885, 5092 f.

Darwazah is also a modern exegete whose view stands in total opposition to classical interpretative theory. In his commentary on Qur'ān 9: 5, he states that the classical interpretative view of this verse contradicts the *aḥkām muḥkamah* (definitive [Qur'ānic] rulings) which not only ordain refraining from fighting non-hostile entities, but also entail dealing with them kindly and justly. To Darwazah, the definitive Qur'ānic rulings further include [but are not limited to]: prohibiting compulsion in religion,<sup>125</sup> calling others to Islam with wisdom and fair exhortation and argument only in the best way,<sup>126</sup> and applying a just and fair foreign policy towards non-Muslims who do not fight against Muslims or drive them from their homes.<sup>127</sup> Darwazah also considers that taking *āyat al-sayf* as abrogating all these definitive Qur'ānic rulings is simply a contradictory interpretation. Furthermore, he states that the verses following *āyat al-sayf*<sup>128</sup> clearly order Muslims to honour their agreements with non-Muslims as long as the latter remain committed to their peaceful agreements. All these arguments, according to Darwazah, strengthen this view.<sup>129</sup>

Darwazah is the last of the modern exegetes we shall consider here who maintain that *al-silm* (peace) is the underlying principle upon which foreign relations between Muslims and non-Muslims are established. However, another important trend among modern exegetes needs to be highlighted, which is the view of al-Mawd-dī and Qutb, and the extent to which they are in harmony with or contradictory to both classical interpretative theory and modern exegeses needs to be explored.

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<sup>125</sup> Qur'ān 2: 256.

<sup>126</sup> Qur'ān 16: 125.

<sup>127</sup> Qur'ān 60: 8-9.

<sup>128</sup> i.e Qur'ān 9: 6-7.

<sup>129</sup> Muḥammad °Azzah Darwazah, *Al-Tafsīr al-Ḥadīth: Tartīb al-Suwar Ḥasab al-Nuzūl* (Beirut: Dār al-Gharb al-Islāmī, 2<sup>nd</sup>. ed., 2000), Vol. 9, p. 352. See also his, *Al-Jihād fī Sabīl Allāh*, pp. 67- 77; °Abd al-°Azīz Zahrān, *Al-Silm wa al-Ḥarb fī al-Islām*, Kutub Islāmiyyah, Issue No. 164 (Cairo: Supreme Council for Islamic Affairs, 1974/1394), p.29.

Al-Mawd-dī is a leading modern exegete who sees military jihād as “...a perpetual revolutionary struggle” whose aim is to bring the whole world into conformity with the ideals of Islam.<sup>130</sup> He states that for the *fitnah* referred to in Qur’ān 2: 191, 193; 4: 91; 8: 73; and 9: 48 to be eliminated, there is no option but to use the sword.<sup>131</sup> He also takes the view that eliminating all governments that are contradictory to this ideology is the assured way of uprooting and putting an end to evil powers.<sup>132</sup>

Moreover, Al-Mawd-dī states that what is famously known as ‘offensive’ and ‘defensive’ fighting have nothing to do with jihād in Islam. For him, these two terms can only be used to describe national wars. Viewing military jihād as a permanent ideology for all Muslims, al-Mawd-dī argues, that jihād is both ‘offensive’ and ‘defensive’ at one and the same time. It is, on the one hand, ‘offensive’ because it aims to dislodge all systems whose aims contravene the ideals of Islam, even though military power is used to achieve this aim. It is, on the other hand, ‘defensive’ because part of securing the eternity of the religion of Islam is to defend it against its enemies in order to enable Muslim rule to remain uninterrupted by external threats.<sup>133</sup> However, he adds that this should not necessarily lead us to think that military jihād in Islam is confined to a specific ‘abode’ that is limited to a certain geographical location. This view, according to him, does not entail converting unbelievers to Islam, but to dethroning those who believe in principles and lead ideological systems that run counter to those of Islam. The

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<sup>130</sup> Bin Jani, “Sayyid Qutb’s View of Jihād”, p. 269. See also, Keith M. Trivasse, “Modern Perspectives on Jihad: Authoritative or Authoritarian?” (MA diss., University of Lancaster, 2004), pp. 7-10.

<sup>131</sup> Sayyid Abul A<sup>l</sup>ā al-Mawdūdī, *Towards Understanding the Qur’ān*, trans. & ed. Zafar Ishaq Ansari (Leicester: The Islamic Foundation, 1988), Vol. 1, p. 152; idem, *Sharī<sup>‘</sup>at al-Islām fī al-Jihād wa al-<sup>‘</sup>Alāqāt al-Dawliyyah*, trans. Samīr <sup>‘</sup>Abd al-Ḥamīd Ibrāhīm, rev. <sup>‘</sup>Abd al-Ḥalīm <sup>‘</sup>Uways and Ibrāhīm Y- nus (Cairo: Dār al-Ṣaḥwah li al-Nashr, 1985/1406), p. 77

<sup>132</sup> Al-Mawdūdī, *Sharī<sup>‘</sup>at al-Islām*, p. 85.

<sup>133</sup> Abul A<sup>l</sup>ā al-Mawdūdī, *Al-Jihād fī Sabīl Allāh* (Beirut: Dār al-Fikr, n.d.), pp. 38 f. See also, Jamilah Kolocotronis, *Islamic Jihad: An Historical Perspective* (Indianapolis, Ind.: American Trust Publications, 1990), p. 118.

exercise of military jihād in this case is a necessary procedure to establish Islam and hence eliminate *fitnah*.<sup>134</sup>

This revolutionary concept of jihād as expressed by al-Mawd-dī sees no point in dividing military jihād into defensive or offensive. For him, the classical dichotomous classification of the world<sup>135</sup> into what is famously known as *dār al-Islām*<sup>136</sup> (territory of Islam) and *dār al-ḥarb*<sup>137</sup> (territory of war), does not make sense either.

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<sup>134</sup> Al-Mawdūdī, *Al-Jihād*, pp. 38 f. See also, Abul A'īā al-Mawdūdī, Ḥasan al-Bannā, and Sayyid Quṭb, *Thalāth Rasā'il fī al-Jihād* (Amman: Dār 'Ammār li al-Nashr, 1992), pp. 52-54.

<sup>135</sup> According to al-Zuḥaylī, this dichotomous classification is postulated by the majority of classical Muslim jurists. Only the Shāfi'īs introduce a third classification; *dār al-Ṣulḥ* or *dār al-ahd* (territory of treaty), where non-Muslims offer to sign a peaceful agreement with Muslims in return for paying land tax. See, Al-Zuḥaylī, *Āthār al-Ḥarb*, p. 168, 175. For al-Shāfi'ī's definition of *dār al-ṣulḥ*, see Muḥammad ibn Idrīs al-Shāfi'ī, *Al-Umm*, ed. Maḥm-d Maṭrajī (Beirut: Dār al-Kutub al-Ilmiyyah, 1993/1413), Vol. 4, p. 258. See also Peters, *Islam and Colonialism*, p. 11; Najīb Al-Armanāzī, *Al-Shar' al-Dawlī fī al-Islām*, (Damascus: 1930; London: Riad El-Rayyes Books Ltd, 2<sup>nd</sup> ed., 1990), p. 83; Al-Dawoody, "War in Islamic Law", p. 170; Labeed Ahmed Bsoul, "International Treaties (Mu'ahadat) in Islam: Theory and Practice in the Light of Siyar (Islamic International Law)" (PhD Thesis, Institute of Islamic Studies, McGill University, Montreal, August 2003), pp.37-63.

<sup>136</sup> Because it is beyond the scope and capacity of this Chapter to cite and then evaluate all the classical and modern definitions of *dār al-Islām* and *dār al-ḥarb*, it is helpful to mention Haykal's definition of *dār al-Islām*: "The country where the dominant ruling system is the Muslim rule. At the same time, the internal and external security systems are in the hands of Muslims even if non-Muslims help them to establish this security as long as their help is restricted to the minimal level." Haykal, *Al-Jihād*, Vol. 1, p. 669.

<sup>137</sup> According to Haykal, *dār al-ḥarb* or *dār al-kufr* is: "The country that is not governed by the Muslim rule even though its (internal and external) security is in their hands. Or it is governed by Muslim rule but its security is not in their hands. Or neither its rule nor its security is in the hands of Islam and Muslims." Ibid., Vol. 1, p. 677. The reason for citing Haykal's definitions here is that he carried out an outstanding survey of most classical and modern definitions of *dār al-Islām* and *dār al-ḥarb*, evaluated them, and came up with his own definition. Ibid., Vol. 1, pp. 660-677. See also, Manoucher Parvin and Maurie Sommer, "Dar al-Islam: The Evolution of Muslim Territoriality and Its Implications for Conflict Resolution in the Middle East", *International Journal of Middle East Studies*, Vol. 11, No. 1, February 1980, p. 3; Al-Dawoody, "War in Islamic Law", p. 169; Khaled Abou El Fadl, "Islamic Law and Muslim Minorities: The Juristic Discourse on Muslim Minorities from the Second/Eighth to the Eleventh/Seventh Centuries", *Islamic Law and Society*, Vol. 1, No. 2, 1994, p. 162, n. 57; Majid Khadduri, "Islam and the Modern Law of Nations", *American Journal of International Law*, Vol. 50, No. 2, April 1956, p. 359; Anke Iman Bouzentia, "The Siyar-An Islamic Law of Nations?", *Asian Journal of Social Sciences*, Vol. 35, 2007, p. 20.

It is worth adding here that this bipolar classification is un-Qur’ānic.<sup>138</sup> The only ‘ḥadīth’<sup>139</sup> narration cited in reference to it is hard to find in the collections of authentic aḥādīth, which throws doubt on the authenticity of the classification, at least in the understanding of the first two main sources of Islamic legislation.<sup>140</sup> It seems that this dichotomous classification is a product of a juristic *ijtihād*<sup>141</sup> (exertion of intellectual reasoning in understanding laws) mainly based on the attitude of the Muslim state towards its enemies and friends during the second Islamic century.<sup>142</sup> More interestingly, the geographical location of the Muslim state compared with other non-Muslim states at that time was certainly a determining factor in forming this dichotomous vision, as well as the binary division of jihād into two modalities, defensive and offensive.

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<sup>138</sup> According to Abou El Fadl, the only *dār* (territory, abode) the Qur’ān speaks of is “...the abode of the Hereafter and the abode of the earthly life, with the former described as clearly superior to the latter.” Abou El Fadl, *The Great Theft*, p. 227. See also Qur’ān 29: 64; Johnson, *The Holy War Idea*, pp. 51, 68; Afsaruddin, “Views of Jihad”, p. 167; T.R. Copinger-Symes, “Is Osama bin Laden’s ‘Fatwa Urging Jihad against Americans’ dated 23 February 1998 Justified by Islamic Law?”, in Mashood A. Baderin, ed., *International Law and Islamic Law* (Aldershot: Ashgate, 2008), p. 222; Al-Dawoody, “War in Islamic Law”, pp. 175 f., 142; A. Abel, “Dār al-Ḥarb”, *Encyclopaedia of Islam*, new ed., Vol. 2, p. 126. Majid Khadduri, “The Islamic System: Its Competition and Co-existence with Western Systems”, *American Society of International Law Proceedings*, Vol. 53, 1959, p. 49; Tawfiq Wahbah, *Al-Ḥarb fī al-Islām wa fī al-Mujtama‘ al-Dawlī al-Mu‘āṣir*, Kutub Islāmiyyah, Issue 145 (Cairo: Supreme Council for Islamic Affairs, 1973/1393), p. 45; Küng, “Religion, Violence”, p. 261.

<sup>139</sup> According to Haykal, this ḥadīth is: “The house of Islam constitutes the source of inviolability for its residents, and the house of polytheism constitutes the source of violability for its residents.” Haykal states this ‘ḥadīth’ is only cited by al-Mawardī, and is not found in the authentic collections of aḥādīth. Haykal, *Al-Jihād*, vol. 1, p. 660.

<sup>140</sup> i.e. the Qur’ān and the Sunnah. Al-Zuḥaylī stresses this view, arguing that there is no trace of this classical division in either the Qur’ān or the Sunnah. See, Al-Zuḥaylī, *Āthār al-Ḥarb*, p. 193. According to Khadduri, “The classical theory of the Islamic law of nations is found neither in the Qur’ān nor in the Prophet’s utterances, although its basic assumptions were derived from these authoritative sources; it was rather the product of Islamic juridical speculation at the height of Islamic power.” Majid Khadduri, trans., *The Islamic Law of Nations: Shaybānī’s Siyar* (Baltimore, MD.: Johns Hopkins Press, 1966), p. 19.

<sup>141</sup> See Wael B. Hallaq, “Was the Gate of Ijtihād Closed?”, *International Journal of Middle Eastern Studies*, Vol. 16, No. 1, March, 1984, pp. 3 f.

<sup>142</sup> Khadduri, *The Islamic Law of Nations*, p. 194. See also, Sa‘īd ‘Abdullāh Ḥārib al-Muhayrī, *Al-‘Alāqāt al-Khārijīyyah li al-Dawlah al-Islāmiyyah: Dirāsah Muqāranah* (Beirut: Mu’assasat al-Risālah, 1995/1416), p. 43; Abou El Fadl, *The Great Theft*, pp. 223-228.

Having briefly presented the ‘two abodes’ and noted that forming legal rules with reference to them does not actually make sense in al-Mawd-dī’s view, we must note, however, that another book by him indicates otherwise. Al-Mawd-dī states the following:

“Islamic law divides all non-Muslim nations into two categories: First, a group who have concluded *mu<sup>c</sup>āhadah* (pact) with Muslims<sup>143</sup>. Second, a group who have not concluded a pact with Muslims. If the first group comply with the terms and conditions of the pact, then they are not to be fought against and this is what is known as the concept of ‘neutrality’. However, those who have not concluded a pact with Muslims are considered in a state of war with them.”<sup>144</sup>

The above statements by al-Mawd-dī shows that he is seemingly supportive of the classical dichotomous division of the world into two ‘abodes’ referred to above, even though he does not say so in clear unequivocal terms. Al-Mawd-dī, it can be observed, puts much emphasis on both the doctrinal and the political aspects of Islam and his view is therefore a synthesis of classical and modern interpretations.<sup>145</sup> Although al-Mawd-dī’s view does not rely heavily on considering military jihād as defensive or offensive, his approach to this particular point remains sympathetic to the offensive approach, which helps us identify al-Mawd-dī’s view as within the classical interpretive theory, even though he lived in modern times. His ‘fundamentalist’ rather than ‘modernist’ view of military jihād is more akin to the classical theory, even though it is cloaked in a contemporary robe. Of all modern exegetes, the final one whose view merits greater consideration is certainly Qutb.

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<sup>143</sup> According to al-Mawdūdī, these people are known as *al-Mu<sup>c</sup>āhad-n*. They are the ones who accepted the conditions set by Muslims, and submit themselves to obey them before or during fighting. See, Al-Mawdūdī, *Sharī<sup>c</sup>at al-Islām*, p. 213.

<sup>144</sup> Ibid., p. 189.

<sup>145</sup> Bin Jani, “Sayyid Qutb’s View of Jihād”, p. 268.

### 3.3 Quṭb’s View of War and Peace Verses in the Qur’ān

Quṭb’s view of jihād used to have, and is likely to continue to have a great impact on modern extremists. Moreover, Quṭb is apparently the only exegete who not only presents his view, as other interpreters do, but also seeks to refute the views of those who reject his interpretation. Although the views of Quṭb will prove to be similar to those of al-Mawd-dī highlighted above, Quṭb’s views remain distinct because of his “...aggressive overture of jihād”<sup>146</sup> as reflected in his interpretation of the Qur’ānic verses concerning war and peace. Therefore, it is necessary to present his views<sup>147</sup> as well as assessing his critique of other modern exegetes.

#### 3.3.1 Quṭb’s View Influenced by Ibn al-Qayyim and Al-Mawd-dī

Generally speaking, it is said that Quṭb’s revolutionary view of jihād was influenced by two notable scholars; Ibn al-Qayyim (d. 751/1350), and al-Mawd-dī.<sup>148</sup> Like al-

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<sup>146</sup> Ibid., 294.

<sup>147</sup> To limit the discussion, a special focus will be given to highlighting Quṭb’s views concerning Muslim/non-Muslim relations, because his other jihād-related views go beyond the scope of this limited Chapter. Overall, Quṭb is treated as one among other exegetes in this thesis.

<sup>148</sup> It seems that Quṭb is not the only one who is influenced by the views of these two scholars. ‘Umar ‘Abd al-Raḥmān, an al-Azhar graduate whose views on jihād are very controversial and who—according to Gilles Kepel—is serving a life sentence in a US prison for his role in the first attack on the World Trade Center in New York in 1993, has also been inspired by both Ibn al-Qayyim and al-Mawd-dī. ‘Abd al-Raḥmān’s bulky PhD thesis (written in 1,099 pages), with which he graduated in 1972, contains lengthy quotations from both Ibn al-Qayyim’s *Zād al-Ma‘ād* and the works of al-Mawd-dī. See, ‘Umar ‘Abd al-Raḥmān, “Maḥqif al-Qur’ān min Khuṣ-mih Kamā Tuṣawwiruhu S-rat al-Tawbah” (PhD thesis, Department of Qur’ān Interpretation, Faculty of Uṣūl al-Dīn, al-Azhar University, Cairo, 1972), pp. 838-840, 854-869. See also, Gilles Kepel, *The Roots of Radical Islam*, trans. Jon Rothschild (London: Saqi, 2005), p. 11; Malika Zeghal, “Religion and Politics in Egypt: The Ulema of al-Azhar, Radical Islam, and the State”, *International Journal of Middle East Studies*, Vol. 31, No. 3, August 1999, pp. 391-396; Fawaz A. Gerges, *The Far Enemy: Why Jihad Went Global* (Cambridge: Cambridge University Press, 2005), p. 4. In turn, “Extremists and terrorists read Sayyid Qutb, Ab[d]ul Rahman and al Mawdudi... and [based on their views they] justify terrorist actions based on these aggressive interpretations of jihad.” Anisseh Van Engeland, “The Differences and Similarities between International Humanitarian Law and Islamic Humanitarian Law: Is there Ground for Reconciliation?”, *Journal of Islamic Law and Culture*, Vol. 10, No. 1, April 2008, p. 92.

Mawd-dī, Quṭb's view of military jihād is also a synthesis of classical and modern exegeses.<sup>149</sup> Having considered al-Mawd-dī's view of military jihād above, it is easy to discern how Quṭb was influenced by him. Schleifer argues that Quṭb restated the traditional views of al-Mawd-dī using almost the same concepts, such as "Islamic movement", "ideology" and "revolution".<sup>150</sup> Moreover, Musallam adds that the translated works of al-Mawd-dī as well as their wide circulation in Arabic in Egypt at that time, had their impact on Quṭb's understanding of jihād.<sup>151</sup> It would also be interesting to know how far he was influenced by Ibn al-Qayyim too.

A reference to Ibn al-Qayyim's famous book *Zād al-Ma'ād fī Hady Khayr al-'Ibād* shows that its author composed an overall analysis of the Prophet's struggle with the unbelievers and the hypocrites from the day he received the revelation until his death.<sup>152</sup> Quṭb was greatly influenced by Ibn al-Qayyim's synopsis of the various stages and methods employed by the Prophet in approaching the non-Muslims and the hypocrites during his lifetime.<sup>153</sup> After quoting from Ibn al-Qayyim's book at length, Quṭb deduced what he termed "the dynamic nature" of Islam as both a revolutionary movement and a system of life.<sup>154</sup> Following in the footsteps of Ibn al-Qayyim's

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<sup>149</sup> Bin Jani, "Sayyid Qutb's View of Jihād", pp. 261 f.; Bonney, *Jihād*, p. 218.

<sup>150</sup> S. Abdullah Schleifer, "Jihad: Sacred Struggle in Islam (5)", *Islamic Quarterly*, Vol. 27, No. 3, Third Quarter 1984, p. 143. See also, Amritha Venkatraman, "Religious Basis for Islamic Terrorism: the Quran and Its Interpretation", *Studies in Conflict and Terrorism*, Vol. 30, 2007, p. 241. See also, Aaron Tyler, *Islam, the West, and Tolerance: Conceiving Coexistence* (New York; Basingstoke: Palgrave Macmillan, 2008), p. 101.

<sup>151</sup> Adnan A. Musallam, *From Secularism to Jihad: Sayyid Qutb and the Foundations of Radical Islamism* (Westport, Conn.: Praeger, 2005), pp. 151 f.

<sup>152</sup> Muḥammad ibn Abī Bakr Ibn Qayyim al-Jawziyyah, *Zād al-Ma'ād fī Hady Khayr al-'Ibād*, rev. & eds. Shu'ayb al-Arna'ūt and 'Abd al-Qādir al-Arna'ūt (Beirut: Mu'assasat al-Risālah, 15<sup>th</sup> ed., 1987/1407), Vol. 3, pp. 158-161.

<sup>153</sup> For a detailed description of these stages and methods as outlined by Ibn al-Qayyim, see *Ibid.* See also, Musallam, *From Secularism to Jihad*, pp. 181 f.

<sup>154</sup> Quṭb, *Fī Zilāl*, Vol. 3, pp. 1578-1583; *idem*, *In the Shade*, Vol. 8, pp.20-25; *idem*, *Ma'ālim fī al-Ṭarīq* (Beirut: The Holy Koran Publishing House, n.d.), p. 55-57; *idem*, *Milestones* (New Delhi: Islamic Book Service, n.d.), pp. 53-57. See also, Bin Jani, "Sayyid Qutb's View of Jihād", p. 262.

sequence of analysis regarding the different stages of the legislation on jihād—which corresponds in its salient features to what is outlined above with the exception of the third stage—Quṭb almost literally followed Ibn al-Qayyim’s analysis. Of this analysis, Quṭb lays great emphasis on the final stage of jihād which, according to him, is marked by the revelation of *s- ra* (chapter) nine of the Qur’ān.<sup>155</sup>

Before the revelation of this *s- ra*, Ibn al-Qayyim argues, non-Muslims were divided into three categories: First, *Ahl Ṣulḥ wa Hudnah* who concluded a peaceful treaty with Muslims, displaying no enmity towards them. Second, *Ahl Ḥarb* who were hostile towards Muslims. Third, *Ahl Dhimmah* who were the protected minority of non-Muslim citizens, comprising Jews and Christians, who reside within *dār al-Islām* (Territory of Islam), show no signs of animosity towards Muslims, and pay the *jizyah* in return for protection by Muslims. After the revelation of *s- ra* nine of the Qur’ān, Ibn al-Qayyim argues, the above three categories were reduced to two: *Ahl Dhimmah* and *Ahl Ḥarb*. The Muslims were ordered to fight the latter category until they adopted Islam, were killed, or alternatively paid the *jizyah* to Muslims and could thus be dealt with as *Ahl Dhimmah*.<sup>156</sup>

An in-depth look into Quṭb’s quotation from Ibn al-Qayyim, and a study of Ibn al-Qayyim’s view of jihād may at first sight indicate that the latter wholly affected the former. This is seemingly the view Bin Jani did his best to establish,<sup>157</sup> but it seems that he might have only looked at Quṭb’s lengthy quotations from Ibn al-Qayyim’s *Zād al-*

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<sup>155</sup> Quṭb, *Fī Zilāl*, Vol. 3, p. 1580; idem, *In the Shade*, Vol. 8, pp.24 f.

<sup>156</sup> Ibn al-Qayyim, *Zād al-Ma’ād*, Vol. 3, pp. 159 f.; idem, *Kitāb al-Jihād fī Sabīlillāh* (Cairo: Markaz al-Kitāb li al-Nashr, 1991), pp. 56-58. See also, Quṭb, *Fī Zilāl*, Vol. 3, pp. 1582 f.; idem, *In the Shade*, Vol. 8, pp.21 f.; Bin Jani, “Sayyid Qutb’s View of Jihād”, p. 264.

<sup>157</sup> Bin Jani, “Sayyid Qutb’s View of Jihād”, p. 261. Scholars such as Schleifer are also influenced by this view. See, Schleifer, “Jihad: Sacred Struggle”, p. 143.

*Ma'ād* to reach this conclusion. Quṭb's overemphasis on Ibn al-Qayyim thesis of jihād may easily lead us to take this opinion at face value.

However, a deeper scrutiny proves that both authors, along with al-Mawd-dī, have been influenced by Ibn Taymiyah (661-728/1263-1328).<sup>158</sup> This is supported by the following two quotations, which help us better to understand Ibn Taymiyah's view of jihād:

“Anyone whom *da'wah* (Islamic mission) of the Messenger, peace be upon him, has reached but he refused to accept is an enemy of Allah and His Messenger. Therefore, he [she] must be killed. Allah says, “[Believers], fight them until there is no more persecution [*fitnah*], and all worship is devoted to God alone...” (Qur'ān 8: 39)<sup>159</sup>

Ibn Taymiyah further adds:

“The aim behind fighting is for the Religion [of Islam] to become dominant and for the Word of God to reign supreme. Whoever refuses to adopt Islam is to be fought against according to the consensus of Muslims”<sup>160</sup>

Thus, claiming that Ibn al-Qayyim and al-Mawd-dī were the inspirational figures behind Quṭb's hard-line view of jihād is not a substantiated claim because the above two quotations clearly indicate that both Ibn al-Qayyim and al-Mawd-dī themselves were inspired by Ibn Taymiyah. This may be considered sufficient reason to

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<sup>158</sup> According to Perry and Negrin, “Contemporary jihadist ideologues refer to ibn Taymiyyah to legitimate their goals of overthrowing political leaders who do not govern in accordance with Islamic law; of waging war against foreign unbelievers who threaten the Muslim community.” See, Marvin Perry and Howard E. Negrin, “A Medieval Theorist of Jihad”, in eidem, eds., *The Theory and Practice of Islamic Terrorism: An Anthology* (New York: Palgrave Macmillan, 2008), p. 22.

<sup>159</sup> Aḥmad ibn ʿAbd al-Ḥalīm Ibn Taymiyah, *Fiqh al-Jihād li-Shaykh al-Islām al-Imām Ibn Taymiyah*, ed. Zuhayr Shafīq al-Kabbī (Beirut: Dār al-Fikr al-ʿArabī li al-Ṭibāʿah wa al-Nashr, 1992/1412), p. 71. For the translation of the verse in this quotation, see Haleem, *Qur'an*, p. 112. See also, Aḥmad ibn ʿAbd al-Ḥalīm Ibn Taymiyah, *Al-Siyāsah al-Sharʿiyyah fī Iṣlāḥ al-Rāʿī wa al-Raʿiyyah*, ed. Ab- ʿAbdullāh ʿAlī bin Muḥammad al-Maghrabī (Kuwait: Dār al-Arqaṃ, 1986/1406), pp. 165-167.

<sup>160</sup> Ibn Taymiyah, *Fiqh al-Jihād*, p. 74. For a brief account of jihād in Ibn Taymiyah's thought, see Mohammad Farid bin Mohammad Sharif, “Jihād in Ibn Taymiyyah's Thought”, *Islamic Quarterly*, Vol. 49, No. 3, 2005, p. 183-204.

argue that Ibn Taymiyah was the original ideologue<sup>161</sup> of this hard-line view. Graham E. Fuller is one of the few Western authors who also refer to this fact.<sup>162</sup>

### 3.3.2 Quṭb's View Presented

Heavily depending on *s-ra* nine of the Qur'ān in formulating his argument about the final stage of jihād, Quṭb argues that the Qur'ānic verses related to peace and war can be divided into two stages: *al-nuṣ-ṣ al-marḥaliyyah* (transitional texts) and *al-nuṣ-ṣ al-nihā'iyyah* (final texts). For him, the transitional texts include, for example, Qur'ān 3: 64; 8: 61; and 60: 8. These verses instruct Muslims to remain patient, even while under oppression. They are also asked to maintain peaceful co-existence and tolerance in their relations with non-Muslims. These verses and others similar to them in meaning, Quṭb argues, are limited to specific circumstances that have appeared and may appear in certain eras in the life of the Muslim *ummah*. However, he insists that while these 'transitional texts' are applicable in certain periods of time, they do not constitute the definitive rulings upon which relations between Muslims and non-Muslims are established. The Muslim *ummah* is required to remove all obstacles to pave the way for the final texts to dominate the scene. By these final texts are meant Qur'ān 9: 1-5, and 29, as the verses that finally determine the shape of the relationship between Muslims and polytheists on the one hand, and Muslims and the People of the Book, on the other.

In an attempt to support his argument, Quṭb argues that, since Muslims cannot put the final texts into effect in their contemporary lives, even on a temporary basis, they should gradually apply the transitional texts until they reach the stage at which they

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<sup>161</sup> Schleifer supports the view that al-Mawd-dī was influenced by Ibn Taymiyah. See, S. Abdullah Schleifer, "Jihad: Sacred Struggle in Islam (4)", *The Islamic Quarterly*, Vol. 28, No. 2, Second Quarter, 1983, p. 93.

<sup>162</sup> Graham E. Fuller, *The Future of Political Islam* (New York: Palgrave Macmillan, 2003), p. 52.

can eventually apply the final texts. He further argues that Muslims should not twist the contexts of the final texts to make them applicable to the transitional texts.<sup>163</sup> He also adds:

“Only in the light of this explanation can we understand those verses of the Holy Qur’an which are concerned with the various stages of this movement. In reading these verses, we should always keep in mind that one of their meanings is related to the particular stages of the development of Islam, while there is another general meaning which is related to the unchangeable and eternal message of Islam. We should not confuse these two aspects.”<sup>164</sup>

The above quotation actually summarizes Quṭb’s view of military jihād in the Qur’ān. His view, although it remains tied to the legacy of the classical exegetical jihād theory, is distinct in maintaining that the transitional texts are not subject to the theory of abrogation, and cannot therefore be deemed effective after the revelation of the final texts, especially in *s-ra* nine of the Qur’ān.<sup>165</sup> Bin Jani tries to argue that Quṭb was not influenced by the classical interpretative theory that stands squarely behind the *naskh* thesis.<sup>166</sup> However, Quṭb’s insistence on jihād being a permanent obligation imposed upon Muslims makes this view strongly linked to the classical theory, even though his focus remains on the transitional texts as opposed to the final texts, paying less attention—unlike the classical exegetes—to the theory of *naskh*.

A deeper look into Quṭb’s binary division of the Qur’ānic verses into transitional and final texts, and his view that the transitional texts are *muqayyadah bi-ḥālāt khāṣṣah* (related to specific circumstances), whereas the final texts are *muṭlaqat al-dalālah* (absolute and unconditional guidance),<sup>167</sup> confirms his adherence to the classical dichotomous classification. It can be further deduced that, although Quṭb did not argue

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<sup>163</sup> Quṭb, *Fī Zilāl*, Vol. 3, pp. 1580-1582; idem, *In the Shade*, Vol. 8, pp. 24 f.

<sup>164</sup> Quṭb, *Milestones*, p. 76.

<sup>165</sup> Quṭb, *Fī Zilāl*, Vol. 3, pp. 1580 f.; idem, *In the Shade*, Vol. 8, p. 25.

<sup>166</sup> Bin Jani, “Sayyid Quṭb’s View of Jihād”, p. 305.

<sup>167</sup> Quṭb, *Fī Zilāl*, Vol. 3, pp. 1546 f.; idem, *In the Shade*, Vol. 7, pp. 190 f.

for *naskh* here, he nevertheless introduced the idea of transitional texts as a viable solution to help solve the seeming ‘contradiction’ between the war and peace verses in the Qur’ān. Bin Jani states that the introduction of the the idea of transitional texts by Quṭb constitutes a modification of the classical theory whereby the “non-aggressive verses” are the “transitional texts”, and the “Verses of the Sword” are the “final texts”.<sup>168</sup> However, a deep consideration of both attitudes reveals that Quṭb’s view is seemingly different. He rejects *naskh*, which is an effective common denominator in the classical theory, and comes up with a distinctive, revolutionary vision of jihād as a permanent struggle. Of course, this view is not radically different from the classical theory, but neither is it identical to it or a modification of it, as Bin Jani argues. While Quṭb does not rely on considering whether jihād is ‘defensive’ or ‘offensive’,<sup>169</sup> he is more inclined, like al-Mawd-dī, to the ‘offensive’ attitude. This view is supported by his categorical rejection of the ‘defensive’ theory and his insistence on naming its proponents *almahz-m-n* (defeatists), who succumb under the pressure of the miserable reality afflicting generations of Muslims whose share of Islam is nothing but its title.<sup>170</sup>

Having now presented Quṭb’s view regarding war and peace within the Qur’ānic discourse, it is still necessary to discuss his critique of other modern exegetes with special reference to the two main proponents of the ‘defensive’ theory; Rashīd Riḍā and Darwazah.

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<sup>168</sup> Bin Jani, “Sayyid Qutb’s View of Jihād”, p. 305. Non-aggressive verses in Bin Jani’s terminology refer to the verses pertaining to patience, co-existence and tolerance earlier discussed in this Chapter.

<sup>169</sup> Quṭb, *Milestones*, pp. 61 f.

<sup>170</sup> Quṭb, *Fī Zilāl*, Vol. 3 p. 1544; idem, *In the Shade*, Vol. 7, p. 186.

### 3.3.3 Quṭb Critiquing Modernist Theory and Its Proponents

To give credibility to his revolutionary views on jihād, Quṭb did his best to refute the views of the proponents of the modern interpretative theory. Riḍā and Darwazah have their share of Quṭb’s criticism.

Riḍā was criticized by Quṭb for his support of the ‘defensive’ jihād theory and for maintaining that the basic rule governing external relations of Muslims with non-Muslims is peace, and not, as in Quṭb’s view, military jihād. After quoting Riḍā’s view in *al-Ḍilāl*,<sup>171</sup> Quṭb refuses to accept that the final texts do not constitute the underlying principle, as Riḍā maintained, because Riḍā’s view in his evaluation is inconsistent with the revolutionary aims of jihād.<sup>172</sup>

Like Riḍā, Darwazah also receives his fair share of criticism from Quṭb because the latter saw Darwazah as attempting to interpret Qur’ān 9: 5, for example, as a transitional text in order to support the view that jihād is not the underlying principle of external relations between Muslims and non-Muslims. Quṭb argues that Darwazah—like many other modernist exegetes and authors who have found themselves with no choice but to yield to the dominating power of unbelievers, atheists and People of the Book—supports an apologetic interpretation the aim of which is to present Islam as a religion of peace, whose main concern is to secure peace within its boundaries and whose followers hasten to declare truces and sign peaceful treaties, whenever possible.

Moreover, Quṭb criticizes Darwazah for limiting the scope of the military confrontation referred to in the final texts when he interprets Qur’ān 9: 5. He says that Darwazah’s interpretation means that it is only when the polytheists dishonour their temporary or permanent agreements with Muslims, that the latter are permitted to fight

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<sup>171</sup> Quṭb, *Fī Ḍilāl*, Vol. 3, pp. 1588 f.; idem, *In the Shade*, Vol. 8, p. 41.

<sup>172</sup> Ibid.; See also, Bin Jani, “Sayyid Qutb’s View of Jihād”, p. 300.

against them, but when they remain faithful to their agreements, *s-ra* nine of the Qur’ān honours that. Also, if the term of the agreement is brought to an end, Muslims are permitted to conclude new peaceful agreements with them.<sup>173</sup>

In Quṭb’s understanding, the above interpretation of Darwazah has, as Bin Jani puts it, “...abandoned the orthodox classification of Qur’ānic texts” concerning relations between Muslims and non-Muslims. As a result, Darwazah has actually placed the final texts in the place of the transitional ones.<sup>174</sup>

In his analysis of Quṭb’s refutation of Darwazah, Bin Jani states that Quṭb’s criticism was “more severe” than his criticism of Riḍā. He further states that Quṭb accused Darwazah of “intellectual incompetence”, calling him an author of “apologetic” works, which represent the “...epitome of the intellectual inferiority of the modernists as a whole”.<sup>175</sup> However, a reference to *al-Zilāl*, which is the only work of Quṭb’s that Bin Jani consulted regarding this particular point, shows that, while Quṭb criticizes modernists in general, calling them ‘defeatists’ and ‘apologists’, he did not single out Darwazah for these ‘scornful’ remarks. On the contrary, Quṭb—although holding a completely different view from that of Riḍā and Darwazah—remains committed, in our view, to the ethics of scholarly criticism according to which it is ideas, not persons, that are rejected. It is worth noting that Quṭb, while refuting their views, addresses both men by their titles,<sup>176</sup> which indicates his deep respect for their characters, regardless of whether or not he agrees with their views, for it would be unbecoming of a highly intellectual man like Quṭb to criticize other exegetes harshly, no matter how different or contradictory their views were to his. Although Quṭb does implicitly criticize them

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<sup>173</sup> Quṭb, *Fī Zilāl*, Vol. 3, pp. 1589-1592; idem, *In the Shade*, Vol. 8, pp. 41-46. See also, Bin Jani, “Sayyid Qutb’s View of Jihād”, pp. 301-304.

<sup>174</sup> Bin Jani, “Sayyid Qutb’s View of Jihād”, p. 303.

<sup>175</sup> Ibid., p. 301.

<sup>176</sup> That is, ‘Sheikh’ for Riḍā and ‘Mr’ for Darwazah.

when he calls modernists ‘defeatist’, as stated above, he does not single out either of these two exegetes. Bin Jani may have mistakenly understood Quṭb’s criticism as referring to them simply because Quṭb apparently singles them out from all other modernists by referring to their names. However, Quṭb’s *al-Ẓilāl* proves otherwise.<sup>177</sup>

### 3.3.4 Quṭb’s View Evaluated

It is obvious that, in his interpretation of jihād, Quṭb appealed directly to the classical interpretative theory. Notably, however, he introduced the idea of transitional texts and the final texts. Significantly too, in contrast to the common view that he was considerably influenced by al-Mawd-dī,<sup>178</sup> he was actually influenced by the medieval narrative of jihād linked to Ibn Taymiyah. It is also noteworthy that, like the classical exegetes, Quṭb’s interpretation of jihād favours its offensive aspect. In his interpretation, Quṭb seemingly insists on disregarding modernist interpretations, which view peace—and not war—as the underlying principle of external relations between Muslims and non-Muslims.

Moreover, Quṭb’s narrative of jihād reveals that there is no territory beyond the two dichotomous classifications of the world advocated by the classical theory. This is a

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<sup>177</sup> For a comprehensive discussion of Quṭb’s refutation concerning Riḍā and Darwazah’s view of jihād, see Quṭb, *Fī Ẓilāl*, Vol. 3, pp. 1589-1592; idem, *In the Shade*, Vol. 8, pp. 41-46.

<sup>178</sup> François Burgat, *Islamism in the Shadow of al-Qaeda*, trans. Patrick Hutchinson (Austin: University of Texas Press, 2008), p. 104; Bonney, *Jihād*, p. 219; Jalil Roshandel and Sharon Chadha, *Jihad and International Security* (New York: Palgrave Macmillan, 2006), p. 63; Ronald L. Nettler, “Guidelines for the Islamic Community: Sayyid Quṭb’s Political Interpretation of the Qur’ān”, *Journal of Political Ideologies*, Vol. 1, No. 2, 1996, p. 189.

reason why his detractors regard his narrative as reductionist—because of its binary vision, which overrules other visions advocated by other exegetes.<sup>179</sup>

In addition, the historical and circumstantial contextualization which gave rise to Quṭb’s view of jihād cannot be underestimated. Quṭb wrote most of the *Zilāl* in prison, and was later executed. Therefore, he may be excused as a result of his ideas being understood as “fairly general statements” that lack direct elaboration, since his execution actually prevented him from expanding on them.<sup>180</sup>

Al-Qaraḍāwī, while criticizing Quṭb’s view of jihād as being selective,<sup>181</sup> sympathetically adds that if Quṭb had managed to lead a normal life outside the confines of prison, and had he managed to mix with other scholars of his time in such a way that mutual interaction and constructive criticism were applied, he might have relinquished his radical views. This is because Quṭb, according to al-Qaraḍāwī, was famously known as a staunch advocate of truth, who would never accept to compromise his religion.<sup>182</sup>

Here, the views of Kepel and al-Qaraḍāwī on Quṭb may be deemed well-balanced because they do not overlook the harsh circumstances<sup>183</sup> under which the man lived in the shade of a despotic regime prior to his execution. Having now presented and

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<sup>179</sup> Bin Jani, “Sayyid Qutb’s View of Jihād”, p. 346.

<sup>180</sup> Gilles Kepel, *Beyond Terror and Martyrdom: The Future of the Middle East*, trans. Pascale Ghazaleh (Cambridge, Mass: The Belknap Press of Harvard University Press, 2008), p. 161.

<sup>181</sup> Yūsuf al-Qaraḍāwī, “Muzakkirāt al-Qaraḍāwī: Waqfah ma‘a Sayyid Quṭb”, [article online]; available from <http://www.almotamar.net/news/10244.htm>; accessed 28 July 2009. See also, Musallam, *From Secularism to Jihad*, pp. 178 f., 230, nn. 33, 34.

<sup>182</sup> Yūsuf al-Qaraḍāwī, “Al-Qaraḍāwī: Kalimah Akhīrah ḥawla Sayyid Quṭb”, [article online]; available from [http://www.islamonline.net/servlet/Satellite?c=ArticleA\\_C&pagename=Zone-Arabic-Shariah%2FSRALayout&cid=1173694966860](http://www.islamonline.net/servlet/Satellite?c=ArticleA_C&pagename=Zone-Arabic-Shariah%2FSRALayout&cid=1173694966860); accessed 3 June 2009. See also, Ana Belén Soage, “Ḥasan al-Bannā and Sayyid Quṭb: Continuity or Rupture?”, *The Muslim World*, Vol. 99, No. 2, April 2009, p. 295.

<sup>183</sup> For details of the dramatic historical events Egypt witnessed at that time, see, for example, Jeffrey T. Kenney, *Muslim Rebels: Kharijites and the Politics of Extremism in Egypt* (Oxford: Oxford University Press, 2006), pp. 117-145; Emmanuel Sivan, *Radical Islam: Medieval Theology and Modern Politics* (New Haven, Conn. and London: Yale University Press, enl. ed., 1990), pp. 107-129; Ashour, *The De-Radicalization of Jihadists*, pp. 40-44.

evaluated the view of Quṭb concerning jihād, it is worth mentioning that many of the writings that preceded Quṭb or came after him vary in their attitudes not only concerning his views, but also regarding those of the classical interpretative theory as well.

In this regard, two diametrically opposite attitudes can be observed upon reading Islamic literature focusing on this point. Almost the same pieces of evidence are employed by the advocates of each narrative who, frequently, use almost the same tool earlier used by both the classical and modern exegetes to support their view.

Concerning these attitudes, modern Western scholarship remains in utter confusion<sup>184</sup> between what can be termed the Lewis-like image of jihād and that of Esposito.<sup>185</sup> To pave the way for a better understanding of this problematic issue, a brief analysis of both viewpoints is to be presented briefly in a bid to identify which approach is to be adopted in this thesis. Because it is difficult to refer to all or most of the proponents and opponents, special focus will be given to the most prominent amongst them, because the objective is to explain the differences in attitudes rather than referring to the names of all those who maintain them. As far as the approach of the proponents is concerned, the discussion will tackle the contributions of some modern scholars as well as referring to collective efforts that have taken the form of semi-collective *ijtihād* in international conferences.

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<sup>184</sup> This confusion is best expressed by Carol Elzain who states, “If the Muslim community is divided regarding the religious construct of Jihad, what hope does the West have in establishing, at the very least, a basic understanding of Jihad?” See, Elzain, “Modern Islamic Terrorism”, p. 63.

<sup>185</sup> Bernard Lewis, *The Crisis of Islam: Holy War and Unholy Terror* (New York: The Modern Library, 2003), p. 137; John L. Esposito, *What Everyone Needs to Know about Islam* (Oxford: Oxford University Press, 2002), p. 120.

### 3.3.5 Modern Rejectionists of the Offensive Jihād Narrative

Of the main rejectionists of the classical interpretative theory, and whose view stands in contrast to that of Quṭb is Ḥasan al-Bannā (1906-1949), the founder of *al-Ikhwān al-Muslim-n* (Muslim Brotherhood). While al-Bannā and Quṭb belong to the same group, it was al-Bannā who set out his view of jihād first, as it was only in the late 1950s and early 1960s that Quṭb's controversial views of jihād were published.

In contrast to Quṭb, al-Bannā's view of jihād<sup>186</sup> remains within the defensive attitude, according to which Muslim countries are envisioned as a monolithic and uniform entity which forms the Muslim *ummah*. Consequently, he perceives that this uniformity necessitates that Muslims support each other by launching jihād against foreign aggression and occupation.<sup>187</sup> It is apparent that he developed this view as a result of the Western imperialism in the Middle East at that time. More specifically, he emphasizes the obligation of Muslims to support their fellow Muslim Palestinians by sacrificing their money and their lives to liberate their usurped land.<sup>188</sup>

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<sup>186</sup> According to Soage, "Western scholarship has accepted this [the difference of views between al-Bannā and Quṭb] interpretation of events, neglecting al-Bannā, and concentrating on Quṭb when analyzing Islamic radicalism." Soage, "Ḥasan al-Bannā and Sayyid Quṭb", p. 295.

<sup>187</sup> Ḥasan al-Bannā, *Majm- 'at Rasā'il al-Imām al-Shahīd Ḥasan al-Bannā* (Cairo: Dār al-Tawzī' wa al-Nashr al-Islāmiyyah, 1992/1412), p. 433; idem, *Six Tracts of Ḥasan al-Bannā: A Selection from the Majm- 'at Rasā'il al-Imām al-Shahīd Ḥasan al-Bannā* (Kuwait: International Islamic Federation of Student Organizations, n.d.), pp. 251 f. For a commentary and analysis of al-Bannā's view of jihād, see 'Alī Abd al-Ḥalīm Maḥm- d, *Rukn al-Jihād: Aw al-Rukn alladhī lā Tahyā al-Ummatu illā bihi* (Cairo: Dār al-Tawzī' wa al-Nashr al-Islāmiyyah, 1995/1415), pp. 100-163. See also, Muḥammad 'Abd al-Qādir Ab- Fāris, *Al-Fiqh al-Siyāsī 'ind al-Imām al-Shahīd Ḥasan al-Bannā* (Tantā, Egypt: Dār al-Bashīr li al-Thaqāfah wa al-'Ul- m, 1999), pp. 65-83.

<sup>188</sup> Al-Mawdūdī, al-Bannā, Quṭb, *Thalāth Rasā'il*, pp. 69-105; Abd Al-Fattah El-Awaisi, "The Conceptual Approach of the Egyptian Muslim Brothers towards the Palestine Question, 1928-1949", *Journal of Islamic Studies*, Vol. 2, No. 2, 1991, pp. 236 f.; idem, "The Conceptual Approach of the Egyptian Muslim Brothers towards Jihad", *Scottish Journal of Religious Studies*, Vol. 17, 1996, p. 128. See also, Ab- Fāris, *Al-Fiqh al-Siyāsī 'ind al-Imām al-Shahīd*, pp. 65 f.; Bordenkircher, "An Analysis of Jihād", pp. 42-50.

Among the modern scholars who view peace as the basic principle which marks external relations between Muslims and non-Muslims is the renowned scholar Muḥammad Ab- Zahrah (1898-1974). According to him, military jihād is permitted only to remove *‘udwān* (aggression) and *fitnah* (religious persecution) against Muslims.<sup>189</sup> He further states that Qur’an 4: 94 and 22: 39-40 establish this principle, adding that the scholars who state that military jihād is the basic principle between Muslims and non-Muslims derive their view from the reality they experienced rather than from the texts of the Qur’ān and the Sunnah. The rulings arrived at by the classical scholars, Ab- Zahrah argues, are related only to the historical period in which they lived, and therefore cannot be considered as binding definitive rulings.<sup>190</sup> Ab- Zahrah also sees that military jihād is legislated to establish justice<sup>191</sup> and fend off aggression<sup>192</sup> and considers the verses calling for peace in the Qur’an as the basic norm in Muslim/non-Muslim external relations. He distinctively adds that the historical context cannot be underestimated, something which is uncommon in classical exegetical interpretations.

Stressing the same view as Ab- Zahrah with special regard to the relationship between peace and justice is al-B- ṭī. He maintains that “...any genuine call for peace necessitates a genuine call for justice”, arguing that justice, which is one of the main causes behind the legislation of jihād, is the only way that can lead to peace. If the equilibrium between peace and justice is evenly balanced, al-B- ṭī maintains, then not

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<sup>189</sup> Muḥammad Ab- Zahrah, *Al-‘Alāqāt al-Dawliyyah fī al-Islām* (Cairo: Dār al-Fikr al-‘Arabī, 1995/1415), pp. 50 f., 89-94.

<sup>190</sup> *Ibid.*, pp. 52-55.

<sup>191</sup> Muḥammad Ab- Zahrah, *Al-Mujtama‘ al-Insānī fī Zill al-Islām* (Jeddah: Al-Dār al-Su‘-diyyah li al-Nashr wa al-Tawzī‘, 2<sup>nd</sup> ed., 1981/1401), p. 152.

<sup>192</sup> *Ibid.*, p. 155; *idem*, *Concept of War in Islam*, trans. Muhammad al-Hady and Taha Omar, rev. & ed. Shawki Sukkary (Cairo: Ministry of Waqfs, Supreme Council for Islamic Affairs, 1987), p. 31; *idem*, “Al-Jihād”, in *Kitāb al-Mu‘tamar al-Rābi‘ li-Majma‘ al-Buḥ- th al-Islāmiyyah* (Cairo: Majma‘ al-Buḥ- th al-Islāmiyyah, 1968/1388), pp. 79-91.

only will Muslims and non-Muslims enjoy *ṣulḥ dā'im* (permanent peaceful relations), but all peoples will also enjoy the same consequence regardless of their faiths or races. However, al-B-ṭī sets two conditions for this permanent peace to be achieved. It should not prevent Muslims from propagating their faith without restrictions, and there must be no occupation of *dār al-Islām*. Included in the meaning of occupation which may lead to fighting and put an end to peace, according to al-B-ṭī, is when the enemies of Muslims confiscate, usurp and reside illegally in the land of *dār al-Islām*.<sup>193</sup>

In his emphasis on the necessity for the freedom to propagate Islam, al-B-ṭī does not identify any of the means that can be resorted to for such unrestricted propagation. His wording '*d-na iḥrājīn aw taḍyīqīn*'<sup>194</sup> (with neither hinderance nor restriction) refers to his belief in all possible options, including military action, if the propagation of Islam encounters restrictive measures that may stem its tide. While al-B-ṭī penned his *Al-Jihād fī al-Islām* in the late 1990s,<sup>195</sup> his handling of the issue seemingly considers military jihād an option, even though the information revolution removes all obstacles to the propagation of any religion or ideology including the religion of Islam. Muslims nowadays, contrary to what al-B-ṭī's statement may indicate, enjoy full freedom to propagate their religion in majority non-Muslim countries, in contrast to the 'restricted' freedom they enjoy in many majority Muslim countries. Thus, modern technology has actually globalized many aspects of our lives including, undoubtedly, the propagation of Islam, so the *iḥrājīn aw taḍyīqīn* posited by al-B-ṭī is no longer the norm and if it does exist it is only in rare and limited circumstances.

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<sup>193</sup> Muḥammad Sa'īd Ramaḍān al-B-ṭī, *Al-Jihād fī al-Islām: Kayf Naḥmuh? Wa Kayf Numārisuh?* (Damascus: Dār al-Fikr, 2<sup>nd</sup> ed., 2003/1424), pp. 227-231.

<sup>194</sup> Ibid., p. 230.

<sup>195</sup> The first edition of al-B-ṭī's book was published in 1997.

Moreover, al-B-tī's borrowing of *dār al-Islām*<sup>196</sup> from the classical jurists does not mean that he necessarily follows their lead. On the contrary, his support for maintaining permanent peace expressed above may indicate that the man is an outstanding pacifist. However, he remains adamant in his utter rejection of all forms of illegal confiscation and usurpation of Muslim lands.

The fourth modern scholar whose views stand in total contrast to the offensive jihād narrative is Wahbah al-Zuḥaylī, who strongly advocates that peace is the underlying principle of relations between Muslims and non-Muslims. Al-Zuḥaylī maintains that this view is supported by Qur'ān 8: 61. In his view, Qur'an 2: 208 and 4: 94 also establish the principle of international peace. For him, Muslims are committed to peace and security, according to Qur'ān 4: 90 and 60: 8.<sup>197</sup> Al-Zuḥaylī further argues that considering military jihād to be the norm in relations between Muslims and non-Muslims opposes what the jurists have actually agreed upon, which is to consider *al-aṣl fī al-ashyā' al-ibāḥāh* (permissibility is the underlying principle). He argues, if this legal maxim and others similar to it,<sup>198</sup> constitute basic principles, then why do some jurists not consider military jihād to be the original rule in Muslim/non-Muslim relations? Consequently, al-Zuḥaylī takes the view that *al-aṣl fī al-<sup>c</sup>alāqāt al-dawliyyah al-silm*<sup>199</sup> (the original rule in international relations is peace).

Moreover, al-Zuḥaylī considers that the Qur'ānic verses calling for permanent peace with non-Muslims do not include:

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<sup>196</sup> Ibid., p. 231.

<sup>197</sup> Wahbah al-Zuḥaylī, *Al-<sup>c</sup>Alāqāt al-Dawliyyah fī al-Islām: Muqāranah bi al-Qān-n al-Dawli al-Ḥadīth* (Beirut: Mu'assasat al-Risālah, 1981/1401), pp. 94 f.

<sup>198</sup> Such as "*al-aṣl al-khuluwwu min al-takālīf*" (the original rule is the absence of legal obligation [i.e. in case there is doubt about whether one is obliged to perform a certain act of worship or not]) and "*al-aṣl fī al-zimmah al-barā'ah*" (the original ruling is innocence [i.e. there is a presumption of innocence unless there is proof of guilt]). See Al-Zuḥaylī, *Āthār al-Ḥarb*, p. 131.

<sup>199</sup> Ibid., p. 131, n. 3.

“The Jews who usurped the land of Palestine. Their residence in the territories of Muslims cannot be legally condoned. Therefore, it becomes incumbent upon Muslims, once they have the power, to expel them. Or to accept their stay provided that they submit themselves to the Muslim rule and Islamic legislations. The peaceful texts are directed to an external enemy outside the territory of Muslims living in his/her original country.”<sup>200</sup>

This quotation indicates that, while Islam maintains a permanent call for peace, it does not condone occupation. Thus, repelling aggression, self-defence, vindication of the right to exist, are all circumstances, that make military jihād necessarily permissible. The direct reference to the territory of Palestine and its usurpation at the hands of the Zionists, as al-Zuḥaylī puts it, strongly suggests that the present-day Anglo-American led occupation of Iraq, Afghanistan and other parts of majority Muslim countries cannot be condoned either. According to al-Ḥifnī, “...forced expulsion such as is the case in Palestine and Iraq and other parts of the world is a legal justification for Muslims to defend themselves on the basis of Qur’ān 22: 39-40.”<sup>201</sup> Nevertheless, the mechanisms for reacting to this 21<sup>st</sup> century occupation cannot be left to the personal interpretations of individual Muslims, as will be clarified later in this chapter.

The above modern scholarly views considering peace as the norm in determining relations between Muslims and non-Muslims are not, however, limited to individual scholars, although the above discussion attempts to highlight the prominent examples among them.<sup>202</sup> Huge collective efforts have recently been made by Muslim

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<sup>200</sup> Al-Zuḥaylī, *Al-‘Alāqāt al-Dawliyyah fī al-Islām*, p. 95, n. 4.

<sup>201</sup> Al-Ḥifnī, *Maws-‘at al-Qur’ān*, p. 1878.

<sup>202</sup> For the views of other scholars who maintain the same view, see, for example, ‘Abd al-Wahhāb Khallāf, *Al-Siyāsah al-Shar‘iyyah aw Niẓām al-Dawlah al-Islāmiyyah fī al-Shu’ūn al-Dust-riyyah wa al-Khārijīyyah wa al-Māliyyah* (Beirut: Mu’assasat al-Risālah, n.d.), pp. 76-80; ‘Abd al-Ḥalīm Maḥm-d, *Al-Jihād fī al-Islām* (Cairo: Dār al-Ma‘ārif, 2<sup>nd</sup> ed., 1988), p. 21; Jum‘ah, *Al-Jihād*, p. 15; Al-Muhayrī, *Al-‘Alāqāt al-Khārijīyyah*, pp. 36-42; Ṭanṭāwī, *Al-Sarāyah al-Ḥarbiyyah*, pp. 168 f.; Shalt-t, *Al-Islām wa al-‘Alāqāt al-Dawliyyah*, p. 38; Maḥm-d Ḥamdī Zaqq-q, *Ḥaqā’iq Islāmiyyah fī Muwājahat Ḥamalāt al-Tashkīk* (Cairo: Maṭba‘at Wizārat al-Awqāf, 4<sup>th</sup> ed., 2003/1423), pp. 57 f.; Al-Shaykh al-Rikābī, *Al-Jihād fī al-Islām: Dirāsah Mawḍ-‘iyyah Taḥlīliyyah Tabḥath bi al-Dalīl al-‘Ilmī al-Fiqhī ‘an al-Jihād wa*

scholars from places as diverse as Asia and North America in the recent 8<sup>th</sup>, 14<sup>th</sup> and 16<sup>th</sup> conferences of the Egyptian-based Supreme Council for Islamic Affairs. Looking at these three annual conferences collectively shows that an important turning point has been reached as to how modern Muslim scholarship evaluates the classical offensive theory of jihād, at least in its interpretative presentation as exemplified by classical and some modern exegetes, some of whom we have considered. Because limitations of space in this thesis make it impossible to detail all the main papers presented, it must suffice to present an overview of each of the three conferences with special reference to their contributions regarding relations between Muslims and non-Muslims in light of the defensive and offensive understandings of jihād.

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<sup>°</sup>*Anāshiruh fī al-Tanzīl wa al-Sunnah* (Damascus: Dār al-Fikr, 1997/1418), pp. 296-299. Also, both al-Qāsimī and Haykal have carried out excellent surveys of most of the modern scholarly views regarding this particular point. Zāfir al-Qāsimī, *Al-Jihād wa al-Ḥuqūq al-Dawliyyah al-‘Āmmah fī al-Islām* (Beirut: Dār al-‘Ilm lil-Malayyīn, 1982), pp. 177-209; Haykal, *Al-Jihād*, Vol. 1, pp. 586-592. See also, Louay Fatoohi, *Jihad in the Qur’an: The Truth from the Source* (Kuala Lumpur: A.S. Noordeen, 2002/1423), p. 78; Maher Hathout, *Jihad vs. Terrorism*, ed. Samer Hathout (Los Angeles: Multimedia Vera International, 2002), p. 67; Aḥmad ‘Alī al-Imām, *Nazarāt Mu‘āshirah fī Fiqh al-Jihād* (Beirut: Al-Maktab al-Islāmī, 2000/1420), pp. 46-48; Maher Hathout, et al., *In Pursuit of Justice: The Jurisprudence of Human Rights in Islam* (Los Angeles: Muslim Public Affairs Council, 2006), pp. 203-223; Esposito, *What Everyone*, p. 120; Abou El Fadl, *The Great Theft*, p. 223; Khālīd Sulaymān Ḥamm-d al-Fahdāwī, *Al-Fiqh al-Siyāsī al-Islāmī* (Damascus: Al-Awā’il li al-Nashr wa al-Tawzī‘, 2<sup>nd</sup> ed., 2005), pp. 273, 295; ‘Abd al-Karīm Zidān, *Aḥkām al-Dhimmiyyīn wa al-Musta‘manīn fī Dār al-Islām* (Beirut: Mu‘assasat al-Risālah; Baghdad: Maktabat al-Quds, 1982/1402), pp. 10 f., 18-21; ‘Abbās Maḥm-d al-‘Aqqād, *Ḥaqā’iq al-Islām wa Abāfīl Khuṣ-mih* (Cairo: Dār Nahḍat Miṣr li al-Ṭibā‘ah wa al-Nashr wa al-Tawzī‘, special ed., n.d.), p. 172; Bernard K. Freamon, “Martyrdom, Suicide, and the Islamic Law of War: A Short Legal History”, *Fordham International Law Journal*, Vol. 27, No. 1, December 2003, pp. 315 f.; Sherman A. Jackson, “Jihad and the Modern World”, *Journal of Islamic Law and Culture*, Vol. 7, No. 1, 2002, p. 25; Sayyid Sābiq, *Fiqh al-Sunnah* (Cairo: Al-Fatḥ li al-‘Ilām al-‘Arabī, n.d.), Vol. 3, p. 16; Wahbah, *Al-Ḥarb fī al-Islām*, p. 41; Karl Wolfgang Tröger, “Peace and Islam: In History and Practice”, *Islam and Christian-Muslim Relations*, Vol. 1, No. 1, 1990, p. 20; Sobhi Mahmassani, “The Principles of International Law in the Light of Islamic Doctrine”, *Recueil des Cours*, Vol. 117, 1966, p. 242; Alsumaih, “The Sunni Concept of Jihad”, pp. 272, 305; ‘Abd al-Ḥamīd Aḥmad Ab- Sulaymān, *Al-‘Unf waidārat al-Ṣirā‘ al-Siyāsī bayna al-Mabda’ wa al-Khiyār: Ru’yah Islāmiyyah*, Silsilat al-Ḥiwār (Rabat: Mansh-rāt al-Furqān, 2002), p. 7; Shaheen Sardar Ali and Javaid Rehman, “The Concept of Jihad in Islamic International Law”, *Journal of Conflict and Security Law*, Vol. 10, No. 3, Winter 2005, p. 335.

In a remarkable reaction to Huntington's hypothesis set out in his *The Clash of Civilizations and the Remaking of World Order*,<sup>203</sup> the 8<sup>th</sup> conference held in 1998 chose *Islam and the Future Dialogue between Civilizations* as the title for its four-day proceedings. Scholars from more than 70 countries representing various international organizations, some from European countries,<sup>204</sup> discussed in Arabic, English and French the argument that dialogue, and not war, is the way to solve modern international problems. Mufīd Shihāb, the then chancellor of Cairo University, stated that war in Islam is defensive and Muslims resort to it once all other peaceful means are exhausted.<sup>205</sup>

In a bid to explain the present-day attitude of Muslims towards non-Muslims with special reference to the September 11<sup>th</sup> attacks in 2001,<sup>206</sup> the 14<sup>th</sup> conference in 2003 directed a special focus on explaining the modern applications of jihād, its objectives and various rulings, and how it differs in meaning from other terms such as

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<sup>203</sup> Samuel P. Huntington's book was first published in New York by Simon & Schuster in 1996 (Samuel P. Huntington, *The Clash of Civilizations and the Remaking of World Order*, New York, NY: Simon & Schuster, 1996). See also his, "If Not Civilizations, What? Paradigms of the Post-Cold War World", *Foreign Affairs*, Vol. 72, No. 5, Fall 1993, pp. 186-194. According to Al-Dawoody, "The collapse of the former Soviet Union and Communism has created a vacuum in international relations, which prompted Huntington to hypothesise a new paradigm of international relations involving a clash between the Islamic and Western civilizations." Al-Dawoody, "War in Islamic Law", p. 183. For an in-depth examination of Huntington's thesis, see Pippa Norris and Ronald Inglehart, "Islam and the West: Testing the 'Clash of Civilizations' Thesis", *Harvard University, John F. Kennedy School of Government, Faculty Research Working Paper*, No. RW: P02-015, April 2002, [article online]; available from <http://ksgnotes1.harvard.edu/Research/wpaper.nsf>; accessed 21 January 2010; Lisa Wedeen, "Beyond the Crusades: Why Huntington, and Bin Ladin, are Wrong", *Middle East Policy*, Vol. 10, No. 2, Summer 2003, pp. 54-61.

<sup>204</sup> Maḥm-d Ḥamdī Zaqq-q, "Muqaddimah", in *Islam and the Future Dialogue between Civilizations*, Researches and Facts. The Eighth General Conference of the Supreme Council for Islamic Affairs (Cairo, n.p., 1998/1418), p. 5.

<sup>205</sup> Mufīd Shihāb, "Al-Qān-n al-Dawlī wa al-Sharī'ah al-Islāmiyyah", in *Islam and the Future Dialogue between Civilizations*, Researches and Facts. The Eighth General Conference of the Supreme Council for Islamic Affairs (Cairo, n.p., 1998/1418), pp. 337 f.

<sup>206</sup> Maḥm-d Ḥamdī Zaqq-q, "Taqdīm", in *The Truth about Islam in a Changing World*, Researches and Proceedings. The Fourteenth General Conference of the Supreme Council for Islamic Affairs (Cairo: Maṭābi' al-Ahrām al-Tujāriyyah, 2003/1424), p. 3.

*qitāl* (fighting), *ʿunf* (violence), and *irhāb* (terrorism). Out of the 52 research papers published mostly in Arabic, around 17 researches were dedicated to jihād alone. The scholars, who represented around 56 countries, agreed that peace was the underlying principle between Muslims and non-Muslims and that war was permitted only in self-defence.<sup>207</sup> It is a measure that, as put in a distinguished paper by the then president of Birmingham Central Mosque, could be likened to surgery carried out only when medicine becomes of no avail.<sup>208</sup>

The third conference we are looking at is the 16<sup>th</sup> conference, at which around 153 scholars represented all five continents. In all their researches, a special focus was given to terrorism from a Qur’ānic perspective, the ethics of war in Islam, present-day attitudes in international relations between Muslims and non-Muslims, and tolerance as understood from the Qur’ān and the Sunnah. It is clear from the almost 75 papers presented that war was considered by those present as an exception in relations between Muslims and non-Muslims.<sup>209</sup>

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<sup>207</sup> See, for example, Ṣ-ḥī Ḥasan Ab- Ṭālib, “Al-Kifāḥ al-Mashr-ʿ li al-Shuʿ- b”, in *The Truth about Islam in a Changing World*, Researches and Proceedings. The Fourteenth General Conference of the Supreme Council for Islamic Affairs (Cairo: Maṭābiʿ al-Ahrām al-Tujāriyyah, 2003/1424), pp. 679 f.; ʿAbdullāh Mabruk al-Najjār, “Taḥdīd al-Mafāhīm fī Majāl al-Ṣirāʿ al-Basharī: al-Jihād, al-Qitāl, al-ʿUnf, al-Irhāb”, in *The Truth about Islam in a Changing World*, Researches and Proceedings. The Fourteenth General Conference of the Supreme Council for Islamic Affairs (Cairo: Maṭābiʿ al-Ahrām al-Tujāriyyah, 2003/1424), p. 795.

<sup>208</sup> Ab- Salīm Muḥammad ʿAbd al-Raḥīm, “Al-Jihād”, in *The Truth about Islam in a Changing World*, Researches and Proceedings. The Fourteenth General Conference of the Supreme Council for Islamic Affairs (Cairo: Maṭābiʿ al-Ahrām al-Tujāriyyah, 2003/1424), p. 752. See also, Sābiq, *Fiqh*, Vol. 3, p. 44.

<sup>209</sup> See, for example, ʿAbbās al-Jarārī, “Muʿādat al-Silm wa al-Ḥarb fī Manz- r al-Islām”, in *Tolerance in the Islamic Civilization*, Researches and Facts. The Sixteenth General Conference of the Supreme Council for Islamic Affairs (Cairo: Maṭābiʿ al-Ahrām al-Tujāriyyah, 2004/1425), pp. 1192 f; Jamāl al-Dīn Maḥm- d, “Al-Jihād wa Akhlāqiyyāt al-Ḥarb fī al-Islām”, in *Tolerance in the Islamic Civilization*, Researches and Facts. The Sixteenth General Conference of the Supreme Council for Islamic Affairs (Cairo: Maṭābiʿ al-Ahrām al-Tujāriyyah, 2004/1425), p. 847.

It is notable that the proceedings of these three conferences receive scant attention in modern Western scholarship, even though some of the papers were published in English. Moreover, while many of the participating scholars occupy leading positions among Muslim communities in the West, it is still rare to find a Western academic being fully involved in such serious collective discussions.<sup>210</sup> In our view, this is a reason why authors such as Quṭb and his like-minded followers are widely discussed, and their views are sometimes mistakenly or intentionally represented as ‘mainstream’ views of Islam. The absence of moderate voices, in their individual as well as collective forms, in modern Western scholarship adds to the blurred atmosphere. In addition, it should not be forgotten that some media machines in the West have their own prejudices, especially when they selectively highlight the extremist views of Muslim authors such as Quṭb and others.

Moreover, the modern views expressed above whether in their individual or collective representations, are given by trained theologians and scholars well-versed in their fields, who have received solid theological training in reputable seminaries such as al-Azhar University.<sup>211</sup> While their views sometimes stand in total contrast to the

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<sup>210</sup> Indeed Professor D. Thomas’s contribution to the 16<sup>th</sup> conference supports this claim. See, David Thomas, “Christians under Muslim Rule: Acceptance and Indifference”, in *Tolerance in the Islamic Civilization, Researches and Facts. The Sixteenth General Conference of the Supreme Council for Islamic Affairs* (Cairo: Maṭābi‘ al-Ahrām al-Tujāriyyah, 2004/1425), pp. 73-82.

<sup>211</sup> Al-Azhar University, according to Jansen, is “...traditionally regarded as the intellectual bulwark of Islam” and “...is definitely the top of a large pyramid of religious Islamic instruction which encompasses Muslims all over the world”. Johannes J.G. Jansen, *The Neglected Duty: The Creed of Sadat’s Assassins and Islamic Resurgence in the Middle East* (New York: Macmillan, 1986), pp. xviii f., 36. Esposito regards al-Azhar University as “...the Islamic world’s oldest and most prestigious religious school”. John L. Esposito, *Unholy War: Terror in the Name of Islam* (Oxford: Oxford University Press, 2002), p. 18. See also Ashour, *The De-Radicalization of Jihadists*, p. 176, n. 6; idem, “A World without Jihad?: The Causes of De-Radicalization of Armed Islamist Movements” (PhD Thesis, Department of Political Science, McGill University, Montreal, Canada, May 2008), p. 196, n. 5.

classical interpretative theory, they apply convincing approaches in their criticisms.<sup>212</sup> The valuable efforts of such esteemed scholars, however, fade into the background—at least in modern Western scholarship—when the views of authors with hard-line attitudes begin to surface. A bid to reach a comprehensive understanding of the proponents of the use of violence between Muslims and non-Muslims, and then to examine whether or not the views of Qutb have any influence on modern day extremists and terrorists is what will occupy us in the final part of this chapter.

### 3.4 Qutb’s Influence on Proponents of the Offensive Jihad Narrative

As far as military jihād is concerned, the radical and revolutionary views pioneered by Qutb have had their ideological impact on the proponents of the offensive jihād narrative from the second half of the twentieth century up to the present times. This is widely acknowledged by many authoritative authors in the field.<sup>213</sup> Therefore, it is no

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<sup>212</sup> Jamal al-Dīn Maḥm-d, former secretary of the Supreme Council for Islamic Affairs in Egypt, is a clear example of such scholars. While critiquing the classical offensive jihād thesis, he states that the reason behind the offensive attitude of the classicists may be attributed to the reality in which they lived or the aggressive attitude their enemies adopted in dealing with them. He adds that this hard-line attitude of the classical scholars has no support from the Qur’an, the Sunnah or the consensus of Muslims. See Maḥm-d, “Al-Jihād wa Akhlāqīyyāt al-Ḥarb”, in *Tolerance in the Islamic Civilization*, Researches and Facts. The Sixteenth General Conference of the Supreme Council for Islamic Affairs (Cairo: Maṭābi<sup>c</sup> al-Ahrām al-Tujāriyyah, 2004/1425), p. 848.

<sup>213</sup> See for example, Kepel, *Beyond Terror and Martyrdom*, p. 161; idem, *The Roots of Radical*, p. 12; Esposito, *Unholy War*, p. 56; John C. Zimmerman, “Sayyid Qutb’s Influence on the 11 September Attacks”, *Terrorism and Political Violence*, Vol. 16, No. 2, Summer 2004, p. 222; idem, “Roots of Conflict: The Islamist Critique of Western Value”, *The Journal of Social, Political and Economic Studies*, Vol. 30, No. 4, Winter 2005, p. 432; Salwā Muḥammad al-<sup>c</sup>Awwā, *Al-Jamā<sup>c</sup>ah al-Islāmiyyah al-Musallaḥah fī Miṣr 1974-2004* (Cairo: Maktabat al-Shurūq al-Dawliyyah, 2006), p. 24; Assaf Moghadam, *The Globalization of Martyrdom: Al Qaeda, Salafi Jihad, and the Diffusion of Suicide Attacks* (Baltimore: Johns Hopkins University Press, 2008), p. 109; Gilles Kepel, *Jihad: The Trial of Political Islam*, trans. Anthony F. Roberts (Cambridge, Mass: Belknap Press of Harvard University Press, 2002), p. 86; Farhana Ali and Jerrold Post, “The History and Evolution of Martyrdom in the Service of Defensive Jihad: An Analysis of Suicide Bombers in Current Conflicts”, *Social Research*, Vol 75, No. 2, Summer 2008, p. 623; Karen Armstrong, *The Battle for God* (New York: Alfred A. Knopf, 2000), p. 262; Musallam, *From Secularism to Jihad*, pp. 182-198; Mohammed Ayoob, “Political Islam: Image and Reality”, *World Policy Journal*, Vol. 21, No. 3, Fall 2004, p. 4; J.A. Nedoroscik, “Extremist

wonder that Quṭb is regarded as the ideologue and the godfather of modern extremism.<sup>214</sup> His *Signposts* is considered the manifesto of modern radicalism. However, this view can easily be challenged if one undertakes a meticulous reading of the literature attributed to the Islamic Group or *al-Jamā'ah al-Islāmiyyah* in Egypt<sup>215</sup> in the 1970s and early 1980s. In this literature, it is easy to identify the huge influence of the same medieval thinker whose views influenced Quṭb; that is Ibn Taymiyah.<sup>216</sup>

Although the various above descriptions of Quṭb have gained currency since September 11<sup>th</sup>, an analysis of the extremist discourse in a country such as Egypt confirms this view.<sup>217</sup> A very clear example is *Al-Farīdah al-Ghā'ibah* (The Neglected

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Groups in Egypt”, *Terrorism and Political Violence*, Vol. 14, No. 2, Summer 2002, p. 60; Kevin Shkolnik, “Did 9/11 Really Change Everything? Combating Terrorism in a Changed World” (MA diss., Miami University, May 2008), p. 94; Nettler, “Guidelines for the Islamic Community: Sayyid Qutb’s Political Interpretation”, p. 189.

<sup>214</sup> According to Omar Ashour, “The origins of Jihadism go back to Egypt in the late 1960s and 1970s. The ideology was partially built on an interpretation of the writings of Sayyid Qutb, a prominent Islamist intellectual.” Ashour, *The De-Radicalization of Jihadists*, p. 8; See also idem, “A World without Jihad?”, p. 162.

<sup>215</sup> Sometimes referred to as the ‘Group’ in this Chapter. The reason for specifically referring to the Group in Egypt is because it is probably one of the few groups that depend mainly on dogmatic religious understanding in formulating their view. See, Abdelwahab El-Affendi, “The Terror of Belief and the Belief in Terror: On Violently Serving God and Nation”, in Madawi Al-Rasheed and Marat Shterin eds. *Dying for Faith: Religiously Motivated Violence in the Contemporary World* (London: I.B. Tauris, 2009), p. 74. According to Omar Ashour, “In 2000s, it [the de-radicalization process] took place in several other Muslim-majority countries, albeit on a smaller scale than in Egypt and Algeria. These de-radicalization cases include Libyan, Saudi, Yemeni, Jordanian, Tajik, Malaysian and Indonesian armed Islamist groups, factions and individuals.” Ashour, *The De-Radicalization of Jihadists*, p. 2. According to Gunaratna and Bin Ali, “Although it is a long way for Egypt to reform the ideological orientation of the militants, Egypt’s counter-radicalization program is the first and the most extensive of any Arab country.” Rohan Gunaratna and Mohamed Bin Ali, “De-Radicalization Initiatives in Egypt: A Preliminary Insight”, *Studies in Conflict and Terrorism*, Vol. 32, No. 4, April 2009, pp. 280 f. See also, Steven Brooke, “Jihadist Strategic Debates before 9/11”, *Studies in Conflict and Terrorism*, Vol. 31, No. 3, March 2008, p. 202.

<sup>216</sup> See, for example, Rif’at Sayyid Aḥmad, *Al-Nabī al-Musallaḥ (1): Al-Rāfiḍ-n* (London: Riad El-Rayyes Books, 1991), Vol. 1, pp. 57, 117, 123, 129, 132, 141, 169; idem, *Al-Nabī al-Musallaḥ (2): Al-Thā’rūn* (London: Riad El-Rayyes Books, 1991), Vol. 2., pp. 66, 162, 167, 173, 248, 259, 280, 297; Rachel Scott, “An ‘Official’ Islamic Response to the Egyptian al-Jihād Movement”, *Journal of Political Ideologies*, Vol 8, No. 1, February 2003, p. 48.

<sup>217</sup> Indeed, the views of Quṭb have had their influence not only on Egypt but also on other countries such as Lebanon and Palestine. See Esposito, *Unholy War*, p. 62.

Duty),<sup>218</sup> an important pamphlet of the Islamic Group in Egypt<sup>219</sup> written by Muḥammad ʿAbd al-Salām Faraj (1954-1982). The ‘neglected duty’<sup>220</sup> refers to the duty of jihād,<sup>221</sup> and its author was executed on 15 April 1982 along with the four assassins of the then Egyptian president, Anwar Sadat (1918-1981).<sup>222</sup> Jansen, who translated the whole of the *Farīdah*<sup>223</sup>, is apparently the only Western scholar who has made an excellent presentation and analysis of this important document. In his discussion of the *Farīdah*, Jansen highlights the refutations of the pioneering Egyptian scholars of the time, such as the then Grand Sheikh of al-Azhar Jād al-Ḥaqq ʿAlī Jād al-Ḥaqq (1917-1996) and the contemporary Egyptian thinker Muḥammad ʿImārah (b. 1931-), as well as al-Shaʿrāwī. Before presenting the main refutations of the scholars who criticized the *Farīdah*, it is of paramount importance to refer to the controversial views disseminated in this document with special reference to Muslim/non-Muslim relations. It is important, however, to have a general overview of the *Farīdah* before attempting to highlight this specific point.

The *Farīdah* asserts that:

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<sup>218</sup> Sometimes translated ‘The Hidden Imperative’ although the translation cited in the body of the text is the most common one. See Kepel, *The Roots of Radical*, p. 200.

<sup>219</sup> For limitation purposes, the literature of the Islamic Group in Egypt with reference to the *Neglected Duty* will be highlighted here. It is also worth mentioning that various other extremist groups have adopted violence in the name of Islam to achieve political objectives inside and outside Egypt. See, S. Al-ʿAwwā, *Al-Jamāʿah al-Islāmiyyah*, pp. 24-27. See also, Jeffrey B. Cozzens, “Al-Takfir wa’l Hijra: Unpacking an Enigma”, *Studies in Conflict and Terrorism*, Vol. 32, No. 6, June 2009, pp. 489-510.

<sup>220</sup> In the remaining part of this Chapter, the *Neglected Duty* or *al-Farīdah al-Ghā’ibah* will be referred to as the *Farīdah*.

<sup>221</sup> According to Kelsay, the translated title, which suggests the omission or absence of jihād, is a reference to the fact that such negligence is itself a sinful act. See John Kelsay, *Arguing the Just War in Islam* (Cambridge, Mass.: Harvard University Press, 2007), p. 133.

<sup>222</sup> Jansen, *The Neglected Duty*, pp. 1 f.; idem, “The Creed of Sadat’s Assassins: The Contents of ‘The Forgotten Duty’ Analysed”, *Die Welt des Islams*, New Series, Vol. 25, No. 1/4(1985), p. 1; Bruce B. Lawrence, *Defenders of God: The Fundamentalist Revolt Against The Modern Age* (San Francisco: Harper & Row, 1989), p. 213.

<sup>223</sup> Jansen, *The Neglected Duty*, pp. 159-230.

“The State (of Egypt in which we live today) is ruled by the Laws of Unbelief although the majority of its inhabitants are Muslims.”<sup>224</sup>

As for the rulers of Muslims, the author of the *Farīdah* declares that they:

“...are in apostasy from Islam. They were raised at the tables of imperialism, be it Crusaderism, or Communism, or Zionism. They carry nothing from Islam but their names, even though they pray and fast and claim (*idda‘ā*) to be Muslim.”<sup>225</sup>

It is clear from these two quotations that the members of the Islamic Group at that time did not consider their fellow Muslim Egyptians as apostates although they did not hesitate to say that the ruler (i.e. Sadat) was *ipso facto* an apostate who should be killed.<sup>226</sup> Based on this extremist understanding, the author of the *Farīdah* poses this challenging question: ‘Do we live in an Islamic state?’<sup>227</sup> To answer this question, he cites long quotations from the response of Ibn Taymiyah who was asked about whether the people of Mardin<sup>228</sup> were living in a territory of peace or a territory of war. The inhabitants of Mardin continued to follow the *Yasa*<sup>229</sup> code of laws of Genghis Khan (1127-1167) instead of the Islamic law, even though they adopted Islam.<sup>230</sup> Ibn Taymiyah declared that the people of Mardin were to be treated according to their beliefs: The Muslim in this town should be treated according to what was due to him,

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<sup>224</sup> Ibid., p. 167.

<sup>225</sup> Ibid., p. 169.

<sup>226</sup> Jansen, “The Creed of Sadat’s Assassins”, p. 30; Scott, “An ‘Official’ Islamic Response”, p. 39.

<sup>227</sup> Muḥammad ‘Imārah, *Al-Farīdah al-Ghā’ibah: ‘Arḍ wa Ḥiwār wa Taqyīm* (Cairo: Dār Thābit, 1982/1402), p. 9; Jansen, *The Neglected Duty*, p. 166.

<sup>228</sup> A town located in southeastern Turkey.

<sup>229</sup> *Yasa* is a mixture of the beliefs adopted by Genghis Khan, Judaism, Christianity and Islam. See, ‘Imārah, *Al-Farīdah al-Ghā’ibah*, pp. 9, 33. According to Kepel, only very limited information is available about the *yasa*, apart from some “...fragments reported by rather unreliable Muslim authors”. Kepel, *The Roots of Radical*, p. 203, n. 1.

<sup>230</sup> ‘Imārah, *Al-Farīdah al-Ghā’ibah*, p. 9. See also, Muḥammad ‘Abd al-Mun‘im ‘Abd al-Khāliq, *Al-Manẓ-r al-Dīnī wa al-Qān-nī li-Jarā’im al-Irhāb* (Cairo: Dār al-Nahḍah al-‘Arabīyyah, 1999), pp. 92-95.

whereas the one who rebelled against the laws of Islam should be treated according to what was due to him.<sup>231</sup>

Ibn Taymiyah's answer cannot, in my view, be justifiably transferred to a completely different context, as the author of the *Farīdah* has done. Was Egypt at the time Faraj authored his book the same as Mardin!? The answer is emphatically 'no'. Interestingly, Ibn Taymiyah's opinion on Mardin was recently highlighted at an international peace summit on the topic '*Mardin: The Abode of Peace*' convened at Artuklu University in the Turkish city of Mardin on 27-28 March 2010 to discuss the classification of the city of Mardin during Ibn Taymiyah's lifetime.<sup>232</sup> The scholars attending came from countries as diverse as Bosnia, Iran, Morocco, Mauritania and Saudi Arabia, and concluded that:

"Ibn Taymiyya's fatwa concerning Mardin can under no circumstances be appropriated and used as evidence for leveling the charge of *kufr* (unbelief) against fellow Muslims, rebelling against rulers, deeming game their lives and property, terrorizing those who enjoy safety and security, acting treacherously towards those who live (in harmony) with fellow Muslims or with whom fellow Muslims live (in harmony) via the bond of citizenship and peace... *Anyone who seeks support from this fatwa for killing Muslims or non-Muslims has erred in his interpretation and has misapplied the revealed texts* [emphasis theirs]."<sup>233</sup>

Moreover, °Imārah challenges Faraj's radical and unsubstantiated claim, doubting whether he had actually read the *Yasa* before expressing his view. He also adds that there is no evidence in the *Farīdah* to support this claim. Thus, °Imārah

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<sup>231</sup> °Imārah, *Al-Farīdah al-Ghā'ibah*, p. 9 f.

<sup>232</sup> The Mardin Conference, "The New Mardin Declaration", [article online]; available from <http://www.kalamresearch.com/publications/23-the-mardin-conference.html>; accessed 12 April 2010.

<sup>233</sup> Ibid; importantly, the recommendations of this timely peace summit were reflected in major Western media outlets. See, for example, Tom Heneghan, "Muslim Scholars Recast Jihadists' Favourite Fatwa", [article online]; available from <http://www.reuters.com/article/idUSLDE62T2AC>; accessed 12 April 2010; BBC Arabic Website, "Fuqahā' Muslim-n: Qirā'at Fatwā Ibn Taymiyah li al-Jihād 'Khāṭi'ah'", [article online]; available from [http://www.bbc.co.uk/arabic/worldnews/2010/03/100331\\_mardin\\_fatwa\\_jihad\\_tc2.shtml](http://www.bbc.co.uk/arabic/worldnews/2010/03/100331_mardin_fatwa_jihad_tc2.shtml); accessed 12 April 2010.

continues, Faraj's view cannot be accepted<sup>234</sup> because claiming that the rulers of today are the same as those of the Tatars, and even more wicked than they, and therefore deserve to be killed, is a false analogical deduction.<sup>235</sup>

The insistence on quoting Ibn Taymiyah's views regarding this particular issue, as well as in various other parts of the pamphlet,<sup>236</sup> reveals that Faraj and his like depend heavily on persons rather than texts in formulating their views, which is evidence of their inability to deduce rulings from their original sources. 'Imārah consequently claims that Ibn Taymiyah is the Group's first ideologue.<sup>237</sup> 'Imārah's claim here is actually substantiated by solid evidence, but this is not to downplay the influence of Quṭb on this extremist group because, while Quṭb's name is hardly mentioned<sup>238</sup> in the treatise, his radical views can easily be read between the lines. Quṭb was undoubtedly a member of the Muslim Brotherhood before his death and, towards the beginning of the 1970s, his group had, according to S. Al-<sup>c</sup>Awwā, completely stopped adopting violence, and started a process of *al-iṣlāḥ al-tadrījī* (gradual reform).<sup>239</sup> This may be a reason behind Faraj's vivid presentation of Ibn Taymiyah, who is a more classical authority than Quṭb, who belonged to an ideologically different group at that time, although his views carry an impact that remains hard to conceal. As explained earlier in this chapter, Ibn Taymiyah's influence on Quṭb cannot be underestimated.

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<sup>234</sup> 'Imārah, *Al-Farīdah al-Ghā'ibah*, pp. 33 f.

<sup>235</sup> Ibid., p. 47.

<sup>236</sup> See, for example, Jansen, *The Neglected Duty*, pp. 168, 170, 172, 174, 175, 176, 177, 179, 180, 181, 192, 207, 215, 216. See also, Yūsuf al-Qaraḍāwī, *Al-Islām wa al-<sup>c</sup>Unf: Nazarāt Ta'ṣīliyyah* (Cairo: Dār al-Shurūq, 2005), p. 45; idem, *Fiqh al-Jihād: Dirāsah Muqāranah*, Vol. 2, p. 1032; Kenney, *Muslim Rebels*, p. 135; Brooke, "Jihadist Strategic Debates", p. 206.

<sup>237</sup> 'Imārah, *Al-Farīdah al-Ghā'ibah*, p. 9.

<sup>238</sup> For one of the very few references to Quṭb in the *Farīdah*, see Jansen, *The Neglected Duty*, p. 226.

<sup>239</sup> S. Al-<sup>c</sup>Awwā, *Al-Jamā'ah al-Islāmiyyah*, p. 24.

A consideration of the *Farīdah* with specific reference to Muslim/non-Muslim relations shows that Faraj endorses the offensive jihād thesis. He states:

“...it is proper that we should refute those who say that *jihād* in Islam is defensive, and that Islam was not spread by the sword. This is a false view... Islam spread by the sword.”<sup>240</sup>

And:

“Most Koran [*Sic*] commentators have said something about a certain verse from the Koran which they have named the Verse of the Sword (Qur’ān 9.5).”<sup>241</sup>

These two quotations ascertain that jihād is the underlying principle governing external relations of Muslims and non-Muslims. The rulers, who are declared apostates by Faraj, are not eligible to declare jihād as they carry no authority. Ordinary men and women, therefore, have every right to exercise jihād, which is an individual obligation on all Muslims.<sup>242</sup> In a bid to clothe his views a scholarly robe and consequently claim relative legitimacy, Faraj quotes extensively from the interpretations of classical exegetes such as Ibn Kathīr and al-Suy-ṭī.<sup>243</sup> Again, he depends on persons, but this time on exegetes. This is a sign that he is selective and biased in formulating his argument.

In his quotations, he repeats the same old narrative: military jihād is the underlying principle governing Muslims’ external relations and the ‘Verse of the Sword’ has abrogated all the verses which indicate that peace with non-Muslims is the norm. Moreover, the issue of the ‘Verse of the Sword’ is vividly presented with all its classical and classically-orchestrated debates, while stressing the notion that it abrogates all the verses that advocate peace and forgiveness. The adoption of such an

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<sup>240</sup> Jansen, *The Neglected Duty*, p. 193.

<sup>241</sup> *Ibid.*, p. 195.

<sup>242</sup> *Ibid.*, pp. 199 f.

<sup>243</sup> *Ibid.*, pp. 195, 197.

interpretation, in which Muslims may declare war against all non-Muslims, is sheer insanity.<sup>244</sup>

More importantly, Faraj sets a demarcation line between two types of enemies: *al-‘aduww al-qarīb* (the near enemy) and *al-‘aduww al-ba‘īd* (the far enemy). It is evident from his argument that the near enemies are the apostate rulers and the far enemies are those who occupy Muslim lands such as *al-Quds* (Jerusalem).<sup>245</sup> Although defending and freeing occupied Muslim territories is a legal obligation, Faraj wants first to prioritize these options, and he gives fighting ‘apostate’ rulers priority over fighting occupying forces. Critiquing this view, ‘Imārah adds that achieving victory over the far enemy, in Faraj’s understanding, entails a tacit approval of Muslim regimes he regards as un-Islamic, as fighting a non-Muslim enemy requires Muslim leadership.<sup>246</sup> It is even more interestingly that military jihād comes second, after fighting and eradicating the ‘apostate rulers’ and that this extremist understanding of the medieval legacy and its selectivity in using the textual sources was rejected by scholars who were Faraj’s contemporaries. Unlike him,<sup>247</sup> they were well-versed in Islamic scholarship, a sufficient reason why their views regarding this issue are well received.

### 3.4.1 Modern Scholars Critiquing Faraj’s Approach

Having briefly presented and analysed Faraj’s thesis of both the internal and external enemy, it is still important to highlight the role played by scholars who were his contemporaries in refuting his extremist views, especially concerning the jihād

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<sup>244</sup> Al-Ḥifnī, *Maws-‘at al-Qur’ān*, p. 1876.

<sup>245</sup> *Tahrīr al-Quds* (liberating Jerusalem) is mentioned in the *Farīdah*. See ‘Imārah, *Al-Farīdah al-Ghā’ibah*, p. 23.

<sup>246</sup> *Ibid.*, pp. 23 f.

<sup>247</sup> Faraj was an electrician with only shallow theological knowledge. See Kepel, *The Roots of Radical*, p. 12.

narrative. Al-Sha<sup>‘</sup>rāwī’s response to Faraj and his group mainly took the form of a newspaper reply to an interview on these issues in the Egyptian daily *Al-Ahrām* on 8, 16 and 18 November 1981.<sup>248</sup> Unlike <sup>‘</sup>Imārah, who dedicated a whole book to critiquing the extremist ideology of the *Farīdah*, al-Sha<sup>‘</sup>rāwī’s criticism is more simply that he is ‘*diddahum*’ (against them) and ‘...the murderer and his accomplices are not *anṣār al-Islām* (the Helpers of Islam)’”.<sup>249</sup> It may be because of the nature of replying to newspaper interviews, when a scholar finds it difficult to critique views without consulting reliable sources and checking the reliability of the evidence, that al-Sha<sup>‘</sup>rāwī’s response may seem somewhat reactionary. In addition, it is hard to find any direct or indirect reference to Faraj’s pamphlet in al-Sha<sup>‘</sup>rāwī’s interpretation, although it has been observed that he proposed an initiative to the Egyptian Ministry of Interior at that time, which, however, was doomed to failure, according to S. Al-<sup>‘</sup>Awwā.<sup>250</sup> Al-Sha<sup>‘</sup>rāwī may have preferred to leave the matter to be handled officially, particularly by official Azhari scholars, especially Jād al-Ḥaqq <sup>‘</sup>Alī Jād al-Ḥaqq, the Grand Sheikh of al-Azhar and <sup>‘</sup>Atiyyah Saqr (1914-2006), the then head of the al-Azhar Fatwa Committee.

Both Jād al-Ḥaqq and Saqr provide a scholarly analysis and criticism of the *Farīdah*. They state in their co-authored book, published as an attachment to the al-

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<sup>248</sup> Jansen, *The Neglected Duty*, p. 144.

<sup>249</sup> *Ibid.*, pp. 144 f.

<sup>250</sup> S. Al-<sup>‘</sup>Awwā attributes the failure of al-Sha<sup>‘</sup>rāwī’s initiative to the refusal of some members of the Group at that time. S. Al-<sup>‘</sup>Awwā, *Al-Jamā<sup>‘</sup>ah al-Islāmiyyah*, pp. 108 f. According to Omar Ashour, al-Sha<sup>‘</sup>rāwī’s initiative “...led to the sacking of General Abdul Halim Abu Musa, the [then Egyptian] interior minister behind the process.” Ashour, *The De-Radicalization of Jihadists*, p. 176, n. 8. See also *idem*, “A World without Jihad?”, pp. 196 f., nn. 6, 7; Lisa Blaydes and Lawrence Rubin, “Ideological Reorientation and Counterterrorism: Confronting Militant Islam in Egypt”, *Terrorism and Political Violence*, Vol. 20, No. 4, October 2008, p. 469.

Azhar magazine in 1993, that they prepared their *naqđ* (refutation) of the *Farīđah* after being given a photocopy of the 54-page original pamphlet.<sup>251</sup>

While Kelsay's reference to the *Farīđah* puts much emphasis on the Sheikh of al-Azhar, by virtue of the latter being considered the most authoritative Islamic figure in Egypt and, supposedly, the world of Sunnī Islam,<sup>252</sup> the efforts of other non-official scholars, such as ʿImārah and al-Shaʿrāwī, cannot be ignored. Thus, the refutations of ʿImārah, Jād al-Ḥaqq and Saqr and al-Shaʿrāwī's failed initiative constitute the main efforts made to refute the extremist ideology of Faraj and his colleagues. Because of the limited nature of this study, it is impossible to present these scholarly refutations, but it is interesting to highlight the efforts of Faraj's former colleagues, who ultimately renounced their old extremist interpretations. The people who once refused even to meet scholars such as al-Shaʿrāwī<sup>253</sup> have recently started publishing their courageous initiative known as *al-murājaʿāt*<sup>254</sup> (ideological revisions)<sup>255</sup> in which the leaders of the

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<sup>251</sup> Jād al-Ḥaqq ʿAlī Jād al-Ḥaqq and ʿAtiyyah Saqr, “*Naqđ al-Farīđah al-Ghāʿibah: Fatwā wa Munāqashah*”, Supplementary book to *Majallat al-Azhar*, Vol. 66, Al-Muḥarram 1414/July 1993, p. 7; See also, Scott, “An ‘Official’ Islamic Response”, pp. 50-55. Jād al-Ḥaqq presented a critical analysis, but with no direct reference to the *Farīđah*, in another book: Jād al-Ḥaqq ʿAlī Jād al-Ḥaqq, *Bayān li al-Nās min al-Azhar al-Sharīf* (Cairo: Maṭābiʿ Wazārat al-Awqāf, n.d.), Vol. 1, pp. 273-294.

<sup>252</sup> Kelsay, *Arguing the Just War*, p. 133.

<sup>253</sup> This, in Omar Ashour's understanding, does not mean that the members of the Group at that time were disrespectful of al-Azhar scholars. On the contrary, “The IG shows respect to many of al-Azhar scholars, going as far as choosing an Azhari Sheikh, Dr. Umar Abdul Rahman, as their Emir in the early 1980s. They have also praised al-Azhar and some of its scholars in their poems and literature. Still they have criticized and mocked many of the pro-regime Azhar scholars.” Ashour, *The De-Radicalization of Jihadists*, p. 167, n. 9.

<sup>254</sup> Also referred to in Arabic as *mubādarat waqf al-ʿunf* (initiative to halt violence).

<sup>255</sup> Sometimes referred to in modern Western literature as ‘ideological reorientation’. This process is considered by Blaydes and Rubin to be “...a counterterrorism approach that seeks to change core ideological or religious beliefs of the terrorist group, thus bringing the beliefs of group members in line with societal norms”. Blaydes and Rubin, “Ideological Reorientation and Counterterrorism”, p. 462.

Group revoked their original violent stance by publishing self-critical reviews. This started on 5 July 1997 from their cells inside Egyptian prisons.<sup>256</sup>

### 3.4.2 *Al-Murāja'āt* Efforts by the Leaders of the Islamic Group

While the refutations of the Egyptian scholars received wide coverage in Western academic discourse, especially by academics such as Jansen, it is hard to find in-depth coverage of the recent literature published by the leaders of the Islamic Group in Egypt in current Western scholarship.<sup>257</sup> Various justifications can be found for this. First, the Group's literature in which they published most of *al-murāja'āt* is still in Arabic<sup>258</sup> and, as far as I have been able to determine, not a single book has so far been published in any other language. This gives an indication that the Group are seemingly talking to themselves, or let us say to the wider Egyptian community. Although the English version of their website gives the outside reader some idea of *al-murāja'āt*, this is limited to translating articles published in Arabic on the group's bilingual website.<sup>259</sup>

Second, from the mid 1990s until now, the activities of the Group have taken place

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<sup>256</sup> S. Al-<sup>°</sup>Awawā, *Al-Jamā'ah al-Islāmiyyah*, p. 46; Stéphane Lacroix, "Ayman Al-Zawahiri, Veteran of Jihad", in Gilles Kepel and Jean-Pierre Milelli eds., *Al-Qaeda in Its Own Words*, trans. Pascale Ghazaleh (Cambridge, Mass.: Belknap Press of Harvard University Press, 2008), p. 159; Peters, *Jihad in Classical and Modern Islam*, p. 180; Ashour, *The De-Radicalization of Jihadists*, p. 2.

<sup>257</sup> It is not only the refutation literature that is hard to find, but also the historical background of the Group itself. See, Ashour, *The De-Radicalization of Jihadists*, p. 45.

<sup>258</sup> See, for example, <sup>°</sup>Alī Muḥammad <sup>°</sup>Alī al-Sharīf and Osāmah Ibrāhīm Ḥāfiẓ, *Al-Nuṣḥ wa al-Tabyīn fī Taṣḥīḥ Maḥāhīm al-Muḥtasibīn*, ed. Karam Muḥammad Zuhdī et al. (Cairo: Maktabat al-Turāth al-Islāmī, 2002/1422); Karam Muḥammad Zuhdī, *Tafjīrāt al-Riyāq: Al-Aḥkām wa al-Āthār* (Cairo: Maktabat al-Turāth al-Islāmī, 2003/1424); Osāmah Ibrāhīm Ḥāfiẓ and <sup>°</sup>Āṣim <sup>°</sup>Abd al-Mājid Muḥammad, *Ḥurmat al-Ghuluww fī al-Dīn wa Takfīr al-Muslimīn*, ed. Karam Muḥammad Zuhdī et al. (Cairo: Maktabat al-<sup>°</sup>Ubaykān, 2004/1425); Nājiḥ Muḥammad Ibrāhīm, *Al-Ḥākimiyyah: Nazrah Shar<sup>°</sup>iyyah wa Ru'yah Wāqi<sup>°</sup>iyyah*, ed. Karam Muḥammad Zuhdī et al. (Cairo: Maktabat al-<sup>°</sup>Ubaykān, 2004/1425); Nājiḥ Muḥammad Ibrāhīm, *Taṭbīq al-Aḥkām min Ikhtisāṣ al-Ḥukkām: Al-Ḥūdūd, I'lān al-Ḥarb, al-Jizyah - Nazarāt fī Fiqh al-Taṭbīq*, eds. Karam Muḥammad Zuhdī and <sup>°</sup>Alī Muḥammad <sup>°</sup>Alī al-Sharīf et al., (Cairo: Maktabat al-<sup>°</sup>Ubaykān, 2004/1425 ).

<sup>259</sup> The web address of the bilingual website of the Egyptian Islamic Group is: <http://www.egyig.com>; accessed 26 June 2009.

under strict surveillance by Egyptian State Security. The members of the Group can hardly air their new tolerant views in public,<sup>260</sup> and are treated as social outcasts among their local communities.<sup>261</sup> It is thus extremely difficult for them to remove the perceptions created by years of accumulated violence locally, let alone internationally. Third, some Western scholars are unaware of the availability of some of the Group's published literature (i.e. *al-murāja'āt*), and others lack objectivity and put all modern extremist groups, including the Group, in one basket, paying little or no attention to *al-murāja'āt* as a historical turning point, which constitutes an obstacle in formulating an objective and updated worldview of the Group. For these three reasons, *al-murāja'āt* remains almost unheard of in modern Western writings,<sup>262</sup> which usually link Quṭb to

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<sup>260</sup> Ṣafwat 'Abd al-Ghanī, "Liḳā'āt", [article online]; available from <http://www.egyig.com/Public/articles/interview/7/26176518.shtml>; accessed 29 June 2009.

<sup>261</sup> Muṣṭafā Sha'bān, "Abnā' al-Jamā'ah al-Islāmiyyah Al-Amn Qabila Tawbatahum wa al-Mujtama' Rafaḍahum", [article online]; available from [http://www.islamonline.net/servlet/Satellite?c=ArticleA\\_C&cid=1235402630534&pagename=Z-one-Arabic-Daawa%2FDWALayout](http://www.islamonline.net/servlet/Satellite?c=ArticleA_C&cid=1235402630534&pagename=Z-one-Arabic-Daawa%2FDWALayout); accessed 29 June 2009.

<sup>262</sup> In Zidane's recently published study, he refers to the fact that the Group members have distanced themselves from terrorist organizations such as al-Qaeda and have adopted a moderate approach. His deduction, however, does not depend on academic sources but on a cursory reading of an article by Derbala, one of the leaders of the Group, in a local Arab newspaper of *Al-Sharq al-Awsat*; an indication that *al-murāja'āt*

, *Islam's Fateful Path: The Critical Choices Facing Modern Muslims*, trans. John King (London: I.B. Tauris, 2009), pp. 108, 230, n. 23, quoted in Muhammed Essam Derbala, writing in *Al-Sharq al-Awsat*, 16 January, 2004. Bar refers to *al-murāja'āt* very briefly. See, Shmuel Bar, *Warrant for Terror: Fatwās of Radical Islam and the Duty of Jihad* (Lanham, Md: Rowman & Littlefield, 2006), p. 84, n. 9. In addition to Zidane and Bar, Chertoff and Post refer to the initiative of Sayyid Imām al-Sharīf (famously know as Dr Faḍl), in which the latter declared his rejection of al-Qaeda's violence. Michael Chertoff, "The Ideology of Terrorism: Radicalism Revisited", *Brown Journal of World Affairs*, Vol. 15, No. 1, Fall/Winter 2008, p. 14; Jerrold M. Post, "Reframing of Martyrdom and Jihad and the Socialization of Suicide Terrorists", *Political Psychology*, Vol. 30, No. 3, 2009, p. 384; El-Affendi, "The Terror of Belief and the Belief in Terror", p. 74; Peters, *Jihad in Classical and Modern Islam*, pp. 180-183; Ashour, *The De-Radicalization of Jihadists*, p. 2. Apart from the above authors, it is extremely difficult to trace any reference to *al-murāja'āt* by other Western authors such as Bonney, Kelsay, Esposito and others. See, for example, Bonney, *Jihād*, pp. 288-292; Kelsay, *Arguing the Just War*, pp. 130-133; Esposito, *Unholy War*, pp. 62-64; Roshandel and Chadha, *Jihad*, p. 53; Kepel, *The Roots of Radical*, pp. 199-223; Armstrong, *The Battle*, pp. 359-363; J.M.B. Porter, "Osama Bin-Laden, Jihād, and the Sources of International Terrorism", *Indiana*

Bin Laden and al-Qaeda while pretending to have forgotten the historical attempts at *al-murāja'āt* made by the leaders of the Islamic Group in Egypt.

While the *murāja'āt* literature started to see the light of day in the late 1990s and early 2000s, obtaining it from the publishing houses was a challenging task.<sup>263</sup> The researcher therefore attempted, successfully, to get most of what has been written from the headquarters of the Islamic Group in Cairo.<sup>264</sup>

An in-depth look into the *murāja'āt* literature reveals that most, if not all, of the fateful jihād thesis earlier championed by Faraj has been irrevocably discarded by the current leaders of the Group. Emphasis is placed on the Qur'ānic verses that incline to peace and forgiveness rather than war and fighting,<sup>265</sup> asserting that Ibn Taymiyah's opinion regarding the people of Mardin and the *Yasa*, once suitable for a certain time and place, cannot necessarily be applied to the Egyptian case. Thus, the *qiyās* (deduction by analogy) is not acceptable between the two cases.<sup>266</sup> *Musālamah* (peaceful co-existence), *taḥāluf* (coalition), *ta'āwun* (co-operation) and *muṣālahah* (reconciliation) are all terms that occur widely in the Group's literature, which presents messages such as: "...Islam does not consider military confrontation the only available option that has to be followed", "...the purpose of fighting in Islam is to remove *fitnah*" (persecution) "...not just to exercise fighting for the sake of fighting." The September

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*International and Comparative Law Review*, Vol. 13, No. 3, 2002-2003, p. 879; Amritha, "Religious Basis for Islamic Terrorism", p. 238.

<sup>263</sup> I remember the owner of the bookshop in downtown Cairo looking at me with suspicious eyes when I asked about Zuhdī's *Taffīrāt al-Riyāḍ* on 3 May 2008.

<sup>264</sup> Thanks to the prominent leader in the Group Nājiḥ Muhammad Ibrāhīm, who was very co-operative in sending me the literature following a personal request via e-mail sent to him on 17 May 2008.

<sup>265</sup> Ibrāhīm, *Al-Ḥākimiyyah*, p. 103.

<sup>266</sup> *Ibid.*, pp. 189-211,

11th 2001 attacks, the Bali attacks in Indonesia, and the Riyadh attacks are all rejected as abominable acts which represent a total distortion of jihād.<sup>267</sup>

In addition, clear messages have been presented in other books published by prominent leaders of the Group, messages that call for carefully studying the reality before issuing any legal judgment, give priority to the voice of reason over that of enthusiasm,<sup>268</sup> and prefer pluralistic views to dichotomous divisions.<sup>269</sup> Quotations from Ibn Taymiyah, in addition to being seen as unsuitable, are now replaced by modern statements by scholars such as al-Qaraḍāwī.<sup>270</sup>

### 3.4.3 *Al-Murāja'āt* Efforts Evaluated

The extremist and selective interpretations of the Qur'ān made by the leaders of the Group in the 1970s and 1980s, despite the courageous step in the late 1990s in which the earlier views were rejected, may remain a stumbling block to the favourable reception of the new peaceful ideology of the Group in the public sphere. Another reason for the lack of such favourable reception is the lack of effort on the part of the scholars of al-Azhar in critiquing *al-murāja'āt*. Many contemporary al-Azhar scholars, especially those affiliated to the official institution, whose predecessors led various initiatives to refute the *Farīdah*, give little or no attention to *al-murāja'āt*. Concerted efforts are made, however, by scholars who received their education at al-Azhar, but remain independent in expressing their views. Al-Qaraḍāwī is a very clear example of a

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<sup>267</sup> Zuhdī, *Taffīrāt al-Riyāḍ*, pp. 40-42.

<sup>268</sup> Ibrāhīm, *Taḥbīq al-Aḥkām min Ikhtisās al-Ḥukkām*, p. 73.

<sup>269</sup> Al-Sharīf and Ḥāfīz, *Al-Nuṣṣ wa al-Tabyīn*, p. 85.

<sup>270</sup> Muḥammad, *Ḥurmat al-Ghuluww fī al-Dīn*, pp. 100-114. Al-Qaraḍāwī himself has stated that, although at certain times his books were banned from being circulated among the members of the Group, with *al-murāja'āt* the leaders of the Group themselves cited his books at length. Al-Qaraḍāwī hailed this attitude by the Group calling it a sign of honesty and maturity in seeking religious knowledge. Al-Qaraḍāwī, *Fiqh al-Jihād: Dirāsah Muqāranah*, Vol. 1, pp. 16 f., Vol. 2, p. 1169.

scholar who hailed the *murājaʿāt* initiative,<sup>271</sup> although his analysis is far from the deeper methodological approach applied earlier by the scholars who critiqued the *Farīdah*.

It is also said that ʿUmar ʿAbd al-Raḥmān (1938-), an al-Azhar scholar who has been considered the spiritual guide of the Group from the 1970s until the present,<sup>272</sup> has disowned his radical views.<sup>273</sup> This is uncertain, however, because he is under strict imprisonment in the US, has not, up to the time of writing of this thesis, published any refutation of his earlier bloody-thirsty *fatāwā* (legal rulings) or relinquished his hardline views as an al-Azhar academic who earned his PhD from that institution.<sup>274</sup> All in all, *al-murājaʿāt* remains a courageous step in the right direction and is to be considered a landmark in the history of an extremist group that first condoned terrorism but later abhors it.

Nevertheless, it must be admitted that not all members of the Group have rejected violence. Some, notably al-Zawahirī, continue to call for ‘military jihād’, but this time with a special focus on the far enemy. Omar Ashour states that, “That process [*al-murājaʿāt*], has been only partially successful however, as three factions within al-jihad still refuse to uphold it. These factions also refuse to leave the Organization and one of them is in alliance with al-Qaʿida. The process is thus still ongoing at the present time.”<sup>275</sup>

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<sup>271</sup> Al-Qaraḍāwī, *Fiqh al-Jihād: Dirāsah Muqāranah*, Vol. 2, pp. 1168 f; idem, *Al-Islām wa al-ʿUnf*, pp. 40-58.

<sup>272</sup> Brooke, “Jihadist Strategic Debates”, pp. 207 f.

<sup>273</sup> Al-Qaraḍāwī, *Al-Islām wa al-ʿUnf*, p. 54; Migaux, “The Roots of Islamic Radicalism”, in Chaliand and Blin eds., *The History of Terrorism*, p. 291.

<sup>274</sup> For a confirmation of the radical views of ʿAbd al-Raḥmān, see for example, ʿAbd al-Raḥmān, “Mawqif al-Qurʾān min Khuṣ- mih”, pp. 1016-1029.

<sup>275</sup> Ashour, *The De-Radicalization of Jihadists*, pp. 2, 56.

Moreover, Kepel argues that it is because the terrorists' battle against the near enemy has failed, that they must once again consider the far enemy as the primary target. With such extremist views, al-Zawahiri and other key leaders of al-Qaeda consider the US as the main representative of this far enemy.<sup>276</sup> More seriously stated, al-Qaeda leaders consider anyone who does not embrace their ideology, including hundreds of millions of Muslims, as legitimate military targets.<sup>277</sup> Because of the seriousness of this assertion, it is necessary to examine the ideological basis that al-Qaeda members have adopted when launching their military jihād. This will eventually lead us to understand whether or not the September 11<sup>th</sup> 2001 attacks were Qur'ānically justified.

### 3.5 The Qur'ān in al-Qaeda's Discourse

Looking at al-Qaeda's ideology, one may find that this group claims to present its view from an Islamic perspective,<sup>278</sup> although this remains limited to the literal interpretation of the Sunnī *Salafī* ideology.<sup>279</sup> To support their claim, the leaders of al-Qaeda appeal to

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<sup>276</sup> Kepel, *The Roots of Radical*, p. 12. See also idem, *The War for Muslim Minds: Islam and the West*, trans. Pascale Ghazaleh (Cambridge, Mass: The Belknap Press of Harvard University Press, 2004), p. 1. See also, Madawi Al-Rasheed, "The Quest to Understand Global Jihad: The Terrorism Industry and Its Discontents", *Middle Eastern Studies*, Vol. 45, No. 2, March 2009, p. 330; Brooke, "Jihadist Strategic Debates", p. 212; Marvin Perry and Howard E. Negrin eds., "Al-Qaeda: Activating Jihadism", in *The Theory and Practice of Islamic Terrorism: An Anthology* (New York: Palgrave Macmillan, 2008), p. 38.

<sup>277</sup> Chertoff, "The Ideology of Terrorism", p. 14.

<sup>278</sup> Mark Sedgwick, "Al-Qaeda and the Nature of Religious Terrorism", *Terrorism and Political Violence*, Vol. 16, No. 4, Winter 2004, p. 795. According to David Bukay, "Terrorism does not grow from hunger, rather from radical ideologies and especially fanatic religion. Bin-Laden and Muslim terrorist leaders never declared that the reasons for their activity are poverty, ignorance, and hunger. They have mentioned the Western Crusades, the belligerency of the Jewish state, and the authoritarian Arab regimes." David Bukay, "What Is to Be Done", in David Bukay, ed., *Muhammad's Monsters: A Comprehensive Guide to Radical Islam for Western Audiences* (Green Forest, Ar: Balfour Books, 2004), p.318.

<sup>279</sup> Esposito, *Unholy War*, pp. 5-18. See also, Robert A. Pape, *Dying to Win: The Strategic Logic of Suicide Terrorism* (New York: Random House Trade Paperbacks, 2006), p. 107; idem, *Dying to Win: Why Suicide Terrorists Do It* (London: Gibson Square Books, 2006), pp. 106 f.

various Qur'ānic verses<sup>280</sup> in a bid to dress their attacks in a legitimate and authoritative attire.<sup>281</sup> While some Western authors, such as Shah and Gwynne, have tried to highlight this aspect of al-Qaeda's discourse, noting their declarations of 1996 and 1998 as primarily representative of their justification of jihād,<sup>282</sup> a thorough investigation of all Bin Laden's statements between 1994 and 2004, for example, shows to what extent Qur'ānic citations are deeply embedded in almost all of them.<sup>283</sup> Furthermore, Bin Laden, while trying to give authoritative discretion to his extremist views, frequently refers to classical exegetes such as al-Qurṭubī.<sup>284</sup> More interestingly, the direct reference to Ibn Taymiyah<sup>285</sup> and ʿAbdullāh ʿAzzām (1941- 1989),<sup>286</sup> as well as the indirect

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<sup>280</sup> The leaders of al-Qaeda appeal to Prophetic Traditions as well. According to Wiktorowicz, "In his 1996 'Declaration of War' against the United States, for example, Bin Laden carefully constructs his legitimation of violence through the use of the Quran and authentic hadiths." Quintan Wiktorowicz, "The New Global Threat: Transnational Salafis and Jihad", *Middle East Policy*, Vol. 8, No. 4, December 2001, p. 22. Moreover, according to Kingshott, "Al-Qaeda doctrine takes passages from the Qur'an and incidents from the life of Muhammad and presents them as evidence that the group's violent acts are sanctioned by the Qur'an and the Prophet." Brian Kingshott, "Terrorism: The 'New' Religious War", *Criminal Justice Studies*, Vol. 16, No. 1, 2003, p. 18. See also, Osama Bin Laden, "Declaration of War against the Americans Occupying the Land of the Two Holy Places", in David C. Rapoport ed., *Terrorism: Critical Concepts in Political Science* (London: Routledge, 2006), Vol. 4, pp. 271-294.

<sup>281</sup> Lewis argues that they do this in order to "...represent a truer, purer, and more authentic Islam than that currently practiced by the vast majority of Muslims." See, Lewis, *The Crisis of Islam*, p. 138.

<sup>282</sup> Niaz A. Shah, *Self-defence in Islamic and International Law: Assessing al-Qaeda and the Invasion of Iraq* (Basingstoke: Palgrave Macmillan, 2008), p. 48; Rosalind W. Gwynne, "Usama bin Laden, the Qur'an and Jihad", *Religion*, Vol. 36, 2006, p. 61. See also Copinger-Symes, "Is Osama bin Laden's 'Fatwa Urging Jihad against Americans' dated 23 February 1998 Justified", pp. 226-229; Bernard Lewis, "License to Kill: Usama bin Laden's Declaration of Jihad", *Foreign Affairs*, November/December 1998, pp. 14-19; Osama Bin Laden, "Jihad Against Jews and Crusaders", in David C. Rapoport ed., *Terrorism: Critical Concepts in Political Science* (London: Routledge, 2006), Vol. 4, pp. 295-297.

<sup>283</sup> Osama Bin Laden, *Messages to the World: The Statements of Osama Bin Laden*, ed. and intro. Bruce Lawrence, trans. James Howarth (London: Verso, 2005), pp. 19, 29, 30, 41, 61, 62, 92, 118, 122, 150, 161, 171, 180, 181, 185, 217, 267, 268, 272. See also Kenneth Payne, "Winning the Battle of Ideas: Propaganda, Ideology, and Terror", *Studies in Conflict and Terrorism*, Vol. 32, No. 2, February 2009, p. 113.

<sup>284</sup> Bin Laden, *Messages to the World*, pp. 60, 118.

<sup>285</sup> See, for example, *Ibid.*, pp. 60 f., 80, 118, 249 f.

<sup>286</sup> *Ibid.*, pp. 26, 32, 77.

influence of Qutb,<sup>287</sup> show how Bin Laden, al-Zawahiri and their followers give themselves authority to interpret Qur'anic verses in their own perverted way. Following the method of their predecessors,<sup>288</sup> they link Qur'anic verses to serve the reality they experience around them.<sup>289</sup> However, a few main features make al-Qaeda's understanding of military jihād in the Qur'an distinctive.

### 3.5.1 Distinctive Features of al-Qaeda's Understanding of Jihād

The first of these distinctive features is that al-Qaeda gives priority to the far enemy. Unlike other extremist groups, which saw the deposition of despotic rulers [or the near enemies] as a necessary step to the ultimate goal of establishing an Islamic Caliphate, al-Qaeda considers the far enemy as its top priority. This was the reason behind Bin Laden's claiming responsibility for the devastating attacks of September 11<sup>th</sup> 2001.<sup>290</sup>

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<sup>287</sup> Zimmerman, "Sayyid Qutb's Influence", p. 237; Burgat, *Islamism*, pp. 103 f.; Sedgwick, "Al-Qaeda and the Nature", p. 805. Authors such as Pape argue that Bin Laden and Al-Zawahiri fully embrace the extremist views of Qutb as well. See, Pape, *Dying to Win*, p. 107. At other times, it is said that it is al-Zawahiri who is much more influenced by Qutb's ideology than Bin Laden. See, Lacroix, "Ayman Al-Zawahiri", in Kepel and Milelli eds., *Al-Qaeda*, trans. Ghazaleh, p.150.

<sup>288</sup> i.e. the members of the Group before declaring their historic initiative to halt violence.

<sup>289</sup> Christina Hellmich, "Al-Qaeda—Terrorists, Hypocrites, Fundamentalists? The View from Within", *Third World Quarterly*, Vol. 26, No. 1, 2005, p. 74.

<sup>290</sup> Al-Qaeda is widely believed to have perpetrated these attacks. However, up to the writing of this thesis, it has not yet been factually proven that 9/11 was perpetrated by Bin Laden and al-Zawahiri (who are still on the run). However, authors such as Lawrence stress that "...it was not until 2004 that bin Laden publicly acknowledged his role in planning and organizing the attacks of 9/11." Bin Laden, *Messages to the World*, p. 14. See also Ann M. Lesch, "Osama Bin Laden: Embedded in the Middle East Crises", *Middle East Policy*, Vol. 9, No. 2, June 2002, p. 82; James L. Payne, "What Do the Terrorists Want?", *The Independent Review*, Vol. 13, No. 1, Summer 2008, p. 35; Hellmich, "Al-Qaeda—Terrorists, Hypocrites, Fundamentalists?", p. 39; Kepel, *The War for Muslim Minds*, p. 1.

The second feature is that, in contrast to the classical narrative of offensive jihād explained earlier in this chapter, the leaders of al-Qaeda consider the ‘jihād’ they are launching as purely ‘defensive’.<sup>291</sup> Bin Laden states:

“The United States and their allies are killing us in Palestine, Chechnya, Kashmir, Afghanistan, and Iraq. That’s why Muslims have the right to carry out revenge attacks on the US.”<sup>292</sup>

Realistically, neither Afghanistan nor Iraq was occupied by the US-led coalition at the time Bin Laden issued this statement.<sup>293</sup> In addition, neither of these two countries was occupied even when Bin Laden’s 1996 and 1998 declarations were issued.<sup>294</sup> This means that al-Qaeda is practising terrorism that cannot be condoned in Islam. It is a terrorism, in which:

“Killing the Americans and their allies—civilians and military—is an individual duty for every Muslim who can carry it out in any country where it proves possible.”<sup>295</sup>

The third feature is the fact that al-Qaeda, as a non-state actor,<sup>296</sup> launches its ‘jihād’ with total disregard for Islamic norms, which dictate that only the Muslim ruler

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<sup>291</sup> According to Miliora, “The ideological messages of extremist leaders [among them Bin Laden] appeal to people in the Muslim world who feel that injustices have been perpetrated against them by the West.” See Maria T. Miliora, “The Psychology and Ideology of an Islamic Terrorist Leader: Usama bin Laden”, *International Journal of Applied Psychoanalytic Studies*, Vol. 1, No. 2, 2004, p. 126.

<sup>292</sup> Bin Laden, *Messages to the World*, p. 140. According to Pape, “...al-Qaeda leaders can portray the United States as a religiously motivated aggressor, posing a common threat to occupy and transform their societies, and can appeal for collective martyrdom operations as the only means of protecting the self-determination of the threatened communities.” Pape, *Dying to Win*, p. 117.

<sup>293</sup> Bin Laden issued his statement on 12 November 2001. See Bin Laden, *Messages to the World*, p. 139.

<sup>294</sup> Shah, *Self-defence in Islamic and International Law*, pp. 57 f.

<sup>295</sup> Osama Bin Laden, et al., “World Islamic Front Statement Urging Jihad against Jews and Crusaders”, in Kepel and Milelli eds., *Al-Qaeda*, p. 55. See also, Said Mahmoudi, “The Islamic Perception of the Use of Force in the Contemporary World”, in Mashood A. Baderin, ed., *International Law and Islamic Law* (Aldershot: Ashgate, 2008), p. 110.

<sup>296</sup> ‘State actors’ are the ruler of the Muslim state or his deputy, while ‘non-state actors’ are any non-governmental organization or individuals. See Dinah PoKempner, “The ‘New’ Non-State Actors in International Humanitarian Law”, *George Washington International Law Review*, Vol. 38, No. 3, 2006, pp. 551-560.

or his deputy has the legitimate authority to declare it.<sup>297</sup> The leaders of al-Qaeda and other inspired groups consider the rulers despots who possess no legal authority, and that they are not therefore entitled to this right. However, this argument can be easily refuted. The rulers whom al-Qaeda claims are not eligible to launch jihād because they have sided with the enemies of Muslims, are the same rulers who declare that Islam is the official religion of their countries.<sup>298</sup> Even when Muslim rulers side with the enemies of Muslims, Muslim leaders can only declare jihād by consensus, not simply as individuals.

The fourth feature of al-Qaeda's fighting is that, while the proponents of the classical jihād narrative depend heavily on the theory of abrogation, Bin Laden and his group do not accept this theory, so al-Qaeda is "far removed"<sup>299</sup> from being faithful to the classical jihād narrative. Indeed, the *nāsikhah* (abrogating) and *mans-khah* (abrogated) verses are quoted in Bin Laden's statements without distinction.<sup>300</sup> Furthermore, when quoting Qur'ānic verses Bin Laden truncates some verses, including both abrogating and abrogated, removing phrases that qualify how these verses should be understood. In his declaration entitled *The World Islamic Front* issued on 23 February 1998, he applies this methodology when quoting the following verse:

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<sup>297</sup> Shah, *Self-defense in Islamic and International Law*, p. 23; Badawi, "Muslim/Non-Muslim Relations", p. 269; Katerina Dalacoura, "Violence, September 11 and the Interpretations of Islam", in Mashood A. Baderin, ed., *International Law and Islamic Law* (Aldershot: Ashgate, 2008), p. 236; Al-Dawoody, "War in Islamic Law", p. 132.

<sup>298</sup> Javaid Rehman, *Islamic State Practices, International Law and the Threat from Terrorism* (Portland, Or.: Hart, 2005), p. 27.

<sup>299</sup> Abdal Hakim Murad, "Bombing without Moonlight: The Origins of Suicidal Terrorism", *Encounters*, Vol. 10, No. 1-2, 2004, p. 93.

<sup>300</sup> A thorough reading of Bin Laden's *Messages to the World* confirms this view. For abrogated verses quoted by him, see for example, Qur'an 16: 126, and for abrogating verses see Qur'an 47: 4. Bin Laden, *Messages to the World*, pp. 41, 118. See also, Gwynne, "Usama bin Laden, the Qur'an", pp. 64 f.

“Fight them until there is no more persecution and until worship is devoted to God” (Qur’ān 2: 193).<sup>301</sup>

Here, Bin Laden does not quote the qualifying part of the verse which reads:

“If they cease hostilities, there can be no [further] hostility, except towards aggressors” (Qur’ān 2: 193).<sup>302</sup>

Right after this selective quoting, Bin Laden adds:

“With God’s permission we call on everyone who believes in God and wants reward to comply with His will to kill the Americans and seize their money wherever and whenever they find them.”<sup>303</sup>

Bin Laden continues his selective process, but this time with abrogated verses. In an interview entitled *Terror for Terror* on 21 October 2001, he cites this verse:

“And if you punish (your enemy, O you believers in the Oneness of God), then punish them with the like of that with which you were afflicted” (Qur’ān 16: 126).<sup>304</sup>

Again, the qualifying part of the verse, “...but it is best to show patience”,<sup>305</sup> is not mentioned by Bin Laden. Having presented the main ideological foundations of al-Qaeda, it is now necessary to critique them, highlighting modern scholarly efforts in this regard.

### **3.5.2 Refuting Al-Qaeda’s Core Arguments with Reference to September 11<sup>th</sup>**

From al-Qaeda’s point of view, the attacks of September 11<sup>th</sup> are justified. The leaders of al-Qaeda cite various justifications, claiming that the action was Islamically justified.

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<sup>301</sup> Bin Laden, *Messages to the World*, p. 61. The translation of this Qur’ānic verse is probably by Lawrence and Howarth as they do not state in their introduction which translation they depend upon.

<sup>302</sup> Haleem, *Qur’an*, p. 22.

<sup>303</sup> Bin Laden, *Messages to the World*, p. 61.

<sup>304</sup> Ibid., p. 118. The translation of this verse is cited as translated by Howarth.

<sup>305</sup> What is between “ ” is my own translation of this qualifying part of the verse.

In the researcher's view, however, September 11<sup>th</sup> as well as other preceding<sup>306</sup> and succeeding attacks<sup>307</sup> cannot be justified, neither Islamically nor Qur'ānically, for the following reasons:

First, al-Qaeda's unilateral declaration of war against Muslims and non-Muslims is done in a total disregard for the Qur'ānic conception of diversity, human brotherhood, and peaceful relations between Muslims and non-Muslims, referred to, for example, in Qur'ān 2: 148; 5: 48; 49: 13. Anyone who rejects al-Qaeda's ideology is unjustifiably killed; a thing which stands in total contrast to the clear Qur'ānic message in which,

“...if anyone kills a person—unless in retribution for murder or spreading corruption in the land—it is as if he kills all mankind, while if anyone saves a life it is as if he saves the lives of all mankind...”<sup>308</sup> (Qur'ān 5: 32)

Second, al-Qaeda's claim that it is exercising 'defensive jihād' against the US and its allies<sup>309</sup> to defend usurped Muslim lands is nothing but a lame excuse because Bin Laden and his followers constitute a very tiny minority representing none but themselves,<sup>310</sup> so they cannot declare 'defensive jihād' on behalf of the whole

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<sup>306</sup> Such as the attacks on the USS Cole in Yemen and the 1998 attacks on the US embassies in Kenya and Tanzania. See, Gerges, *The Far Enemy*, pp. 31, 59.

<sup>307</sup> Such as the bombings in London on 7 July 2005. Aaron David, *In Their Own Words: Voices of Jihad: Compilation and Commentary* (Santa Monica, Ca: RAND Corporation, 2008), pp. 225, 297, n. 17.

<sup>308</sup> Haleem, *Qur'an*, p. 71.

<sup>309</sup> Shah, *Self-defense in Islamic and International Law*, p. 53; Abou El Fadl, *The Great Theft*, p. 232.

<sup>310</sup> According to Barlas, it is strange to consider Bin Laden, the hijackers and their followers and supporters as “exemplifying real Islam” with a total disregard to the world's one billion Muslims. See, Barlas, “Jihad, Holy War, and Terrorism”, p. 57. In contrast, Bar claims that the radical ideology is “...rather a genuine and increasingly mainstream interpretation”. He further claims that even after the September 11<sup>th</sup>, “...the sermons broadcast from Makkah cannot be easily distinguished from those of al Qaeda.” See, Shmuel Bar, “The Religious Sources of Islamic Terrorism”, in Marvin Perry and Howard E. Negrin eds., *The Theory and Practice of Islamic Terrorism: An Anthology* (New York: Palgrave Macmillan, 2008), p. 17. It is very clear that Bar's claim is unfounded as it totally disregards many of the concerted efforts to express the Islamic view in which the positions of al-Qaeda and other similar extremist groups are marginalized. Interestingly, his comparison between al-Qaeda and the discourse of sermons in the Holy Mosque in Mecca is strikingly marked by exaggeration and generalization.

*ummah*.<sup>311</sup> Simply put, the declaration of jihād is the prerogative of the ruler of the Muslim state or his deputy<sup>312</sup> and al-Qaeda members, as non-state actors, are not allowed to declare it. In addition, the ‘defensive jihād’ launched by al-Qaeda against the US<sup>313</sup> and its allies is not justified because the expansionist American policy against some Muslim countries, such as Iraq and Afghanistan, does not justify shifting the war zone to American soil by attacking its innocent citizens under the pretext that they are far enemies. The US and other countries, apart from Israel, are, in al-Qaraḍāwī’s view, to be considered *dār ‘ahd* (territory of covenant) because the international community is bound by the United Nations’ Charter.<sup>314</sup> However, according to Shah, the persistence of the occupation of these two Muslim countries may encourage Muslim rulers—and not al-Qaeda—by consensus to declare jihād. If there were such a consensus, Shah argues, both the Qur’ān and international law would support it.<sup>315</sup>

Third, Bin Laden’s reference to classical interpretations, especially al-Qurṭubī,<sup>316</sup> reflects the fact that he appeals to a range of classical exegetes to show how well-versed he is in extracting legal rulings from the Qur’ān, which is necessary to attract more followers to his ideology and hence gain presumed authority. However,

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<sup>311</sup> John L. Esposito and Dalia Mogahed, “Who Will Speak for Islam?”, *World Policy Journal*, Vol. 25, No. 3, Fall 2008, p. 49; Christina Hellmich, “Creating the Ideology of Al Qaeda: From Hypocrites to Salafi-Jihadists”, *Studies in Conflict and Terrorism*, Vol. 31, No. 2, February 2008, p. 119.

<sup>312</sup> Johnson, *The Holy War Idea*, p. 37; Abdulaziz Sachedina, *The Islamic Roots of Democratic Pluralism* (New York: Oxford University Press, 2001), p. 120. Furthermore, the declaration of jihād, according to Kamali, should be reserved for national armies, which are found in almost all Muslim countries. See, Kamali, “Issues in the Understanding of *Jihād*”, p. 633.

<sup>313</sup> Importantly, however, “...the threat posed to U.S. citizens by Islamist terrorism neither necessitates nor justifies as a response massive military invasions of other nations.” Joseph M. Schwartz, “Misreading Islamist Terrorism: The ‘War Against Terrorism’ and Just-War Theory”, *Metaphilosophy*, Vol. 35, No. 3, April 2004, p. 273.

<sup>314</sup> Al-Qaraḍāwī, *Fiqh al-Jihād: Dirāsah Muqāranah*, Vol. 2, pp. 900-910. See also, Ab-Zahrah, *Al-‘Alāqāt al-Dawliyyah*, p. 60.

<sup>315</sup> Shah, *Self-defense in Islamic and International Law*, p. 78. Qur’ān 22: 39-40 referred to earlier in this Chapter

<sup>316</sup> Bin Laden, *Messages to the World*, pp. 60, 118 f.

Gwynne's claim that al-Qurṭubī's exegesis is presumably Bin Laden's "...main exegetical source"<sup>317</sup> is questionable, for his statement also refers to other exegetes, including Ibn Kathīr.<sup>318</sup> Bin Laden's attempts to adduce support for his views, regardless of whether the authors he refers to are exegetes or not, are interesting. His reference to different types of authors is marked by both selectivity and generality: a highly selective process<sup>319</sup>, which picks and chooses from the views of classical scholars and exegetes with no consideration for the historical contexts in which their views were formulated, and a superficial application to a modern reality that is completely different. If Bin Laden willfully omits the qualifying parts of Qur'ānic verses he quotes, as earlier indicated, it is not surprising that he does the same with exegetes such as al-Qurṭubī and Ibn Kathīr.

Fourth, Bin Laden's belief that those who died while perpetrating September 11<sup>th</sup> were martyrs<sup>320</sup> compounds the misunderstanding of jihād, already widely thought to be a form of terrorism. In total rejection of Bin Laden's views, the prominent Lebanese Sunnī scholar Faysal Mawlawī states that those responsible for September 11<sup>th</sup> cannot be regarded as martyrs, even if they considered their action a form of jihād, had sincere intentions and acted ignorantly. Good intentions, Mawlawī argues, do not

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<sup>317</sup> Gwynne, "Usama bin Laden, the Qur'an", p. 65. See also, Osama Bin Laden, "Declaration of Jihad against Jews and Crusaders", in Marvin Perry and Howard E. Negrin eds., *The Theory and Practice of Islamic Terrorism: An Anthology* (New York: Palgrave Macmillan, 2008), p. 46.

<sup>318</sup> Bin Laden, *Messages to the World*, pp. 93, 122.

<sup>319</sup> Lewis, *The Crisis of Islam*, p. 138; Youssef H. Aboul-Enein and Sherifa Zuhur, *Islamic Rulings on Warfare* (Carlisle Barracks, PA: Strategic Studies Institute, U.S. Army War College, 2004), pp. 1, 7; T.P Schwartz-Barcott, *War, Terror and Peace in the Qur'an and in Islam: Insights for Military and Government Leaders* (Carlisle, PA: The Army War College Foundation Press, 2004), pp. 2 f.; Randall, *Holy Scriptures as Justifications for War*, p. 177; Marvin Perry and Howard E. Negrin, "Introduction", in eidem, eds., *The Theory and Practice of Islamic Terrorism: An Anthology* (New York: Palgrave Macmillan, 2008), p. 9.

<sup>320</sup> Lewis, *The Crisis of Islam*, p. 153. For a discussion of martyrdom with special reference to the Qur'an, please refer to Chapter Four of this thesis.

justify illegal acts and September 11<sup>th</sup> is an action that is prohibited from an Islamic perspective.<sup>321</sup>

Mawlawī's *fatwā* is a balanced view which overturns Bin Laden's judgment. It clearly sets the demarcating line between jihād and terrorism and proposes a clear explanation to Western readers of how the two concepts should be clearly distinguished. Though marked by profound understanding of the September 11<sup>th</sup> attacks from a juristic perspective, Mawlawī's view includes shedding light on the efforts made by the "silent majority"<sup>322</sup> of moderate Muslim scholars, who have allowed the stage to be dominated by "vocal extremists and terrorists".<sup>323</sup> In my view, the scholars who condemn the attacks of September 11<sup>th</sup>, as well as other terrorist attacks throughout the world, are neither a silenced majority nor are they less vocal than they should be. Rather, the media machines in some Western academic circles often have a responsibility here, as they project Bin Laden and his followers as the sole spokesmen for Islam, drowning out the contributions of scholars as yet unknown.

Concerted efforts have been made since September 11<sup>th</sup> to explain the correct Islamic attitude towards these attacks. Such efforts took a collective form such as the 14<sup>th</sup> conference of the Supreme Council for Islamic Affairs in Cairo referred to earlier in

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<sup>321</sup> Faysal Mawlawī, "Al-Tafjīrāt fī Amrīkā lā Tabluḡ Darajat al-Shahādah", [article online]; available from [http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-Arabic-Ask\\_Scholar/FatwaA/FatwaA&cid=1122528615454](http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-Arabic-Ask_Scholar/FatwaA/FatwaA&cid=1122528615454); accessed 13 July 2009.

<sup>322</sup> Ali and Post, "The History and Evolution of Martyrdom", p. 645.

<sup>323</sup> Esposito and Mogahed, "Who Will Speak", p. 49.

this chapter, in addition to the many *fatāwā* issued by Muslim scholars in the West<sup>324</sup> and the Muslim world<sup>325</sup> condemning the attacks.

A careful reading of these *fatāwā* reveals that they are generally reactive, as if the muftis were waiting for something to happen before they could explain the Islamic attitude towards it. The writer of this thesis has personally lived this experience when he was given the Arabic transcript written by al-Qaradāwī to be translated on the day of the September 11<sup>th</sup> attacks. The general theme of the *fatāwā* examined by the researcher in this regard is on the whole apologetic. Refutations of the extremist views of Bin Laden and his followers are not very vivid. Instead, the *fatāwā* are short statements of condemnation<sup>326</sup> rather than scholarly orchestrated responses. Perhaps, this is another reason why scholars with moderate voices are heard less than the extremists and terrorists who advocate violent interpretations.<sup>327</sup>

While people like Bin Laden and his followers interpret verses of the Qur’ān selectively to suit their agendas<sup>328</sup> and add an ‘authoritative’ dressing to their views, modern scholars cite from the Qur’ān and the Sunnah to back their arguments while

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<sup>324</sup> Muzammil Siddiqi, “Two Years after Sept 11: What Does Islam Have to Say?”, [article online]; available from [http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-English-Ask\\_Scholar/FatwaE/FatwaE&cid=1119503545852](http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-English-Ask_Scholar/FatwaE/FatwaE&cid=1119503545852); accessed 15 July 2009.

<sup>325</sup> Group of Muftis, “Sept 11 Attacks: Islamic Views”, [article online]; available from [http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-English-Ask\\_Scholar/FatwaE/FatwaE&cid=1119503544428](http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-English-Ask_Scholar/FatwaE/FatwaE&cid=1119503544428); accessed 15 July 2009.

<sup>326</sup> See, for example, the statement issued by al-Azhar Research Academy concerning September 11<sup>th</sup>. Muḥammad Sayyid Ṭanṭāwī, “Bayān Majma’ al-Buḥ- th al-Islāmiyyah bi al-Azhar bi-Sha’n Zāhirat al-Irhāb”, [article online]; available from <http://www.islamonline.net/Arabic/doc/2001/11/article3.shtml>; accessed 15 July 2009. See also, Majma’ al-Buḥ- th al-Islāmiyyah, “Mā Yaḥduth fī Afghanistan ‘Udwān Mutajabbir”, *Majallat al-Azhar*, Vol. 74, Ramadan 1422/December 2001, p. 1645.

<sup>327</sup> Ali and Post, “The History and Evolution of Martyrdom”, p. 645. According to Jackson, “‘moderate’ Muslims must take the lead in fighting extremism in their communities.” Richard Jackson, “Constructing Enemies: ‘Islamic Terrorism’ in Political and Academic Discourse”, *Government and Opposition*, Vol. 42, No. 3, 2007, p. 411.

<sup>328</sup> Mbaye Lo, “Seeking the Roots of Terrorism: An Islamic Traditional Perspective”, *Journal of Religion and Popular Culture*, Vol. 10, Summer 2005, [article online]; available from <http://www.usask.ca/relst/jrpc/art10-rootsofterrorism-print.html>; accessed 26 January 2010.

hardly referring to well-versed classical scholars in the field. It may be the nature of the online-based *fatāwā* that makes it difficult for these scholars to refer to the classical sources in detail. However, a thorough consideration of al-Qaraḏāwī's newly published monograph, *Fiqh al-Jihād*, quoted earlier in this chapter confirms the lack of classical references. Al-Qaraḏāwī, who was one of the earliest Muslim scholars to condemn the September 11<sup>th</sup> attacks in online *fatāwā*, gives hardly any space in his two-volume work to refuting the false claims of al-Qaeda's interpretations of various religious texts including, of course, the Qur'ān. Moreover, it is extremely difficult to find people from al-Azhar, whose scholars have previously exposed the false allegations of Faraj's pamphlet, doing the same job with Bin Laden and al-Qaeda. The claim that the two are the same can be easily rebutted, as we have seen from the above presentation of al-Qaeda's main ideological features, so it is necessary that contemporary Muslim scholars should not only explain the Islamic attitude towards September 11<sup>th</sup><sup>329</sup> but also formulate a modern, comprehensive argument to challenge the ideological legacy of modern terrorists.<sup>330</sup> Having said that, the efforts of individual scholars such as al-Qaraḏāwī and others constitute a laudable endeavour capable of silencing terrorist voices, if some of their weaknesses are remedied. One of the main weak features is the absence of in-depth academic studies in which the extremist ideas of the proponents of a violent understanding of the Qur'ān are exposed, at least as effectively as they were

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<sup>329</sup> According to Kepel, beyond the Bin Laden's supporters and admirers, the "commando" action carried out by al-Qaeda against the twin towers and the Pentagon is seen by the majority of Muslims as an act that has nothing to do with jihād in Islam. See Kepel, *The War for Muslim Minds*, p. 290.

<sup>330</sup> One of the very few remarkable efforts made in this regard with special reference to the 'Verse of the Sword' is the critical analysis of the rhetoric that surrounds Qur'ān 9: 5. Muhammad Abdel Haleem, *The 'Sword Verse' Myth* (London: Centre of Islamic Studies, SOAS, 2007), p.33; idem, *Understanding the Qur'an*, p. 65. See also, Tahir Abbas, "A Theory of Islamic Political Radicalism in Britain: Sociology, Theology and International Political Economy", *Contemporary Islam*, Vol. 1, No. 2, August 2007, p. 114.

with their earlier forbears, such as the Group. The ferocity of the unfounded ‘arguments’ of al-Qaeda and the way they are received in the West, which may allow the terrorists to monopolize the religious conversation, will continue, if moderate Muslim scholars do not rise to the challenge.

### 3.6 CONCLUSION

In this chapter, an attempt has been made to explain how jihād and terrorism differ from each other from a Qur’ānic perspective. It has shown that classical and modern exegetes present diverse interpretations of jihād in the Qur’ān.<sup>331</sup> This diversity is deeply influenced by various elements, prominent among which is their surrounding circumstances, which led to their dichotomous vision of a world divided between *dār al-Islam* and *dār al-Ḥarb*, even though this binary division is profoundly un-Qur’ānic. This classical jihād narrative still echoes among today’s neo-classicist extremists, such as Bin Laden and al-Zawahiri, who insist on practising terrorism in the name of Islamic jihād, blemishing the true image of jihād as strongly attached to the way of Allah, a feature which marks out jihād from mundane wars. This extremist interpretation of the

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<sup>331</sup> Mustansir Mir is an example of a modern researcher who urges us to ‘think outside the box’, as far as this issue is concerned. Describing the classical theory, he states—while attempting to resolve the seeming contradiction between verses in the Qur’ān such as 2: 217 and 9: 29 for example—that the verses that give “...unqualified permission to wage war” “...have abrogated all the previous ones”. Mir adds that this classical doctrine took the hostile relationship between Muslim and non-Muslim states as the norm. Beyond the classicists, Mir argues, there are three other categories, which formulate the modern views on jihād: the apologists, the neo-classicists, and the modernists. The apologists, who first appeared in British India in the second half of the nineteenth century, take the view that Islam has nothing to do with offensive jihād and that defensive jihād is the only type allowed. The neo-classicists maintain an opposing view to that of the apologists and, according to Mir, in reaction to them. The neo-classicists revived the classical theory of jihād with even “renewed vigor”. Contrary to the neo-classicists and like the apologists, the modernists maintain that Islam advocates only defensive jihād and that the Qur’ān and the Sunnah nowhere condone aggression. However, unlike the classicists who invoke the principle of abrogation, the modernists place great emphasis on the contextual study of seemingly contradictory Qur’ānic verses. And, unlike the apologists, whose main aim is to convince non-Muslims of the idea that military jihād has nothing to do with the Qur’ān, the modernists are “...much more respectful of the historic Islamic tradition” even though they sometimes disagree with some aspects of it. Mir, “Jihād”, pp. 115-120.

Qur'ānic text applied by some of the classical exegetes and their modern followers has had its impact on the formulation of the modern Western understanding of jihād in Islam.

Unlike the classical exegetes who, for example, apply the theory of abrogation to justify considering military jihād as the underlying principle shaping Muslims' external relations with non-Muslims, the neo-classicists distance themselves from this traditional approach, claiming to have a new vision in which they refer to their terrorist actions as a form of jihād, although they stand in total contradiction to what the Qur'ān teaches.

Part of the alternative reading which this chapter has presented is that jihād is an intrinsically Qur'ānic term that is loaded with a heavy legacy of misunderstanding in the Western academic context. Aspects of such misunderstanding include: the failure to comprehend even the phonological meanings of this Qur'ānic term by translating it as 'Holy War'; difficulty in understanding the legislative stages of jihād in Qur'ānic discourse; failure to give fair consideration to the verses that emphasise peace and forgiveness while over-emphasizing those that speak of war and revenge; looking at a small group of terrorists as if they were the sole representatives of the total population of Muslims; magnifying the bloody history of some extremist groups while hardly considering the corrective measures and ideological revisions some of those groups have recently applied.

This misunderstanding, however, is not limited to Western academia. Rather, among Muslim scholars there are on the one hand some who have misconceptions about the Qur'ānic concept of war, and speak as if the Qur'ān were a completely pacifist book, and, on the other, those who read the Qur'ān selectively and portray it as a book

that calls for the killing of others for their beliefs. Even when these extremists and terrorists declare their ‘defensive jihād’ against those who invade Muslim lands, they open up a global warfare without limitations on the basis of a selective reading of the Qur’ān, although the Qur’ān qualifies all the verses that call for fighting non-Muslims.

Between the extremist and the pacifist readings of the Qur’ānic texts, this chapter has attempted to bridge a yawning gap by highlighting the role of modern exegetes and scholars who present a lenient yet authoritative view of what relations between Muslims and non-Muslims should be like. This relationship has peace as its underlying principle, unless Muslims are attacked, in which case, they are allowed to retaliate in self-defence. While this peaceful interpretation is widely acknowledged and endorsed by the overwhelming majority of modern individual and collective scholars in official and unofficial circles, as well as ordinary Muslims, it does not, unfortunately, receive the same degree of attention in Western academic circles as the disproportionately loud voice of terrorist groups such as al-Qaeda and their followers.

The bipolar division of the world might have succeeded in serving the cause of Islam “...at a certain point in history” but its application today will lead to “...disastrous consequences”.<sup>332</sup> That is why the bipolar view endorsed by classical and modern exegetes cannot be adopted as the final Islamic verdict determining the relationship between Muslims and non-Muslims. In addition, part of the solution to this dilemma lies in understanding all the Qur’ānic verses thought by extremists to promote ‘aggression’ against non-Muslims in the context of the hostility faced by “...the first

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<sup>332</sup> Abou El Fadl, *The Great Theft*, p. 231.

generation of Muslims from the pagan Arabs” and not as a general attitude towards non-Muslims.<sup>333</sup>

The US, as this chapter has attempted to explain, is not an enemy of Islam or Muslims, according to Muslim scholars. Importantly, US President Barack Obama highlighted this fact in two very important visits to Turkey and Egypt. In his first trip overseas as president of the US, Obama addressed the Turkish Parliament on 6 April 2009, asserting: “Let me say this as clearly as I can: the United States is not at war with Islam.”<sup>334</sup> Obama’s speech in Turkey was widely covered in newspapers in countries as diverse as the UK, China, Turkey, Lebanon, Qatar and the US.<sup>335</sup> Two months later, on 4 June 2009, Obama presented the same message in a historic speech addressed to the Muslim world from Cairo University saying: “In Ankara, I made clear that America is not—and never will be—at war with Islam.”<sup>336</sup>

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<sup>333</sup> Andrew F. March, “Sources of Moral Obligation to non-Muslims in the ‘Jurisprudence of Muslim Minorities’ (*Fiqh al-aqalliyyāt*) Discourse”, *Islamic Law and Society*, Vol. 16, No. 1, 2009, p. 72.

<sup>334</sup> Barack Obama, “Remarks of President Barack Obama – As Prepared for Delivery Address to Turkish Parliament, Ankara, Turkey, April 6, 2009”, [article online]; available from [http://news.bbc.co.uk/1/shared/bsp/hi/pdfs/06\\_04\\_09\\_obamaspeech.pdf](http://news.bbc.co.uk/1/shared/bsp/hi/pdfs/06_04_09_obamaspeech.pdf); accessed 22 July 2009, p. 6. The words quoted above are the exact words delivered by President Obama, but the original text prepared for this address did not contain the phrase “and never will be”.

<sup>335</sup> See, for example, Toby Harnden, “Barack Obama in Turkey: US ‘Will never be at war with Islam’”, [article online]; available from <http://www.telegraph.co.uk/news/worldnews/northamerica/usa/barackobama/5115044/Barack-Obama-in-Turkey-US-will-never-be-at-war-with-Islam.html>; accessed 22 July 2009; China Daily, “Obama: US not at war with Islam”, [article online]; available from [http://www.chinadaily.com.cn/cndy/2009-04/07/content\\_7652587.htm](http://www.chinadaily.com.cn/cndy/2009-04/07/content_7652587.htm); accessed 22 July 2009; Sermin Kence, “President Obama: U.S. is not and never will be at war with Islam”, [article online]; available from <http://www.turkishweekly.net/news/71108/president-obama-u-s-is-not-and-never-will-be-at-war-with-islam.html>; accessed 22 July 2009; Al Jazeera English, “Obama: ‘US is not at war with Islam’”, [article online]; available from <http://english.aljazeera.net/news/europe/2009/04/20094611538303268.html>; accessed 22 July 2009; Christi Parsons and Laura King, “In Turkey, Obama say U.S. is not at war with Islam”, [article online]; available from <http://www.latimes.com/news/nationworld/world/la-fg-obama-turkey7-2009apr07,0,641778.story>; accessed 22 July 2009.

<sup>336</sup> Barack Obama, “Remarks by the President on a New Beginning”, [article online]; available from [http://www.whitehouse.gov/the\\_press\\_office/Remarks-by-the-President-at-Cairo-University-6-04-09/](http://www.whitehouse.gov/the_press_office/Remarks-by-the-President-at-Cairo-University-6-04-09/); accessed 22 July 2009. Here, it is worth noting that a reference to the

What was also special about Obama's speech in Cairo is that he quotes, for example, Qur'ān 5: 32<sup>337</sup> and 49: 13<sup>338</sup> as verses establishing the sanctity of human life and calling for universal brotherhood. This draws attention to the fact that the Qur'ān still occupies a central point in promoting a peaceful relationship between Muslims and non-Muslims. It is also worth adding that the al-Azhar Research Academy, the highest Islamic authority in Egypt, hailed Obama's Speech considering it a sign for "a new promising era" for relations between the US on the one hand, and the Arab and the Muslim world, on the other.<sup>339</sup>

Given the above, targeting the US and its allies through 'defensive jihād', as applied by Bin Laden and his followers, is a faulty interpretation of the Qur'ānic verses. Furthermore, the September 11<sup>th</sup> attacks on American soil were not legitimate, no matter what the motives in the minds of the perpetrators and those who motivated them. In the Qur'ānic understanding, this attack and others similar to it—where the blood of human beings is unjustifiably shed—are terrorist crimes for which there are deterrent punishments as will be explained later in Chapter Five of this thesis. In other words, these acts have nothing to do with jihād. Rather, they are acts of terrorism poles apart from Islamic jihād.<sup>340</sup>

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original text given in Ankara by Obama shows that the phrase "and never will be" is not mentioned.

<sup>337</sup> "...if anyone kills a person—unless in retribution for murder or spreading corruption in the land—it is as if he kills all mankind, while if any saves a life it is as if he saves the lives of all mankind." See Haleem, *Qur'an*, p. 71.

<sup>338</sup> "People, We created you all from a single man and a single woman, and made you into races and tribes so that you should recognize one another..." Ibid., p. 339.

<sup>339</sup> Muḥammad Sayyid Ṭanṭāwī, "Bayān Majma' al-Buḥ- th al-Islāmiyyah ḥawla Khiṭāb al-Ra'īs Obama li al-Ālam al-Islāmī", *Majallat al-Azhar*, Vol. 82, Rajab 1430/June 2009, pp. 1184 f.

<sup>340</sup> Khurshid Ahmad, "The World Situation after September 11, 2001", in Ibrahim M. Abu-Rabi' ed., *The Blackwell Companion to Contemporary Islamic Thought* (Malden, MA: Blackwell, 2006), pp. 408 f.

However, anchoring the above concept requires the American administration and its allies to translate words into actions by ending modern forms of occupation of Muslim countries such as Afghanistan and Iraq. Once this hope becomes a reality, more concerted efforts can be made to bring an end to the Palestinian-Israeli conflict, another domain in which jihād still triggers wide controversy. Between two opposing views, military reaction to occupation in the form of self-sacrifice remains a contentious point, not only among Muslims but also between Muslims and non-Muslims. Interestingly, the following chapter will present a theoretical understanding of martyrdom and suicide, focusing on the Qur'ānic discourse, in an attempt to achieve a better understanding of the issue.

## CHAPTER FOUR

### MARTYRDOM VS. SUICIDE IN THE QUR'ĀNIC DISCOURSE

#### 4.1 Introduction

Numerous Qur'ānic verses refer to *istishhād* (martyrdom) and indicate the role played by the martyr in the jihād process. In these verses, martyrdom is portrayed as a generously rewarded act, which secures for the martyr a high rank in Paradise. These verses are also prominently used by Muslim authors as primary proof-texts to justify some 'suicide bombings', which, in their view, are a form of martyrdom.

Equally important are a few other verses that refer to *qatl al-nafs* (self-murder) as an abhorred act, which secures a place in Hellfire for those who commit it. From these verses, both Muslim and non-Muslim authors deduce that the acts depicted by some as martyrdom are to be condemned. This is clearly the source of vigorous debate between those who hold these conflicting views.

Remarkably, the role of exegetes is sometimes under-explored in the interpretations found in the vast majority of the modern literature in which both views are expressed, while at other times, it is selectively quoted to suit the view of the author, whether to support or to condemn 'suicide' actions. This chapter, therefore, aims to explore how both *istishhād* and *qatl al-nafs* are represented in the Qur'ānic discourse and whether or not the diverse interpretations of classical and modern exegetes may lead to uniform or different understandings, especially with regard to *qatl al-nafs*.

After the discussion of the two theoretical concepts in the Qur'ānic context, a practical case study of 'martyrdom' or 'suicide operations' with reference to the

Palestinian-Israeli conflict is presented, along with three supporting, opposing and discreet approaches, which are marked by specific dimensions that help decontextualize the argument in each approach. This Palestinian-Israeli ‘martyrdom’ or ‘suicide operations’ is specifically highlighted because it is apparently the only context concerning which the permitting or prohibiting legal rulings are available to the researcher. Another important reason relates to the centrality of the conflict internationally; a reason explored further in the discussion in this chapter.

Importantly, the present chapter is limited to the Sunnī understanding of *istishhād* and *qatl al-nafs* as primarily interpreted by the exegetes and understood, within the context of ‘martyrdom’ or ‘suicide operations’ in the last two decades, by modern scholars.

## **4.2 Martyrdom in the Qur’ān**

### **4.2.1 Its Literal Meanings and Occurrences**

The verb *shahida* generally refers to witnessing or seeing an event. In Qur’ān 2: 185, the ‘witnessing’, according to al-Qurṭubī, refers to experiencing the month of Ramadan, being present for it among one’s community.<sup>1</sup> When commenting on this verse, Ibn Manzūr re-enforces this meaning, stating that it refers to being present rather than travelling.<sup>2</sup> The Arabic trilateral verb ‘*shahida*’ and its various derivatives occur 158 times in the Qur’ān according to one view,<sup>3</sup> or 160 times according to another view.<sup>4</sup>

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<sup>1</sup> Muḥammad ibn Aḥmad al-Anṣārī al-Qurṭubī, *Al-Jāmi‘ li Aḥkām al-Qur’ān* (Cairo: Dār al-Sha‘b, n.d.), Vol. 2, p. 299.

<sup>2</sup> Jamāl al-Dīn Muḥammad bin Makram ibn Manzūr, *Lisān al-‘Arab* (Beirut: Dār Ṣādir, 6<sup>th</sup> ed., 1997/1417), Vol. 3, p. 241.

<sup>3</sup> Elsaid M. Badawi and Muhammad Abdel Haleem, *Arabic-English Dictionary of Qur’anic Usage* (Leiden: Brill, 2008), p. 497.

Being written in thirteen different forms in the Qur’ān, the importance of the term is clear. Its literal meanings are as numerous as its lexical derivatives. In addition, the word *shahida* and *shahīd* follow each other in Qur’ān 46: 10, signifying one who testifies to the truthfulness of the Qur’ān.<sup>5</sup> The other coupling of these two words occurs in Qur’ān 12: 26. According to al-Suyūfī, this combined occurrence refers to an arbitrator.<sup>6</sup> Furthermore, the term *shahida* can also refer to knowledge,<sup>7</sup> as in Qur’ān 3: 18.<sup>8</sup> Although Badawi and Abdel Haleem state that *shahida* in this verse refers to both knowledge and oral expression, al-Aṣḫānī restricts its meaning to oral testimony,<sup>9</sup> and al-Alūsī shares this view.<sup>10</sup> In Qur’ān 33: 55, God is a *shahīd*, or omniscient. Al-Alūsī states that *shahīd* in this verse means that the knowledge of everything belongs to Allah.<sup>11</sup> *Al-Shahīd* is one of the Names of Allah.<sup>12</sup>

In another context, the word *shahīd* refers to one who is present on the battlefield as opposed to one who is absent, as in Qur’ān 4: 72. In this verse, the term *shahīd* denotes that Allah is lamenting the Muslim who refuses to attend the battlefield,

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<sup>4</sup> °Adel Jāsim Ṣāliḥ al-Misbaḥī, *Al-Shahīd fī al-Sunnah al-Nabawiyyah: Min Wāqī° al-Kutub al-Sittah*, rev. & ed. Muḥammad bin Ḥamad al-Ḥamūd al-Najdī (Ḥiwallī, Kuwait: Maktabat al-Imām al-Dhahabī li al-Nashr wa al-Tawzī°, 2008/1429), p. 24. For a complete survey of all the derivatives of *sh-h-d* in the Qur’ān see, Muḥammad Fu’ād °Abd al-Bāqī, *Al-Mu°jam al-Mufahras li Alfāz al-Qur’ān al-Karīm* (Cairo: Dār al-Ḥadīth, 1988), pp. 388-390.

<sup>5</sup> This person is the Prophet Mūsā or °Abdullāh ibn Salām. See, Muhammad ibn Jarīr ibn Yazīd ibn Khālīd al-Ṭabarī, *Jāmi° al-Bayān °an Ta’wīl Āy al-Qur’ān* (Beirut: Dār al-Fikr, 1984-5/1405), Vol. 26, p. 10.

<sup>6</sup> °Abd al-Raḥmān ibn al-Kamāl Jalāl al-Dīn al-Suyūfī, *Al-Durr al-Manthūr fī al-Taḥsīn bi al-Ma’thūr* (Beirut: Dār al-Fikr, 1993), Vol. 4, p. 525. See also, Badawi and Abdel Haleem, *Dictionary of Qur’anic Usage*, p. 498.

<sup>7</sup> Abū al-Ḥusayn Aḥmad bin Fāris bin Zakariyyā, *Mu°jam Maqāyīs al-Lughah*, ed. °Abd al-Salām Muḥammad Hārūn (Beirut: Dār al-Jīl, 2<sup>nd</sup> ed., 1999 /1420), Vol. 3, p. 221.

<sup>8</sup> Badawi and Abdel Haleem, *Dictionary of Qur’anic Usage*, p. 498.

<sup>9</sup> Ibid; Al-Rāghib al-Aṣḫānī, *Mufradāt Alfāz al-Qur’ān*, ed. Ṣafwān °Adnān Dawūdī (Damascus: Dār al-Qalam, 2<sup>nd</sup> ed., 2002), p. 466; Al-Misbaḥī, *Al-Shahīd*, p. 25.

<sup>10</sup> Al-Sayyid Maḥm-d al-Alūsī, *Rūḥ al-Ma°ānī fī Taḥsīn al-Qur’ān al-°Aẓīm wa al-Sab° al-Mathānī* (Beirut: Dār Iḥyā’ al-Turāth al-°Arabī, n.d.), Vol. 3, p. 104.

<sup>11</sup> Al-Alūsī, *Rūḥ al-Ma°ānī*, Vol. 22, p. 75.

<sup>12</sup> Ibn Manzūr, *Lisān*, Vol. 3, p. 238.

giving feeble excuses in order to be saved from its tribulations or from dying as a martyr.<sup>13</sup> The term can be used more generally to refer to one who witnesses, as in Qur’ān 50: 37. According to al-Suyūfī and al-Alūsī, *shahīd* in this verse refers to one who listens to the Qur’ān attentively with his ears and consciously ponders its meanings with his heart.<sup>14</sup> Here, it is used rhetorically to convey the role of the ‘earwitness’.

The Qur’ān also mentions *shāhid* and *mashhūd* in 85: 3. Ibn al-‘Arabī’s view is that no specific meaning is attributable to *shāhid* and *mashhūd* in this verse because, in his view, no authentic ḥadīth is reported on this matter. According to him, various meanings of *shāhid*, such as Allah and Muḥammad, and many meanings of *mashhūd*, such as the Day of ‘Arafah and the Day of Judgement, are all possible explanations.<sup>15</sup> Quṭb, however, states that *shāhid* and *mashhūd* in this verse refer to the fact that everything will become known on the Day of Judgement because on that day there will be nowhere to hide.<sup>16</sup> Quṭb’s interpretation here is not restricted to that offered by Ibn al-‘Arabī, but rather suggests a wide range of possibilities by adopting a general understanding of the two terms – a view that suits the unseen nature of the Day of Judgement. The word *liyashhad* also means to be present, as in Qur’ān 24: 2.<sup>17</sup> *Istishhada*<sup>18</sup> denotes seeking to become a *shahīd* or a witness, for example, in Qur’ān 2: 282. In this verse, the term and its derivatives are repeated four times with the same

<sup>13</sup> Al-Alūsī, *Rūḥ al-Ma‘ānī*, Vol. 5, p. 80.

<sup>14</sup> Al-Suyūfī, *Al-Durr al-Manthūr*, Vol. 7, pp. 609 f.; Al-Alūsī, *Rūḥ al-Ma‘ānī*, Vol. 26, pp. 191 f.

<sup>15</sup> Muḥammad ibn ‘Abdullah ibn al-‘Arabī, *Aḥkām al-Qur’ān*, ed. Muḥammad ‘Abd al-Qādir ‘Aṭā (Beirut: Dār al-Kutub al-‘Ilmiyyah, 1996), Vol. 4, p. 371.

<sup>16</sup> Sayyid Quṭb, *Fī Zilāl al-Qur’ān* (Cairo: Dār al-Shurūq, 12<sup>th</sup> ed., 1986/1406), Vol. 6, p. 3873; idem, *In the Shade of the Qur’ān*, trans. and ed. Adil Salahi (Leicester: Islamic Foundation, 2004/1425), Vol. 18, p. 140.

<sup>17</sup> Al-Ṭabarī, *Jāmi‘ al-Bayān*, Vol. 18, p. 69; al-Qurṭubī, *Al-Jāmi‘*, Vol. 12, p. 166.

<sup>18</sup> *Istishhād* is the verbal noun of *istashhada* and conveys the same meaning. Nāṣir Ḥasan ‘Alīq, *Falsafat al-Istishhād: Allāh wa al-Waṭan fī Khitāb al-Muqāwamah al-Islāmiyyah* (Beirut: Dār al-Mawāsīm li al-Ṭibā‘ah wa al-Nashr wa al-Tawzī‘, 2004/1425), p. 15.

meaning. According to al-Sha<sup>c</sup>rāwī, in Qur’ān 6: 19, Allah stands as a *shahīd* or a witness to His Messenger, to prove that he is a true Prophet sent by Him.<sup>19</sup> Moreover, *al-shahādatayn*,<sup>20</sup> or the oral testimony uttered by one adopting Islam, is required in order to ensure that a person is a Muslim.<sup>21</sup>

The above various interpretations of the word *shahida* and its cognates indicate that the Qur’ān mentions *shahādah* with multiple meanings, although it is never used to refer to martyrdom.<sup>22</sup> However, of all the derivatives of the Arabic word root *sh-h-d*, one is of vital importance for the discussion in this chapter because of its possible relationship or otherwise with the English word ‘martyrdom’. This lexeme is the term *shahīd* (pl. *shuhadā’*). It has another plural, *shuhūd* (witnesses), which is not relevant in the context of discussing martyrdom and suicide.<sup>23</sup>

#### 4.2.2 Literal and Technical Meanings of *al-Shahīd*

The term *shahīd* (pl. *shuhadā’*) refers to one who is killed in the path of Allah. The verbs *ustushhida* or *istashhada* and *tashahhada* mean ‘he was killed as a *shahīd*’, he sought martyrdom (*shahādah*) respectively.<sup>24</sup> The closest word, which conveys a similar meaning in English language, is the word ‘martyr’. It refers to a ‘person who is

<sup>19</sup> Muḥammad Mutawallī al-Sha<sup>c</sup>rāwī, *Tafsīr al-Sha<sup>c</sup>rāwī* (Cairo: Akhbār al-Yawm, 1991), Vol. 6, pp. 3545 f.

<sup>20</sup> *Ashhadu anna lā ilāha illā Allāh wa ashhadu anna Muḥammadan rasūl Allāh* (I testify that there is no god but Allah and I testify that Muhammad is the Messenger of Allah).

<sup>21</sup> For a brief discussion of the meanings of *al-shahādatayn* with special reference to the Qur’ānic context, see Andrew Rippin, “Witness to Faith”, in Jane Dammen McAuliffe, ed., *The Encyclopaedia of the Qur’ān* (Leiden: Brill, 2006), Vol. 5, pp.488 f.

<sup>22</sup> Maḥmūd Ṭaleqāni, Murtaḍa Muṭahhari, and Ali Shari`ati, *Jihād and Shahādat: Struggle and Martyrdom in Islam*, ed. Mehdi Abedi and Gary Legenhausen (Houston, Texas: Institute for Research and Islamic Studies, 1986), p. 3.

<sup>23</sup> For a detailed explanation of the lexical usages of the word *shuhūd* see, Edward William Lane, *An Arabic-English Lexicon* (Beirut: Librairie Du Liban, 1968), Vol. 4, p. 1611.

<sup>24</sup> Ibn Manzūr, *Lisān*, Vol. 3, p. 242.

killed or made to suffer greatly because of his/her religious or other beliefs',<sup>25</sup> may sometimes be 'political beliefs.'<sup>26</sup>

However, the terms '*shahīd*' and 'martyr' cannot ideally be considered as bilingual synonyms, because of the meaning generally attached to the Arabic term conveys being killed on the battlefield, as compared with the more general connotation of the English word 'martyr', which includes death as a result of defending religious and non-religious beliefs. However, it can be safely assumed that the English word 'martyr' is the closest translation we have for the Arabic term '*shahīd*'.

The term *shahīd* occurs 'no less than fifty-six times'<sup>27</sup> in different singular and plural forms denoting five different meanings:<sup>28</sup> a witness as in 2: 282, being attentive as in 50: 37, being present as in 4: 72, being a watcher as in 5: 117, and being a judge or arbitrator as in 10: 29. With the exception of the first meaning, none of the above conveys an apparent commonality with the English word 'martyr'.

Quite often, the noun *shahīd* is used in the Qur'ān to refer to one who witnesses an event as in 4: 41. Al-Ṭabarī states that the *shahīd* in this verse refers to the Prophet Muḥammad being a witness to his *ummah*.<sup>29</sup> Allah is also a *shahīd* or a witness to His creatures, especially the People of the Book as in the Qur'ān 3: 98.<sup>30</sup> *Al-Shahīd* is one of

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<sup>25</sup> A.S. Hornby, *Oxford Advanced Learner's Dictionary of Current English*, Jonathan Crowther, ed. Jonathan Crowther (Oxford: Oxford University Press, 5<sup>th</sup> ed., 1995), p. 719.

<sup>26</sup> University of Birmingham, *Collins COBUILD Advanced Learner's English Dictionary* (Glasgow: HarperCollinsPublishers, 4<sup>th</sup> ed., 2003), p. 881.

<sup>27</sup> B. Todd Lawson, "Martyrdom" in John L. Esposito, ed., *The Oxford Encyclopedia of the Modern Islamic World* (New York: Oxford University Press, 1995), Vol. 3, p. 54.

<sup>28</sup> Badawi and Abdel Haleem, *Dictionary of Qur'anic Usage*, p. 499.

<sup>29</sup> Al-Ṭabarī, *Jāmi' al-Bayān*, Vol. 5, p. 91.

<sup>30</sup> Al-Sha'arāwī, *Tafsīr*, Vol. 3, p. 1645.

the Divine attributes of Allah.<sup>31</sup> Muslims will stand as witnesses for other nations on the Day of Judgement, according to 2: 143.<sup>32</sup>

Thus, it is clear that the Arabic term *shahīd* is very much associated with the English word ‘witness’, especially when the former is used for meanings other than dying on the battlefield. Of the two apparently close equivalents to the Arabic term *shahīd*, the seemingly equivalent word ‘martyr’ will be used, as stated, above although the word ‘witness’ denotes a similar meaning. This is because it is argued, among other reasons, that the *shahīd* (battlefield martyr) is named as such because angels witness his death as indicating his worthiness of his status in Paradise.<sup>33</sup> Lewis traces the origin of the English word ‘martyr’ to the Greek word ‘*martyrs*’, which also means ‘witness’. However, he takes the view that the two terms have different connotations.<sup>34</sup> The terms *shahīd* and *shahādah* will be used to mean ‘martyr’ and ‘martyrdom’ in the discussion below unless otherwise indicated in order to remove any ambiguity.

Having discussed the literal meanings of the word ‘*shahida*’ and ‘*shahīd*’ and their lexemes with special reference to some of their Qur’ānic usages, it is important to present the technical definitions related to the term *shahīd* because of its centrality to

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<sup>31</sup> Bernard K. Freamon, “Martyrdom, Suicide, and the Islamic Law of War: A Short Legal History”, *Fordham International Law Journal*, Vol. 27, No. 1, December 2003, pp. 317 f.

<sup>32</sup> Fakhr al-Dīn Muḥammad ibn ‘Umar al-Tamīmī al-Rāzī, *Al-Tafsīr al-Kabīr aw Maḥāṭib al-Ghayb* (Beirut: Dār al-Kutub al-‘Ilmiyyah, 2000), Vol. 4, p. 92.

<sup>33</sup> Al-Misbahī, *Al-Shahīd*, p. 27. See also, Ḥasan Khālīd, *Al-Shahīd fī al-Islām* (Beirut: Dār al-‘Ilm lil-Malayīn, 3<sup>rd</sup> ed., 1985), p. 37.

<sup>34</sup> Bernard Lewis, *The Crisis of Islam: Holy War and Unholy Terror* (New York: The Modern Library, 2003), p. 38.

our discussion. For methodological purposes, various non-battlefield martyrs will not be discussed because of their irrelevance to the core point of this chapter.<sup>35</sup>

Exegetes are not generally concerned with the definitional aspects of the term ‘*shahīd*’. However, it is essential for our discussion to define what is technically meant by this term in order to draw the necessary comparison between it and other terms to be discussed later in this chapter.<sup>36</sup> The followers of the four Sunnī schools give various definitions for this term.

### 4.2.3 Juristic Definitions of *al-Shahīd*

Some of the early jurists,<sup>37</sup> especially the followers of the four Sunnī schools of jurisprudence, took much interest in defining a martyr. All of them assert that s/he is a person killed by unbelievers on the battlefield.

First, the Ḥanafī jurist al-Zayla‘ī (d. 743) defines the *shahīd* as:

“The one who is killed by the enemy of Muslims, by the brigands or by his fellow Muslims unjustly.”<sup>38</sup>

Second, the famous Mālikī scholar Abū al-Barakāt (d. 1201), defines him as:

“The one who is killed by the enemy of Muslims whether killed inside or outside the Muslim territory.”<sup>39</sup>

Third, the Ḥanbalī jurist ibn Muflīḥ (d. 884), states the *shahīd* is:

“The one who is killed by the unbelievers on the battlefield.”<sup>40</sup>

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<sup>35</sup> For a discussion of these martyrs and some of the main juristic rulings related to them see, David Cook, *Martyrdom in Islam* (Cambridge, New York: Cambridge University Press, 2007), pp. 34 f., 45-115; Khālid, *Al-Shahīd*, p. 77; Lawson, “Martyrdom”, Vol. 3, pp. 56 f.

<sup>36</sup> Such as suicide or *intiḥār*.

<sup>37</sup> Here, it is worth adding that the following juristic definitions constitute the foundation upon which modern scholars such as Lewis depend when they attempt to define martyrdom in Islam. For Lewis’s definition of martyrdom, see Lewis, *The Crisis of Islam*, p. 38.

<sup>38</sup> Fakhr al-Dīn ‘Uthmān bin ‘Alī al-Zayla‘ī, *Tabyīn al-Ḥaqā’iq: Sharḥ Kanz al-Daqāiq* (Cairo: Dār al-Kutub al-Islāmī, 1895-6/1313), Vol. 1, p. 247.

<sup>39</sup> Aḥmad bin Muḥammad al-‘Adawī al-Dardīr Abū al-Barakāt, *Al-Sharḥ al-Kabīr*, ed. Muḥammad ‘Allīsh (Beirut: Dār al-Fikr, n.d.), Vol. 1, p. 425.

Fourth, the Shāfi'ī jurist al-Khatīb al-Shirbīnī (d. 977), defines the *shahīd* as:

“The one who is killed by the unbelievers on the battlefield.”<sup>41</sup>

An analysis of the above four juristic definitions shows that they encapsulate all the literal explanations given to the term ‘*shahīd*’, such as presence, knowledge and witnessing, referred to above. The *shahīd*, according to those literal definitions, is named as such because he is physically present on the battlefield, and others know that if he is killed he will be admitted to Paradise. This depends on a sincere intention to uphold Allah’s word, and the angels will bear witness to his dignified status in Paradise as indicated above.

Furthermore, the technical definitions transcend such literal meanings to include the Muslim who is killed by unbelievers on the battlefield. Of the above four definitions, the Ḥanafī definition appears to be the most comprehensive as it adds brigands and unjust killing by fellow Muslims to the category. These two categories, although important for understanding the term in general, are, however, of less relevance to the main theme of this chapter. In contrast to the Ḥanafī definition, the other three definitions refer only to unbelievers as being the killers.

It is remarkable to note that the above four definitions clearly highlight the role played in martyrdom by fighting the unbelievers. However, there is no indication as to whether the person seeking martyrdom chooses it, knowing his fateful end. There is only a description of a battlefield scene where a Muslim is killed by unbelievers. In the

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<sup>40</sup> Ibrāhīm bin Muḥammad bin ‘Abdullāh bin Muḥammad ibn Mufliḥ, *Al-Mubdi‘ Sharḥ al-Muqni‘*, ed. Muḥammad Ḥassan Muḥammad Ḥassan Ismā‘īl al-Shafī‘ī (Beirut: Dār al-Kutub al-‘Ilmiyyah, 1997/1418), Vol. 2, p. 237.

<sup>41</sup> Shams al-Dīn Muḥammad bin al-Khātib al-Shirbīnī, *Mughnī al-Muḥtāj ilā Ma‘rifat Alfāz al-Minhāj*, ed. Muḥammad Khalīl ‘Aytānī (Beirut: Dār al-Ma‘rifah lil-Ṭibā‘ah wa al-Nashr wa al-Tawzī‘, 1997/1418), Vol. 1, p. 520.

above definitions, however, no reference is made to the aim behind the participation in the battle. In addition, in almost all exegetical explanations, martyrs are referred to as ‘those who are killed for His cause [i.e. Allah’s cause]’.<sup>42</sup> Most significantly, battlefield martyrs are those who are killed in Allah’s cause, according to Qur’ān 57: 19.<sup>43</sup> Of the exegetes consulted for this thesis, al-Rāzī is the only one who rejects this majority view.

#### 4.2.4 Al-Rāzī’s Views about Seeking Martyrdom in the Qur’ān

Al-Rāzī totally refuses to define martyrs as those killed on the battlefield fighting unbelievers. He argues that, if a Muslim seeks or hopes to die as a martyr, he will be wishing to be killed by unbelievers, which is unlawful in Islam. For him, the *shahīd* is a fighter who kills the enemies of Islam with his sword. The *shahīd* also testifies to the truthfulness of Allah’s cause through verbal argument with the enemies of Islam as well as through physical fighting. To communicate this meaning, al-Rāzī attempts to link Qur’ān 57: 19 with 2: 143 and 3: 18.<sup>44</sup>

With all respect to al-Rāzī, his view cannot be deemed valid, especially in the context of battlefield martyrs. Seeking martyrdom does not mean hoping to be killed at the hands of unbelievers as suggested by al-Rāzī. In fact, it refers to a warring state where a Muslim enters the battlefield hoping for *iḥdā al-ḥusnayayn* (‘one of the two best outcomes’, either victory in this world or reward in the Hereafter).<sup>45</sup> This bilateral concept is indicated in Qur’ān 9: 52 and 111. In addition, al-Rāzī apparently tries to

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<sup>42</sup> Qur’ān 47: 4. See M. A. S. Abdel Haleem, *The Qur’an: A New Translation* (Oxford: Oxford University Press, 2005), p. 331.

<sup>43</sup> See for example, Al-Ṭabarī, *Jāmi’ al-Bayān*, Vol. 27, p. 232; Ismā’īl ibn ‘Umar ibn Kathīr, *Tafsīr al-Qur’ān al-‘Azīm* (Beirut: Dār al-Fikr, 1980-1/1401), Vol. 4, p. 180.

<sup>44</sup> Al-Rāzī, *Al-Tafsīr al-Kabīr*, Vol. 10, p. 139. See also, Khālid, *Al-Shahīd*, pp. 38 f.

<sup>45</sup> The Qur’ān makes a direct reference to this Arabic phrase (i.e. *Iḥdā al-Ḥusnayayn*) in 9: 52. See, Muḥammad Rashīd Riḍā, *Tafsīr al-Qur’ān al-Ḥakīm: Al-Mushtahir bi ism Tafsīr al-Manār* (Cairo: Dār al-Manār, 2<sup>nd</sup> ed., 1947/1366), Vol. 10, p. 558.

fend off any seemingly negative meanings that might be attached to the *shahīd* by virtue of being killed by the unbelievers and this is presumably why he supports this definition. However, al-Rāzī's view neither is supported by conclusive evidence, nor does it gain any obvious sympathy or support from either exegetes or jurists. The fact that he presents this view shows that there is a need to consider how martyrdom is portrayed in the Qur'ān.

#### 4.2.5 Martyrdom being Heroic and Rewarding

Although the word *shahīd* in the sense of martyrdom does not occur in the Qur'ān, there are many verses which refer to various issues related to martyrs.

There are a few verses of the Qur'ān which encourage Muslims to 'sell' themselves for Allah's cause by fighting for His sake. The most important is the following:

“God has purchased the persons and possessions of the believers in return for the Garden – they fight in God's way: they kill<sup>46</sup> and are killed – this is a true promise given by Him in the Torah, the Gospel, and the Qur'an. Who could be more faithful to his promise than God? So be happy with the bargain you have made: that is the supreme triumph.”<sup>47</sup> (Qur'ān 9: 111)

In this verse, Allah is urging the believers to fight for a noble cause. This cause, according to Riḍā, is to establish justice and defend truth.<sup>48</sup> According to al-Sha<sup>c</sup>rāwī,

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<sup>46</sup> The researcher suggests replacing the first occurrence of the word “kill” in the translation of this verse with the word “fight” in order to differentiate between the Arabic meanings of *qatl* (killing) and *muqāṭalah* (mutual fighting). It is noteworthy that Abdel Haleem clearly distinguishes between the translation of the two words in another book which he co-authored. See Badawi and Abdel Haleem, *Dictionary of Qur'anic Usage*, pp. 736 f. For a clear distinction between the two words according to Arabic lexicons see, Shawqī Dayf, et al., *Al-Mu<sup>c</sup>jam al-Wasīṭ* (Cairo: Maktabat al-Shurūq al-Dawliyyah, 4<sup>th</sup> ed., 2004), p. 715; Majma<sup>c</sup> al-Lughah al-<sup>c</sup>Arabiyyah, *Al-Mu<sup>c</sup>jam al-Wajīz* (Cairo: Egyptian Ministry of Education, 1994/1415), p. 490.

<sup>47</sup> Haleem, *Qur'an*, p. 126.

<sup>48</sup> Riḍā, *Tafsīr al-Qur'ān al-Hakīm*, Vol. 11, p. 49.

words such as ‘purchased’ and ‘bargain’<sup>49</sup> are used figuratively.<sup>50</sup> Riḍā adds that the believers who fight on the battlefield and are killed as a result are considered martyrs.<sup>51</sup> This is also the view maintained by Quṭb.<sup>52</sup> Moreover, the verse clearly indicates that fighting on the battlefield was a practice common in religions prior to Islam, specifically in the time of Moses according to Ibn al-ʿArabī.<sup>53</sup> In this regard, al-Mawdūdī uniquely argues that the view which runs counter to this is questionable because Jesus (peace be upon him) also mentioned martyrdom. He goes on to declare that the Jews, instead of upholding this heavenly promise, replaced it with “...a purely earthly interpretation”.<sup>54</sup>

Of the exegetes referred to here, Riḍā and Quṭb are apparently the only interpreters who interpret the phrase ‘*yuqṭalūna*’ to mean ‘are killed as martyrs’. Thus, the *shahīd*, according to the above verse, ‘sells himself’ for His creator to defend justice and promote a just cause. In Qur’ān 2: 216, 4: 74 , 9: 41 and 61: 10-11, the same encouraging tone continues, urging Muslims to fight for Allah’s cause as they will be admitted to Paradise in the Hereafter. For the *shahīd*, an abundant reward awaits him in Paradise, according to the above verses. The Qur’ān further states,

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<sup>49</sup> In Qur’ān 4: 74 the word “trade”, and in the 61: 10-11 the word “bargain” occur, conveying almost the same rhetorical meaning. See Haleem, *Qur’an*, pp. 57, 370 f.

<sup>50</sup> Al-Shaʿrāwī, *Tafsīr*, Vol. 9, p. 5509.

<sup>51</sup> Riḍā, *Tafsīr al-Qur’ān al-Ḥakīm*, Vol. 11, p. 49.

<sup>52</sup> Quṭb, *Fī Ḍilāl*, Vol. 3, p. 1718; idem, *In the Shade*, Vol. 8, p. 268. See also, ʿUkāshah ʿAbd al-Mannān al-Ṭībī, *Al-Shahādah wa al-Istishhād: Fī Ḍilāl al-Qur’ān li al-Shaykh Sayyid Quṭb* (Cairo: Maktabat al-Turāth al-Islāmī, 1994), p. 178 f.

<sup>53</sup> Ibn al-ʿArabī, *Aḥkām*, Vol. 2, p. 589.

<sup>54</sup> The view which runs counter to Ibn al-ʿArabī dictates that the Torah and the Gospels carry no traces of a heavenly promise for those who sacrifice themselves and their wealth for God’s cause. According to al-Mawdūdī, the earthly explanation chosen by the Jews refers to Palestine. See Sayyid Abul Aʿlā al-Mawdūdī, *Towards Understanding the Qur’ān*, trans. and ed. Zafar Ishaq Ansari (Leicester: The Islamic Foundation, 1990/1411), Vol. 3, pp. 257 f.

“He will give a generous provision to those who migrated in God’s way and were killed or died. He will admit them to a place that will please them: God is all knowing and most forbearing.”<sup>55</sup> (Qur’ān 22: 58- 59)

In his commentary on this verse, al-Rāzī states that the apparent meaning of the first verse refers to anyone killed while defending Allah’s cause.<sup>56</sup> Quṭb’s view is that the verse refers to Allah giving a generous reward to both those who are martyred in His cause through fighting and the faithful who die on their deathbeds.<sup>57</sup> Quṭb’s view here seems to indicate that those who die on the battlefield and those who die a normal death receive an equal reward. However, in al-Rāzī’s and al-Sha<sup>c</sup>rāwī’s interpretations, the ‘generous provision’ and the pleasing abode are unambiguously reserved for the martyrs in the Hereafter.<sup>58</sup> The Qur’ān also states that one who is killed in the cause of Allah is entitled to receive Allah’s forgiveness and mercy, as in Qur’ān 3: 157.<sup>59</sup> Riḍā restricts being killed to the battlefield in this verse because its warring context dictates that interpretation.<sup>60</sup> Qur’ān 3: 195 further indicates, among other things, that one who is killed in Allah’s cause will have his sins wiped out and will be secured an abode in Paradise.<sup>61</sup> Further explanations anchor such rewards as in the following verses:

“... He will not let the deeds of those who are killed for His cause come to nothing; He will guide them and put them into a good state; He will admit them into the Garden He has already made known to them.”<sup>62</sup> (Qur’ān 47: 4-6)

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<sup>55</sup> Haleem, *Qur'an*, p. 213.

<sup>56</sup> Al-Rāzī, *Maḥāṣin al-Ghayb*, Vol. 23, p. 50.

<sup>57</sup> Quṭb, *Fī Zilāl*, Vol. 4, p. 2438.

<sup>58</sup> Ibid., Vol. 4, p. 2438; Al-Sha<sup>c</sup>rāwī, *Tafsīr*, Vol. 16, p. 9899. See also, ‘Abd al-Mun<sup>c</sup>im al-Hifnī, *Maws-‘at al-Qur’ān al-‘Azīm* (Cairo: Maktabat Madb- lī, 2004), Vol. 2, p. 1909.

<sup>59</sup> “Whether you are killed for God’s cause or die, God’s forgiveness and mercy are better than anything people amass”, Haleem, *Qur'an*, p. 46.

<sup>60</sup> Riḍā, *Tafsīr al-Qur’ān al-Ḥakīm*, Vol. 4, p. 197.

<sup>61</sup> “...I will certainly wipe out the bad deeds of those who emigrated and were driven out of their homes, who suffered harm for My cause, who fought and were killed. I will certainly admit them to Garadens...”, Haleem, *Qur'an*, p. 49.

<sup>62</sup> Ibid., p. 331.

Al-Alūsī opines that the phrase ‘those who are killed’ in the above verse refers to martyrs, and Quṭb agrees.<sup>63</sup> The martyrs will have the rewards for their good deeds kept for them in the Hereafter and will be guided easily to their abodes in Paradise.<sup>64</sup> Lewinstein<sup>65</sup> states that the above verse shows that the Qur’ān is very clear concerning the rewards of those killed in Allah’s cause.<sup>66</sup>

Moreover, Western scholars often cite verses referring to ‘the martyrs’, one of them being:<sup>67</sup>

“[Prophet], do not think of those who have been killed in God’s way as dead. They are alive with their Lord, well provided for, happy with what God has given them of His favour; rejoicing that for those they have left behind who have yet to join them there is no fear, nor will they grieve; [rejoicing] in God’s blessing and favour, and that God will not let the reward of the believers be lost.”<sup>68</sup> (Qur’ān 3: 169-171)

Ibn Kathīr states that ‘those who have been killed in God’s way’ in the above verses are the martyrs.<sup>69</sup> Although the above verses were revealed to hail the martyrs of the Battle of *Uḥud*,<sup>70</sup> al-Qurṭubī’s view is that they refer to all martyrs who die in Allah’s cause.<sup>71</sup> The above verses are particularly cited as they give detailed references

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<sup>63</sup> Quṭb, *Fī Zilāl*, Vol. 6, pp. 3278, 3287.

<sup>64</sup> Al-Alūsī, *Rūḥ al-Ma‘ānī*, Vol. 26, pp. 42 f. See also, Al-Suyūṭī, *Al-Durr al-Manthūr*, Vol. 7, pp. 461 f.

<sup>65</sup> Keith Lewinstein is an assistant professor in the Departments of History and Religion at Smith College and visiting scholar in the Centre for Middle Eastern Studies at Harvard University.

<sup>66</sup> Keith Lewinstein, “The Revaluation of Martyrdom in Early Islam”, in Margaret Cormack, ed., *Sacrificing the Self: Perspectives on Martyrdom and Religion* (Oxford, New York: Oxford University Press, 2001), p. 80.

<sup>67</sup> David Cook and Olivia Allison, *Understanding and Addressing Suicide Attacks: The Faith and Politics of Martyrdom Operations* (Westport, Connecticut: Praeger Security International, 2007), p. 9.

<sup>68</sup> Haleem, *Qur’an*, p. 47.

<sup>69</sup> Ibn Kathīr, *Tafsīr al-Qur’ān*, Vol. 1, p. 427.

<sup>70</sup> Abū al-Ḥasan ‘Alī bin Aḥmad al-Wāḥidī al-Nīsābūrī, *Asbāb al-Nuzūl*, ed. Sharīf Muḥammad ‘Abd al-Raḥmān (Cairo: Dār al-Taqwā, 2005), pp. 78 f.

<sup>71</sup> Al-Qurṭubī, *Al-Jāmi‘*, Vol. 4, p. 268.

to the future life and reward of the martyrs; whilst other verses, such as Qur’ān 2: 154,<sup>72</sup> affirm that the martyrs are alive, the above verses are considered to be the “most decisive”<sup>73</sup> with regard to the reward of the martyrs specified in the Qur’ān.

Al-Sha<sup>c</sup>rāwī states that the provision mentioned in the above verses is evidence that the martyrs enjoy certain ‘life’. He argues that the *rizq* (provision, sustenance) given to them includes food and drink, as both are necessary for one’s sustenance. Thus, Allah states that the martyrs are provided for by Him personally, and hence they live, yet al-Sha<sup>c</sup>rāwī cautions that the type of life martyrs enjoy is known only to Allah.<sup>74</sup> This helps to solve a polemical issue raised by many exegetes, such as al-Qurṭubī, especially against those who argue that the reward of the martyrs is not necessarily a physical reward, i.e. food and drink. Rather, the provision they will have is vociferous praise for their martyrdom.<sup>75</sup> Al-Qurṭubī does not favour this view and is of the opinion that the martyrs are offered food and drink while their spirits are inside the green birds in Paradise.<sup>76</sup> Indeed, this view is generally deemed the most correct, as the Prophet is reported to have said in a ḥadīth narrated by Ka<sup>c</sup>b ibn Mālik that:

“The spirits of the martyrs dwell in the insides of green birds and eat of the produce of the trees of Paradise.”<sup>77</sup>

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<sup>72</sup> “Do not say that those who are killed in God’s cause are dead; they are alive, although you don’t realize it.” Haleem, *Qur’an*, p. 47. Al-Mawdūdī states that those “killed in God’s cause” in this verse are the martyrs. He argues that the Qur’ān does not call them “dead” in order not to dissuade those who yearn for martyrdom. Instead, the verse calls them “alive” in order to “arouse and sustain” their courage. See Al-Mawdūdī, *Towards Understanding*, 1988/1408), Vol. 1, p.128.

<sup>73</sup> Cook, *Martyrdom*, p. 31.

<sup>74</sup> Al-Sha<sup>c</sup>rāwī, *Tafsīr*, Vol. 3, p. 1870.

<sup>75</sup> Al-Qurṭubī, *Al-Jāmi<sup>c</sup>*, Vol. 4, pp. 269 f.

<sup>76</sup> *Ibid.*, Vol. 4, pp. 269 f.

<sup>77</sup> Al-Tirmidhī, *Jāmi<sup>c</sup> al-Tirmidhī*, no. 1641, in *Mawsū<sup>c</sup>at al-Ḥadīth al-Sharīf: Al-Kutub al-Sittah*, ed. Ṣāliḥ bin ‘Abd al-‘Azīz ‘Al al-Shaykh (Riyadh: Dār al-Salām li al-Nashr wa al-Tawzī<sup>c</sup>, 1999), p. 1820.

The last two verses to quote here unambiguously mention the word *shuhadā'* in its plural form. The first states:

“Whosoever obeys God and the Messenger will be among those He has blessed: the messengers, the truthful, those who bear witness to the truth, and the righteous – what excellent companions these are!”<sup>78</sup> (Qur’ān 4: 69)

Classical and modern exegetes hold diverse<sup>79</sup> views concerning who is meant by “*al-shuhadā'*” (those who bear witness to the truth) in this verse. Al-Ṭabarī states that “*al-shuhadā'*” in this verse refers to those killed in Allah’s cause.<sup>80</sup> Ibn al-ʿArabī restricts “*al-shuhadā'*” to those killed in the Battles of *Badr* (17 Ramadan 2\18 November 623)<sup>81</sup>, *Uḥud* (7 Shawwāl 3\24 December 624)<sup>82</sup> and *al-Khandaq* (8 Shawwāl 5\3. January 627).<sup>83</sup> He does not give any justification for this clearly limited interpretation and cited his explanation as part of a narration traced back to Imam Mālik.<sup>84</sup> Al-Qurṭubī, however, embraces two different interpretations: the first, which he strongly advocates, is that “*al-shuhadā'*” here refers to the Caliphs ʿUmar, ʿUthman and ʿAlī. And the second is that it refers to those killed in Allah’s way.<sup>85</sup> Al-Qurṭubī may have based his first explanation on the fact that those killed unjustly are called

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<sup>78</sup> Indeed, Haleem’s translation here shows that he prefers al-Rāzī’s view, and he says so in his commentary. Haleem, *Qur’an*, p. 57.

<sup>79</sup> The diversity here does not mean that the views of the exegetes contradict each other, but rather they complement each other by giving the reader a comprehensive view. For an excellent study of the variations among exegetes with special reference to Qur’ānic verses bearing juristic rulings, see ʿAbd al-Ilāh Ḥūrī al-Ḥūrī, “Asbāb Ikhtilāf al-Mufasssīrīn fī Tafsīr Āyāt al-Aḥkam” (MA diss., Department of Islamic Sharīʿah, Faculty of Dār al-ʿUlūm, Cairo University, 2001/1422).

<sup>80</sup> Al-Ṭabarī, *Jāmiʿ al-Bayān*, Vol. 5, p. 162.

<sup>81</sup> For a comprehensive account of this important battle in Islamic history see, Muhammad Hamidullah, *The Battlefields of the Prophet Muhammad, with Maps, Illustrations and Sketches: A Contribution to Muslim Military History* (New Delhi: Kitab Bhavan, 2003), pp. 22-42.

<sup>82</sup> *Ibid.*, pp. 43-60.

<sup>83</sup> *Al-Khandaq* is famously translated as the Battle of the Ditch. See also *ibid.*, pp. 61-78.

<sup>84</sup> Ibn al-ʿArabī, *Aḥkām*, Vol. 1, p. 580.

<sup>85</sup> Al-Qurṭubī, *Al-Jāmiʿ*, Vol. 5, p. 272.

martyrs, although he does not offer evidence in support of this view<sup>86</sup> or give a reason for his apparently limited interpretation. Riḍā is very much in favour of al-Rāzī's interpretation, mentioned earlier in this chapter. He quotes ʿAbduh, who says that “*al-shuhadā*” in this verse are those who are eager to establish justice on earth in order, according to ʿAbduh and Riḍā, to testify that their action is right. By this attitude they demonstrate that they bear witness to defend the truth-seekers and condemn the wrongdoers. Here, their interpretation is a repetition of the arguments put forward by al-Rāzī above. Thus, al-Rāzī and Riḍā adopt the same opinion and strongly oppose calling one killed by unbelievers on the battlefield a *shahīd*.

Al-Mawdūdī adopts a general explanation of the term “*al-shuhadā*” in the verse stating that it refers to trustworthy people whose testimony is accepted without hesitation, and to martyrs who attest to the truth of their faith by sacrificing their lives.<sup>87</sup> Al-Mawdūdī's explanation is perhaps the only example in his whole commentary where he attempts to shed some light on the possible interpretations of the word *shahīd* within the Qur'ānic context. Although he gives the two meanings, the reader may end up perplexed because he does not explain in which context each meaning applies. Darwazah adopts a similar interpretation to al-Mawdūdī but prefers the martyrdom interpretation to that of testimony because of the context of the relevant verses.<sup>88</sup>

Though the above interpretations are apparently diverse, their scope is limited. This limitation is sometimes tied to historical incidents that are linked to juridical affiliations, as in the case of the explanation of Ibn al-ʿArabī. In other cases, they are tied to specific views, as in al-Qurṭubī. This has led some modern Western authors, such

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<sup>86</sup> It is worth mentioning that the three Caliphs mentioned by al-Qurṭubī were all killed unjustly.

<sup>87</sup> Al-Mawdūdī, *Towards Understanding*, Vol. 2, p. 57.

<sup>88</sup> Muḥammad ʿAzzah Darwazah, *Al-Taḥfīr al-Ḥadīth: Tartīb al-Suwar Ḥasab al-Nuzūl* (Beirut: Dār al-Gharb al-Islāmī, 2<sup>nd</sup> ed., 2000), Vol. 8, p. 164.

as David Cook, to conclude that there is no uniform understanding of the meaning of “*al-shuhadā*” in the above verse,<sup>89</sup> at least in the understanding of modern exegetes.<sup>90</sup> Cook’s view is not as absolute as it may at first appear, because a simple reference to the interpretation of al-Sha<sup>c</sup>rāwī’s opinion on “*al-shuhadā*” in this verse proves otherwise. Al-Sha<sup>c</sup>rāwī is a strong advocate of “*al-shuhadā*” being those killed for Allah’s cause. He further explains that the true seeking of martyrdom is not wishing to die at the hands of unbelievers, as this is a negative meaning in which a Muslim throws him/herself into destruction, which is prohibited in Islam. Rather, the aim of the Muslim is to fight and keep him/herself alive to the best of his/her ability, increasing the benefit for the overall Islamic cause.<sup>91</sup>

Here, al-Sha<sup>c</sup>rāwī holds a very balanced view.<sup>92</sup> Whilst indirectly attempting to solve the problem raised by al-Rāzī and Riḍā outlined above, he puts forward a careful explanation. He does not rule out the literal meaning of “*al-shuhadā*”,<sup>93</sup> though he reinforces its technical meaning through a comparatively distinguished handling. In short, al-Sha<sup>c</sup>rāwī’s view here is unique in its harmonious approach and deep understanding of prior classical and modern interpretations.

The last verse to cite in this category is:

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<sup>89</sup> i.e. Qur’ān 4: 69.

<sup>90</sup> Cook, *Martyrdom*, p. 32.

<sup>91</sup> Al-Sha<sup>c</sup>rāwī, *Tafsīr*, Vol. 4, pp. 2388 f.

<sup>92</sup> This balanced view helps remove the perplexity that may sometimes arise as a result of a layman consulting bilingual dictionaries about the Qur’ān. See the dual interpretation (i.e. witnesses and martyrs) of Qur’ān 4: 69 in Abdullah Abbas Nadwi, *Vocabulary of the Holy Qur’an* (Chicago: Iqra International Educational Foundation, 4<sup>th</sup> ed., 1996), p. 316.

<sup>93</sup> According to him the other *shuhadā*’ beyond the battlefield martyrs are those who testify to the truth of Islam by their continuous efforts to propagate its message. He quotes Qur’ān 2: 143 to support his view. See *ibid*.

“Those who believe in God and His messenger are the truthful ones who will bear witness before their Lord: they will have their reward and their light.”<sup>94</sup> (Qur’ān 57: 19)

As with the previously quoted verse, the exegetical explanations of this verse do not differ much concerning the phrase “who will bear witness” or *al-shuhadā’*. The above translation shows that Haleem apparently follows the opinion of al-Rāzī regarding the meaning of *al-shuhadā’*, but without alluding to his source as he does in the previous verse. Exegetes such as al-Ṭabarī, al-Alūsī and Quṭb interpret *al-shuhadā’* in the above verse as meaning those killed in Allah’s cause.<sup>95</sup> However, al-Rāzī adheres to his view that *al-shuhadā’* refers to the believers. This explanation is rarely maintained by either classical or modern exegetes, which throws doubt on its authority, as has been said above. It is also meaningless, as far as the verse under discussion is concerned, to say that *al-shuhadā’* are the ‘believers’, because doing so endorses an interpretation that entails the verse containing unnecessary repetition. Therefore, the opinion maintained by the majority of exegetes regarding *al-shuhadā’* in Qur’ān 4: 69 and 57: 19 will be adopted here because of its balanced and comprehensive approach.

The verses discussed above show that the Qur’ān takes much interest in explaining the reward of the martyrs without prior explanation of who they are. This is because the precise definition of who the martyrs were, as well as other related details, were left to the Prophetic Sunnah to explain.<sup>96</sup> Furthermore, the Qur’ān and its exegetes do not focus on the philological connection between the two meanings, ‘witness’ and ‘martyr’ because they maintain that martyrs are so called because Allah and His angels

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<sup>94</sup> Haleem, *Qur'an*, p. 360.

<sup>95</sup> Al-Ṭabarī, *Jāmi‘ al-Bayān*, Vol. 26, p. 232; Al-Alūsī, *Rūḥ al-Ma‘ānī*, Vol. 27, p. 202; Quṭb, *Fī Zīlāl*, Vol. 6, p. 3490.

<sup>96</sup> As clarified above, the Sunnī jurists also defined this term.

testify that they will be admitted to Paradise.<sup>97</sup> The philological aspect of the relationship between ‘martyr’ and ‘witness’ is, however, seen as a problem especially in the writings of non-Arabic speakers,<sup>98</sup> who may lack an adequate understanding of Arabic and, specifically, the philological connections between these two terms. However, this is not sufficient reason to state that the “Qur’ānic teaching about martyrdom” is “...disorganized and undeveloped.”<sup>99</sup> It is a fact that, whilst talking about martyrdom, the Qur’ān does not apparently use the word *shahīd* in its singular form in the direct sense of ‘martyr’, but there is no doubt that it unambiguously uses the plural form twice to mean martyrs, as explained by the majority of exegetes above. If this is understood, alongside the indirect reference to *al-shuhadā’* as people who sacrifice their souls for God’s cause, the Qur’ānic approach to martyrdom contrasts with Cook’s portrayal. It is worth mentioning that such philological problems in understanding both terms perhaps lead some Western researchers to believe that the concept of martyrdom is post-Qur’ānic, making it necessary to shed light on this subject.

#### 4.2.6 Is the Term ‘Martyrdom’ Post-Qur’ānic?

The American academic Lewinstein argues that the Qur’ān “...does not know the term *shahīd* in its technical sense”,<sup>100</sup> notwithstanding the fact that exegetes such as al-Ṭabarī take the view that the word *shahīd* can be read in a few Qur’ānic passages.<sup>101</sup> Lewinstein insists on embracing the view that the Qur’ān speaks of martyrdom not as a

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<sup>97</sup> Al-Alūsī, *Rūḥ al-Ma‘ānī*, Vol. 27, p. 183. For a further discussion on the word “martyr” see, Al-Misbahī, *Al-Shahīd*, pp. 27 f.

<sup>98</sup> Lawson, “Martyrdom”, Vol. 3, p. 54; Cook, *Martyrdom*, p. 16. It is rare to find an Arab academic experiencing such a problem.

<sup>99</sup> Lawson, “Martyrdom”, Vol. 3, p. 54

<sup>100</sup> Lewinstein, “Revaluation of Martyrdom”, p. 78.

<sup>101</sup> *Ibid.*, pp. 79, 87.

notion obtained from the term *shahīd*, but rather as understood from Qur’ānic phrases such as “those who are killed in God’s cause” (Qur’ān 2: 153, 3: 169 etc.).<sup>102</sup> However, this conclusion fails to allude to the Sunnah as an explanation of the Qur’ān, or to the juridical definitions of the term.

Lewinstein further argues that the attempts by Muslim scholars to create a link between ‘witnessing’ and ‘martyrdom’ are nothing but an “awkward fit” and “strained attempts”.<sup>103</sup> However, the fact that the *shahīd* in the Qur’ānic usage does not refer to the one “who is killed in the path of Allah”<sup>104</sup> does not necessarily rule out the fact that the Qur’ān speaks of *al-shuhadā’* as martyrs and not only as witnesses in the senses set out above.<sup>105</sup> Therefore, attempting to divorce the link between the Qur’ān and the term *shahīd* on the one hand, while postulating that the term is “unmistakably Christian”<sup>106</sup> on the other, does not seem to constitute a solid argument, because the term itself is vividly presented throughout the Qur’ān with numerous direct and indirect occurrences, as previously explained.<sup>107</sup>

The view that *shahādah*, or martyrdom, was post-Qur’ānic because the Syriac word *sahda* refers to martyrdom has surprisingly gained wide currency among many Western scholars. This view dates back more than 100 years and is found specifically in the writings of Ignaz Goldziher (1850-1921). Goldziher maintains that early Muslims defined the *shahīd* as the one who “...witnesses for his faith by the sacrifice of his life”, and this definition is derived from the Greek and Christian view of martyrdom

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<sup>102</sup> Ibid., p. 79.

<sup>103</sup> Ibid., p. 79. See also Michael Bonner, *Jihad in Islamic History: Doctrines and Practice* (Princeton: Princeton University Press, 2006), p. 74.

<sup>104</sup> Zakariyyā, *Maqāyīs al-Lughah*, Vol. 3, p. 221.

<sup>105</sup> See, as an example, Qur’ān 57: 19.

<sup>106</sup> Lewinstein, “Revaluation of Martyrdom”, p. 78.

<sup>107</sup> By ‘direct occurrences’ is meant the occurrence of the word *shuhadā’* in the Qur’ān in the sense of “martyrs”, while the ‘indirect occurrences’ refer to other phrases used, such as “those killed in the cause of God”, which are also interpreted by exegetes to mean “martyrs”.

supported by the Syriac origin of the word ‘*sahda*’.<sup>108</sup> Who those early Muslims were and on what basis they defined the term are questions left unanswered by Goldziher.

There are three possible solutions to the above problem. The first can be extracted from the explanation given by Ibn al-<sup>c</sup>Arabī concerning Qur’ān 9: 111 quoted above. Stating that martyrdom was a concept enshrined by the Torah and the Gospel is a strong argument that first derives its support from the wording of the verse itself, pre-empting the exegesis given by Ibn al-<sup>c</sup>Arabī. Through this, the Qur’ān itself indicates that the concept of martyrdom was found not only in Christianity,<sup>109</sup> but also in Judaism. Thus, it is not only a Christian concept, as suggested by Lewinstein and others but also carries Judaic traces.<sup>110</sup>

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<sup>108</sup> Ignaz Goldziher, *Muslim Studies*, ed. S. M Stern, trans. S. M Stern and C R Barber (London: Allen & Unwin, 1967), Vol. 2, pp. 350-351; E. Kohlberg, “Medieval Muslim Views on Martyrdom”, *Koninklijke Nederlandse Akademie Van Wetenschappen (Amsterdam)*, Vol. 60, No. 7, 1997, p. 281; Freamon, “Martyrdom, Suicide”, p. 319; Rippin, “Witness”, Vol. 5, pp. 490 f.; Suzanne Evans, “An Analysis of the Significance of “Mothers of Martyrs” in Palestinian Society” (MA diss., Department of Religion, Carleton University, Ottawa, Ontario, 1997), p. 10; Bonner, *Jihad in Islamic History*, p. 74; David Bukay, “The Religious Foundations of Suicide Bombings: Islamist Ideology”, *The Middle East Quarterly*, Vol. 13, No. 4, Fall 2006, p. 28; John L. Esposito, *Unholy War: Terror in the Name of Islam* (Oxford: Oxford University Press, 2002), p. 69; David Cook, “Suicide Attacks or ‘Martyrdom Operations’ in Contemporary Jihad Literature”, in David C. Rapoport, ed., *Terrorism: Critical Concepts in Political Science* (London : Routledge, 2006), Vol. 4, p. 120; Eli Alshech, “Egoistic Martyrdom and Ḥamās’ Success in the 2005 Municipal Elections: A Study of Ḥamās Martyrs’ Ethical Wills, Biographies, and Eulogies”, *Die Welt des Islams*, Vol. 48, No. 1, 2008, p. 24, n. 6; Lindsay R. Calhoun, “Islamic Martyrdom in the Postcolonial Condition”, *Text and Performance Quarterly*, Vol. 24, No. 3/4, July/October 2004, p. 330.

<sup>109</sup> Margaret M. Metchell, “Christian Martyrdom and the ‘Dialect of the Holy Scriptures’: The Literal, the Allegorical, the Martyrological”, *Biblical Interpretation*, Vol. 17, No. 1-2, 2009, p. 206.

<sup>110</sup> The martyr, according to rabbinic Judaism, is the person who dies willingly for the Jewish faith and therefore achieves the “...sanctification of the divine name”. In Hebrew, this is known as *Kiddush ha-Shem*. See Jacob Neusner and William Scott Green, eds., *Dictionary of Judaism in the Biblical Period* (Peabody, Mass.: Hendrickson, 1999), pp. 412 f.; Henten and Avemarie provide a survey of ancient sources about martyrdom with reference to Christian and Jewish texts. Jan Willem van Henten and Friedrich Avemarie, *Martyrdom and Noble Death: Selected Texts from Graeco-Roman, Jewish and Christian Antiquity* (New York: Routledge, 2002), pp. 42-176. For a brief account of martyrdom in Christianity and Rabbinic Judaism, see Daniel Boyarin, *Dying for God: Martyrdom and the Making of Christianity and Judaism* (Stanford, Calif.: Stanford University Press, 1999), pp.93-130; Reuven Firestone, “Martyrdom”, in Gabriel

The second possible solution if we suppose the action of martyrdom is post-Qur'anic—which is not the case, as proven above—involves consideration of the revealed laws preceding Islam which, are binding on Muslims with certain prerequisites.<sup>111</sup> The Qur'ān is very clear about this issue.<sup>112</sup> Thus, it is now possible to prove that the insistence on categorically dismissing the link between the Qur'ān and *shahādah* (martyrdom)<sup>113</sup> in the light of its perceived Christian origin is not as persuasive as it at first seems.

The last possible solution is that a transition from the Qur'ān to the Sunnah regarding martyrdom shows that the Sunnah contains a vast amount of literature which, according to Cook, answers many of the important questions left unresolved by the Qur'ān.<sup>114</sup> Consequently, the Qur'ān is not to blame for being silent about some aspects of an issue which the Sunnah has dealt with extensively.<sup>115</sup> Although it is beyond the scope of this chapter to focus on martyrdom in the Sunnah, it is essential to include a brief overview of its portrayal of martyrs. This is because the Sunnah mentions details about the martyrs that are not revealed by the Qur'ān.<sup>116</sup>

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Palmer-Fernandez, ed., *Encyclopedia of Religion and War* (New York: Routledge, 2004), pp. 290-292; Cook, *Martyrdom*, pp. 5-11.

<sup>111</sup> For a discussion of those prerequisites as well as an overall view of the whole concept, see Mohammad Hashim Kamali, *Principles of Islamic Jurisprudence* (Cambridge: Islamic Texts Society, 3<sup>rd</sup> rev. & enl. ed., 2006), pp. 306-312; See also °Abd al-Karīm Zidān, *Al-Wajīz fī Uṣūl al-Fiqh* (Beirut: Mu'assasat al-Risālah li al-Ṭibā'ah wa al-Nashr wa al-Tawzī', 1987), pp. 263-266; Khālīd Ramaḍān Muḥammad, *Mu'jam Uṣūl al-Fiqh* (Beni Suef, Egypt: Dār al-Rawḍah li al-Nashr wa al-Tawzī', 1998), pp. 158 f.

<sup>112</sup> See for example, Qur'ān 2: 183; 5: 44; 6: 90; 42: 13.

<sup>113</sup> For the remaining discussion in this Chapter the terms *shahīd* and *shahādah* are used to mean “martyr” and “martyrdom” unless otherwise indicated.

<sup>114</sup> Cook, *Martyrdom*, p. 36.

<sup>115</sup> For a comprehensive study of the theme of martyrdom in the Sunnah, see Al-Misbahī, *Al-Shahīd*. See also, Muḥammad Kheir Haykal, *Al-Jihād wa al-Qitāl fī al-Siyāsah al-Shar'īyah* (Beirut: Dār al-Bayāriq, 3<sup>rd</sup> ed., 1996\1417), Vol. 2 , pp. 1205-1237; Cook, *Martyrdom*, pp. 33-44; Richard Bonney, *Jihād: From the Qur'ān to bin Laden* (Basingstoke: Palgrave Macmillan, 2004), pp. 36 f.

<sup>116</sup> Sunnah is the second main source of Islamic legislation after the Qur'ān. See Muḥammad al-Khuḍarī, *Uṣūl al-Fiqh* (Cairo: Al-Maktabah al-Tujāriyyah al-Kubrā, 6<sup>th</sup> ed., 1969/1389), p. 239;

The Sunnah speaks of various kinds of martyrs.<sup>117</sup> They tend to be grouped into categories classified in the various collections of ḥadīth. Cook, whilst overemphasizing the various categories of martyrs detailed in al-Suyūṭī’s *Abwāb al-Sa‘ādah fī Asbāb al-Shahādah*, opines that al-Suyūṭī’s details render the “...title of martyr almost meaningless”.<sup>118</sup> However, a thorough study of the various rulings pertaining to different categories of martyrs proves that battlefield martyrs—as a category—can be easily distinguished from others.<sup>119</sup> In order to keep the discussion relevant to our subject, the focus here remains on the battlefield martyrs as indicated earlier.

Moreover, the Sunnah ascertains that the purpose of the fighting of the battlefield martyrs should be to uphold the word of Allah and not to seek worldly gain. Abū Mūsā (may Allah be pleased with him) narrated that a man came to the Prophet (peace be upon him) and said, ‘A man fights for worldly gains, one fights to be remembered and one fights to show his courage, who is considered amongst those who fight for Allah’s cause?’ The Prophet replied saying:

“The one who fights to uphold Allah’s word is the one who is fighting for Allah’s cause.”<sup>120</sup>

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Kamali, *Principles*, pp. 63-65; Faṭḥī °Abd al-Karīm, *Al-Sunnah: Tashrī° Lāzīm wa Dā’im* (Cairo: Maktabat Wahbah, 1985\1405); Muḥammad Luqmān al-Salafī, *Al-Sunnah: Hujjiyyatuhā wa Makānatuhā fī al-Islām* (Medina: Maktabat al-Īmān, 1989\1409); Mawil Izzī Dien, *Islamic Law: From Historical Foundations to Contemporary Practice* (Edinburgh: Edinburgh University Press, 2004), pp. 38-40.

<sup>117</sup> According to the Sunnah, there are several forms of martyrdom other than being killed on the battlefield. For example, dying from drowning, as a result of plague, a structural collapse, fire, pleurisy, and childbirth. See al-Bukhārī, *Ṣaḥīḥ al-Bukhārī*, no. 2829, in *Mawsū°at al-Ḥadīth*, p. 228; °Abdullāh bin al-Mubārak, *Kitāb al-Jihād*, ed. Nazīh Ḥammād (Beirut: Dār al-Nūr, 1971), pp. 63 f.; See also Cook, *Martyrdom*, pp. 33 f.; Evans, “An Analysis of the Significance of ‘Mothers of Martyrs’”, p. 19. Reuven Firestone, “Martyrdom”, in Gabriel Palmer-Fernandez ed., *Encyclopedia of Religion and War* (New York: Routledge, 2004), p. 292.

<sup>118</sup> Cook, *Martyrdom*, p. 36, 44.

<sup>119</sup> This conclusion is derived from Lawson’s discussion of the different types of martyrs. See Lawson, “Martyrdom”, Vol. 3, pp. 56 f.

<sup>120</sup> Al-Bukhārī, *Ṣaḥīḥ al-Bukhārī*, no. 2810, in *Mawsū°at al-Ḥadīth*, p. 226. For an explanation of the meanings of this ḥadīth see, Abū al-Ḥusayn °Alī bin Khalaf bin °Abd al-Malik ibn Baṭṭāl, *Sharḥ Ṣaḥīḥ al-Bukhārī*, ed. Abū Tamīm Yāsir bin Ibrāḥīm (Riyadh: Maktabat al-Rushd, n.d.), Vol. 5, pp. 25 f.

This ḥadīth highlights the centrality of *niyyah* (intention)<sup>121</sup> as the basis upon which the reward of the one killed on the battlefield is determined. It is a simple explanation for almost all the Qur’ānic verses, which give the cause of Allah as the reason for which a fighter enters the battlefield. Furthermore, the ḥadīth shows that not all those killed on the battlefield are martyrs. It is worth mentioning that other Prophetic aḥādīth also stress this meaning, pointing out three different categories of battlefield martyrs.<sup>122</sup>

The martyrs are the only dwellers in Paradise who wish to return to this world because of the veneration they receive in the Hereafter. Qatādah (d. 118/736), narrated that he heard Anas bin Mālik (d. 179/795), quoting the Prophet (peace be upon him) as saying:

“No one enters Paradise and wishes to return back to this world knowing that nothing is left for him except he who died as a martyr. He wishes to return to this world to be martyred ten times. This is because of the blessing martyrdom entails.”<sup>123</sup>

The Sunnah is a necessary explanation of the Qur’ān as far as the concept of martyrdom is concerned. It offers a workable definition that, whilst detailing the various categories of martyrs, answers many of the intriguing questions about battlefield martyrs left unanswered by the Qur’ān.

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<sup>121</sup> As far as this issue is concerned, al-Dimyāṭī mentions up to nine types of intentions. For a discussion of those intentions backed by evidence from the Qur’ān and Sunnah, see Aḥmad bin Ibrāhīm ibn al-Naḥḥās al-Dimashqī al-Dimyāṭī, *Taḥdhīb Kitāb Mashāri‘ al-Ashwāq ilā Maṣāri‘ al-‘Ushshāq fī Faḍā’il al-Jihād*, ed. Ṣalāh ‘Abd al-Fattāḥ al-Khālīdī (Amman: Dār al-‘Ulūm li al-Nashr wa al-Tawzī‘, 2003), pp. 230-239. See also, Muḥyī Hilāl al-Sarḥān and Aḥmad Ḥassūnī Jāsīm, *Al-Shaḥīd fī al-Islām* (Baghdad: Munazzamat al-Mu’tamar al-Islāmī al-Sha‘bī, n.d.), pp. 19-22.

<sup>122</sup> Ibn al-Mubārak, *Al-Jihād*, No. 7, pp. 30 f.; Indeed, Cook provides an excellent translation for the meaning of this ḥadīth. See Cook, *Martyrdom*, p. 36.

<sup>123</sup> Al-Bukhārī, *Ṣaḥīḥ al-Bukhārī*, no. 2817, in *Mawsū‘at al-Ḥadīth*, p. 227; For an explanation of the meanings of this ḥadīth, see Ibn Baṭṭāl, *Sharḥ*, Vol. 5, p. 30; See also, G.H.A. Juynboll, *Encyclopedia of Canonical Ḥadīth* (Leiden: Brill, 2007), p. 480.

Having now discussed the literal and technical meanings of martyrdom within the Qur’ānic context, it is also necessary to highlight the attitude of the Qur’ān towards *qatl al-nafs*. Studying this conceptual framework is also necessary before presenting the case study of this chapter.

### 4.3 Qur’ānic View of Self-destruction

There are various occurrences of the expression *qatl al-nafs* in the Qur’ān (2: 54, 195; 4: 29- , 66; 18: 6; 26: 3). In these occurrences, terms such as *qatl al-nafs*, *tahlukah* (self-destruction), and *bakh*<sup>c124</sup> (killing oneself because of sorrow) are used. The Qur’ān never uses the word ‘*intihār*’ (suicide),<sup>125</sup> although some exegetes—as will be explained later in this chapter—have interpreted *qatl al-nafs* as *intihār*. Of the above Qur’ānic references, three verses are of great importance for our investigation in this chapter. The first is:

“Spend in God’s cause: do not contribute to your destruction with your own hands, but do good, for God loves those who do good.”<sup>126</sup> (Qur’ān 2: 195)

Scholars concerned with *asbāb al-nuz-1* (occasions of revelations)<sup>127</sup> mention

three causes for the revelation of the above verse. First, the verse was revealed to

<sup>124</sup> The exact Qur’ānic phrase used is *bākhi*<sup>c</sup>, which is the active participle of the verb *bakha*<sup>c</sup>. *Bākhi*<sup>c</sup> occurs twice in the Qur’ān in 18: 6 and 26: 3. In both occurrences, it refers to the Prophet Muḥammad as tormenting himself with self-reproach as a result of some members of his community remaining unbelievers; a personal attitude which reflects passion to guide his community. Al-Aṣfahānī, *Mufradāt Alfāz*, p. 110; Badawi and Abdel Haleem, *Dictionary of Qur’anic Usage*, p. 78. See also, Franz Rosenthal, “On Suicide in Islam”, *Journal of the American Oriental Society*, Vol. 66, No. 3, Jul.\Sep., 1946, p. 241.

<sup>125</sup> *Intihār* or suicide is the self-inflicted action of killing oneself intentionally. The term does not occur in the Qur’ān or in classical Arabic lexicons. See, Majma<sup>c</sup> al-Lughah al-<sup>c</sup>Arabiyyah, *Al-Mu<sup>c</sup>jam al-Wajīz* (Cairo: Egyptian Ministry of Education, 1994/1415), p. 605; Hornby, *Oxford Advanced Learner’s*, p. 1195. Kamali states that “Suicide bombing has no precedent in Islamic law and history and it is a new issue, open in that sense to fresh contributions.” Mohammad Hashim Kamali, *Shari’ah Law: An Introduction* (Oxford: Oneworld Publications, 2008), p. 283. See also, Hānī Bin <sup>c</sup>Abdullah Bin Muḥammad Bin Jubayr, *Al-<sup>c</sup>Amaliyyāt al-Istishhādiyyah: Ṣuwaruhā wa Aḥkāmuhā* (Riyadh: Dār al-Faḍīlah li al-Nashr wa al-Tawzī<sup>c</sup>, 2002/1423), p. 15; Ahmed M. Abdel-Khalek, “Neither Altruistic Suicide, nor Terrorism but Martyrdom: A Muslim Perspective”, *Archives of Suicide Research*, Vol. 8, No. 1, January 2004, p. 100.

<sup>126</sup> Haleem, *Qur’an*, p. 22.

encourage early Muslims, especially the *Anṣār*, to give money as charity<sup>128</sup> after it was noticed that some of them abstained from giving in Allah’s cause.<sup>129</sup> Second, according to al-Nīsāb-rī, some of the Companions of the Prophet used to reproach themselves after committing certain sins, claiming that they would not be forgiven, so this verse was revealed<sup>130</sup> to warn them against throwing themselves into destruction. Third, the verse was revealed to warn the *Anṣār* against excessive charity that may lead them to bankruptcy.<sup>131</sup>

Of the above three occasions, the third is perhaps the most important for two reasons: First, the classical exegetes<sup>132</sup> quote at length from the detailed narration of Ab- Ayy-b al-Anṣārī, who, along with other Companions of the Prophet, was fighting at Constantinople,<sup>133</sup> where it was reported that a Muslim soldier plunged into the ranks of the Byzantine enemy single-handedly. The action of this soldier was met with resentment by his fellow soldiers, citing “...do not contribute to your destruction with your own hands”. However, Ab- Ayy-b stood up and clarified that the verse was revealed to the *Anṣār*, including himself, to warn them against stopping to give charity in Allah’s cause and halting military jihād.<sup>134</sup> Here, Ab- Ayy-b remarked that

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<sup>127</sup> *Asbāb al-Nuz- l* is, according to Mawil Izzi Dien, “...a fundamental element in the Islamic exegesis of Our’anic verses.” See, Izzi Dien, *Islamic Law*, p. 4. For a brief account of the technical meaning of *asbāb al-nuz- l*, as well as the exegete’s understanding of it, see Ammar Fadzil, “Asbāb an-Nuz- l: A Critical Study of the Criteria of Their Acceptability”, *Islamic Quarterly*, Vol. 52, No. 3, Third Quarter 2008/1429, pp. 185-206.

<sup>128</sup> c Abd al-Rḥmān bin Abī Bakr al-Suy- ṭī, *Lubāb al-Nuq- l fī Asbāb al-Nuz- l*, ed. Muḥammad Tāmīr (n.p: Dār al-Taqwā, 2004), p. 34.

<sup>129</sup> Al-Nīsāb- rī, *Asbāb*, p. 32.

<sup>130</sup> Ibid.

<sup>131</sup> Ibid., pp. 32 f.

<sup>132</sup> See for example, Al-Ṭabarī, *Jāmi<sup>c</sup> al-Bayān*, Vol. 2, p. 204; Al-Qurtubī, *Al-Jāmi<sup>c</sup>*, Vol. 2, p. 361; Al-Suyūfī, *Al-Durr al-Manthūr*, Vol. 1, p. 500; Ibn Kathīr, *Tafsīr al-Qur’ān*, Vol. 1, p. 230; Al-Alūsī, *Rūḥ al-Ma<sup>c</sup>ānī*, Vol. 2, pp. 77 f.

<sup>133</sup> Constantinople is today’s Istanbul.

<sup>134</sup> Al-Nīsāb- rī, *Asbāb*, pp. 32 f.; Cook, *Martyrdom*, pp. 27 f.

refraining from giving charity and abstaining from setting out on military jihād is a cause of *tahlukah*.

The second reason has to do with the behaviour of the soldier accompanying Ab- Ayy- b in his military campaign. This soldier plunged into the enemy camp with the intention of single-handedly attacking the enemy of the Muslims. This case is classically known as *inghimās*.<sup>135</sup> It refers to a Muslim soldier plunging into the enemy phalanxes alone, fighting courageously while being sure that he is facing certain death. His intention is to “...break a stalemate or reverse a pending defeat”.<sup>136</sup>

Although *inghimās* may indicate that its doer is throwing himself into destruction unnecessarily by attacking the enemy alone, classical exegetes, especially al-Qurṭubī and Ibn al-<sup>c</sup>Arabī, seemingly highlight the fact that this action is permissible in certain circumstances. According to al-Qurṭubī, if *inghimās* is done with the pure intention of fighting for the sake of Allah, and is carried out to encourage other Muslims to fight, then it is permissible and even praiseworthy. If, on the other hand, it is done to show off and with no apparent benefit for the Muslim army, then it is part of *tahlukah*, which is prohibited.<sup>137</sup> Ibn al-<sup>c</sup>Arabī, however, is more inclined to the view that *al-inghimās* is absolutely permissible. He supports his argument with four justifications: first, it is an act of seeking martyrdom; second, it causes *nikāyah* (damage) to the

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<sup>135</sup> Sometimes called *al-inghimās fī al-ṣaff* or *al-mukhāṭarah bi al-naḥs fī al-qitāl* (risking one’s soul in fighting) or *al-Ḥaml al-<sup>c</sup>Aduww Waḥdah* (plunging into the enemy ranks alone). See, al-Qurṭubī, *Al-Jāmi<sup>c</sup>*, Vol. 2, p. 263; Suhayl Muḥammad Ṭāhir al-Aḥmad, “Al-Mukhāṭarah bi al-Naḥs fī al-Qitāl wa Ḥukmuhā fī al-Sharī<sup>c</sup>ah al-Islāmiyyah” (MA diss., University of Jordan, 2003), pp. 14-17.

<sup>136</sup> Nawāf Ḥāyil Takr- rī, *Al-<sup>c</sup>Amaliyyāt al-Istishhādiyyah fī al-Mizān al-Fiqhī* (Damascus: Dār al-Fikr, 4<sup>th</sup> enl. ed., 2003/1423), pp. 71-81; David Jan Slavicek, “Deconstructing the Shariatic Justification of Suicide Bombings”, *Studies in Conflict and Terrorism*, Vol. 31, No. 6, 2008, p. 560.

<sup>137</sup> al-Qurṭubī, *Al-Jāmi<sup>c</sup>*, Vol. 2, pp. 364 f.; Ibn al-<sup>c</sup>Arabī, *Aḥkām*, Vol. 1, p. 166. See also, Ḥassan Ayy- b, *Al-Jihād wa al-Fidā’iyyah fī al-Islām* (Beirut: Dār al-Nadwah al-Jadīdah, 2<sup>nd</sup> enl. ed., 1983/1403), pp. 161 f.

enemy; third, it causes *tajri'ah* (encouragement [to Muslims]) to fight; fourth, it weakens the morale of the enemy.

Although classical exegetes, especially al-Qurṭubī and Ibn al-ʿArabī, primarily linked the above verse to the issue of *inghimās*, it is hard to find modern exegetes doing the same. Their interpretations are either linked to the idea that lack of charity will lead to the defeat of Muslims by their enemies,<sup>138</sup> or to the necessity of Muslims preparing for their enemy before entering the battlefield.<sup>139</sup>

Riḍā, in a statement attributed to ʿAbduh, appears to be the only modern interpreter who cites the classical narration of Ab- Ayy-b, but he fails to link it to any legal rulings in the way that Ibn al-ʿArabī did. Moreover, in his interpretation, any whimsical risk in fighting falls within the category of *tahlukah*. Riḍā's explanation is a modern attempt at exegesis but it lacks the detail found in the interpretations of the classical exegetes.

Modern exegetes, among whom Riḍā is the most prominent, neither refer to the issue of *inghimās* as raised by classical scholars, nor do they attempt to extract any legal rulings from this verse, which could be understood to prohibit acts similar to *inghimās* in modern times, such as suicide attacks. The reference to *inghimās* by classical exegetes reflects circumstances concerning which they might have thought their exegesis should be expressed as relevant. However, this reflective attitude, as has been shown from the modern interpretations of Qur'ān 2: 195, relies strongly on the literal

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<sup>138</sup> Quṭb, *Fī Zilāl*, Vol. 1, p. 192.

<sup>139</sup> Al-Shaʿrāwī, *Tafsīr*, Vol. 2, p. 830.

interpretation of the verse without going as far as to put forward the verse as conclusive evidence for the prohibition of suicide in general.<sup>140</sup>

The second and the third verses whose interpretations may refer to the issue of suicide are:

“You who believe, do not wrongfully consume each other’s wealth but trade by mutual consent. Do not kill each other [*do not kill yourselves*],<sup>141</sup> for God is merciful to you. If any of you does these things, out of hostility and injustice, We shall make him suffer Fire: that is easy for God.”<sup>142</sup> (Qur’ān 4: 29- 30)

An examination of the classical interpretations of these two verses shows that most of the classical exegetes support the interpretation of the Qur’ānic phrase ‘*walā taqtul- anfusakum*’ or (do not kill yourselves) as a prohibition against mutual killing.<sup>143</sup> Of the classical exegetes, al-Ṭabarī and al-Rāzī merit special attention for two reasons: first, they seem to be the only exegetes whose views have been highlighted in the Western literature on suicide in Islam since 1946.<sup>144</sup> Second, their views remain distinct in that they argue that *qatl al-nafs* in this verse refers to mutual killing rather than killing oneself. Both al-Ṭabarī and al-Rāzī state that what is primarily meant by ‘*walā taqtul- anfusakum*’ is that Muslims are forbidden to kill other Muslims. This is because they see Muslims as constituting one entity, so if a Muslim kills his fellow Muslim it will be as if he killed himself.<sup>145</sup> Al-Rāzī, while committed to this view, also suggests two other possible interpretations – that the phrase may refer to the prohibition of killing oneself, either directly or indirectly. According to al-Rāzī, one can kill oneself

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<sup>140</sup> In his commentary on the verse, Haleem states that it is generally understood to “...outlaw suicide and other forms of self-harm.” See, Haleem, *Qur’an*, p. 22.

<sup>141</sup> The phrase [*do not kill yourselves*] is the researcher’s own translation for the Qur’ānic phrase (*Walā taqtul- anfusakum*). It has been added here as a possible alternative translation to that of Haleem.

<sup>142</sup> Ibid., p. 53.

<sup>143</sup> See for example, Al-Ṭabarī, *Jāmi’ al-Bayān*, Vol. 2, p. 35; Al-Qurṭubī, *Al-Jāmi’*, Vol. 5, pp. 156 f; Al-Suy-ṭī, *Al-Durr al-Manth-r*, Vol. 2, p. 496; Ibn al-‘Arabī, *Aḥkām*, Vol. 1, p. 524.

<sup>144</sup> Rosenthal, “On Suicide”, pp. 241-243.

<sup>145</sup> Al-Ṭabarī, *Jāmi’ al-Bayān*, Vol. 2, p. 35; Al-Rāzī, *Al-Tafsīr al-Kabīr*, Vol. 10, p. 59.

directly, by self-reproach or excessive grieving, which he views as an act of the “Indian fools”, asserting that it is prohibited for a believer<sup>146</sup> – or indirectly, by committing a sinful act such as adultery which may lead to one being stoned to death.

It is notable that the above exegetes, since they primarily adopt the ‘mutual fighting’ interpretation, never mentioned the word *intihār* (suicide) and the possible interpretation of *qatl al-nafs* as meaning killing oneself occupies second place in their interpretational preferences. Even al-Rāzī’s reference to the “Indian fools” is mentioned in passing and does not receive as much attention as his explanation of the ‘mutual fighting’ interpretation. It may be that the low suicide rates in Muslim countries throughout history, as compared with non-Muslim countries,<sup>147</sup> that al-Rāzī chooses the example of the “Indian fools” to support his argument, but this may not apply in modern times. An intriguing question that is left without a definitive answer by the classical exegetes is: to which of the acts mentioned in the verse does the demonstrative pronoun *dhālika*<sup>148</sup> refer? Their interpretations variously say it refers to ‘mutual fighting’, consuming each other’s wealth illegally, and to all that has been prohibited from the beginning of *s-ra* four until this verse.<sup>149</sup> This may lead us to another tricky question of

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<sup>146</sup> Al-Rāzī, *Al-Taḥf al-Kabīr*, Vol. 10, p. 59. The exact phrase used by al-Rāzī is, “*al-nahy fī man ya<sup>c</sup>taqīdu fī qatl nafsihī ma ya<sup>c</sup>taqīduhu ahl al-Hind*” (the prohibition against believing what the Indians believe about killing oneself). The phrase “Indian fools” and other Indian suicide narratives are referred to by Rosenthal. See, Rosenthal, “On Suicide”, pp. 241, 243, 247, 248, n. 86.

<sup>147</sup> Abdel-Khalek, “Neither Altruistic Suicide, nor Terrorism”, pp. 101 f; Robert A. Pape, *Dying to Win: Why Suicide Terrorists Do It* (London: Gibson Square Books, 2006), p. 181; David Cook, “The Implications of “Martyrdom Operations” for Contemporary Islam”, *Journal of Religious Ethics*, Vol. 32, No. 1, March 2004, p. 130. This article has been recently reprinted in David Cook, ed. *Jihad and Martyrdom: Critical Concepts in Islamic Studies* (London: Routledge, 2010), Vol. 4, pp. 144-165. See also, Cook, “Suicide Attacks or ‘Martyrdom Operations’”, p. 116; Denis MacEoin, “Suicide Bombing as Worship: Dimensions of Jihad”, *The Middle East Quarterly*, Vol. 16, No. 4, Fall 2009, p. 17; David Lester, “Suicide and Islam”, *Archives of Suicide Research*, Vol. 10, No. 1, January 2006, pp. 77-97.

<sup>148</sup> *Dhālika* is translated by Haleem as “these things”, although it is singular.

<sup>149</sup> Al-Ṭabarī, *Jāmi<sup>c</sup> al-Bayān*, Vol. 2, p. 35; Al-Qurṭubī, *Al-Jāmi<sup>c</sup>*, Vol. 5, pp. 156 f; Al-Suy-ṭī, *Al-Durr al-Manth- r*, Vol. 2, p. 496; Ibn al-<sup>c</sup>Arabī, *Aḥkām*, Vol. 1, p. 524.

the qualifying phrase *‘udwānan wa zulman*:<sup>150</sup> If this refers to *qatl al-nafs*, is the implication that there is a type of *qatl al-safs*, or ‘suicide’ if we take that interpretation, that can be committed without *‘udwān* (hostility) or *zulm* (injustice), and may therefore be permitted? This question is also left unanswered by the classical exegetes. Its answer, however, is as important as the first because some researchers who approve ‘suicide or martyrdom operations’<sup>151</sup> answer this question by saying that if the motive behind such attacks is neither *‘udwān* nor *zulm*, as stated in Qur’ān 4: 29-30, then the act is permissible as will be explained later in this chapter. Before analysing this argument, it is important to turn to modern exegetes to examine their interpretations of Qur’ān 4: 29-30 and assess whether or not they have filled in any gaps left by the classical exegetes.

An examination of the modern interpretations shows that *qatl al-nafs* is sometimes given the same meaning of ‘mutual killing’ as that offered by some classical exegetes, as we have seen.<sup>152</sup> Of the modern exegetes, Riḍā and al-Shaḥrāwī remarkably interpret the phrase to mean *intiḥār* (suicide), but they give differing explanations. Riḍā considers that the most obvious meaning to be understood from the verse is that it is a

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<sup>150</sup> *‘Udwānan wa zulman* is translated by Haleem as “out of hostility and injustice”.

<sup>151</sup> Suicide operations, suicide missions, suicide bombings, and suicide terrorism are all terms equally used in this Chapter. According to Assaf Moghadam suicide missions are those attacks whose success necessarily entails the death of their perpetrators. See Assaf Moghadam, *The Globalization of Martyrdom: Al Qaeda, Salafi Jihad, and the Diffusion of Suicide Attacks* (Baltimore: Johns Hopkins University Press, 2008), p. 6; idem, “Motives for Martyrdom: Al-Qaida, Salafi Jihad, and the Spread of Suicide Attacks”, *International Security*, Vol. 33, No. 3, Winter 2008\09, p. 46. This article, according to Moghadam, is drawn from his book *The Globalization of Martyrdom*. See also, Boaz Ganor, “The Rationality of the Islamic Radical Suicide Attack Phenomenon”, [article online]; available from <http://www.ict.org.il/Articles/tabid/66/Articlsid/243/currentpage/7/Default.aspx>; accessed 5 December 2009. Shay provides a more comprehensive definition. He states that a suicide attack refers to: “A violent, politically motivated action executed consciously, actively and with prior intent by a single individual (or individuals) who kills himself in the course of the operation together with his chosen target. The guaranteed and preplanned death of the perpetrator is a prerequisite for the operation’s success.” Shaul Shay, *The Shahids: Islam and Suicide Attacks* (New Brunswick, NJ: Transaction Publishers, 2004), p. 6. See also, Ami Pedahzur, *Suicide Terrorism* (Cambridge: Polity Press, 2005), pp. 10 f.

<sup>152</sup> Quṭb, *Fī Zilāl*, Vol. 2, p. 640.

prohibition of suicide, but he is not fully supportive of this view. He prefers the ‘mutual killing’ explanation given by the classical exegetes because, in his view, it enhances the unity of the *ummah*. In addition, Riḍā sees the phrase as a prohibition of *mukhāṭarah* (taking a risk), when a Muslim attempts to kill an enemy with the *ghalabat al-Ẓann* (strong probability) that he himself will be killed.<sup>153</sup> Thus Riḍā retains a strong preference for the classical theory, although he views *intihār* as a possible interpretation, and includes in that both individual suicide, in which one kills oneself and collective suicide through *mukhāṭarah*.

Al-Sha<sup>c</sup>rāwī takes the view that ‘*qatl al-nafs*’ in this verse may mean four things: individual suicide, individual *mukhāṭarah*, killing others with the consequence of being killed in retaliation, and mutual killing.<sup>154</sup> Al-Sha<sup>c</sup>rāwī’s does not give preference to one explanation over another although, compared with Riḍā, he gives fuller consideration to individual suicide. He appears to be the only modern exegete who gives a definition of suicide.<sup>155</sup> He also turns to the Sunnah to buttress his argument, citing the following Prophetic ḥadīth:<sup>156</sup>

Jundub ibn <sup>c</sup>Abdullāh narrates that the Prophet is reported to have said:

“A man from those previous to you felt apprehensive about a wound he sustained. Therefore, he severed his hand with a knife and died from loss of blood. Whereupon Allah said: My servant anticipated my action by taking his own life; therefore, he will not be admitted into Paradise.”<sup>157</sup>

Al-Sha<sup>c</sup>rāwī’s explanation constitutes a refutation of Rosenthal and other modern authors such as Slavicek, who claim that the Qur’ānic stance on the prohibition

<sup>153</sup> Riḍā, *Tafsīr al-Qur’ān al-Ḥakīm*, Vol. 5, p. 43.

<sup>154</sup> Al-Sha<sup>c</sup>rāwī, *Tafsīr*, Vol. 4, pp. 2148 f.

<sup>155</sup> Suicide, according to him, is an act committed by someone who fails to cope with his life affairs and hence resorts to self-murder. *Ibid.*, p. 2146.

<sup>156</sup> *Ibid.*, Vol. 4, p. 2147.

<sup>157</sup> Al-Bukhārī, *Ṣaḥīḥ al-Bukhārī*, no. 3463, in *Mawsū‘at al-Ḥadīth*, p. 282.

of suicide “remains uncertain”<sup>158</sup> or “vague”.<sup>159</sup> The fact that the Qur’ān does not use the word ‘*intihār*’ does not necessarily mean that the Qur’ānic attitude on suicide is “uncertain”, as claimed by Rosenthal, or “vague” as maintained by Slavicek.

Moreover, al-Sha<sup>c</sup>rāwī’s explanation refutes the view put forward by <sup>c</sup>Alīq that there are numerous Qur’ānic verses which warn against *intihār*.<sup>160</sup> Indeed, authors such as Slavicek, Rosenthal and <sup>c</sup>Alīq should be understood within the comprehensive approach laid down by al-Sha<sup>c</sup>rāwī because accepting each view on its own leads to a seemingly partial understanding of what the Qur’ānic stance on suicide really is. Furthermore, al-Sha<sup>c</sup>rāwī’s attempt to interpret *qatl al-nafs* in Qur’ān 4: 29 using the above mentioned ḥadīth as a supportive tool reflects the important role played by the Sunnah in reaching a better Qur’ānic understanding of the prohibition of suicide.<sup>161</sup>

Having examined the classical and modern exegetical views on both *shahādah* and *qatl al-nafs*, it can be said that the two acts lead to opposite consequences, according to the Qur’ān. While, on the one hand, *shahādah* guarantees the *shahīd* an abode in Paradise according to Qur’ān 9: 111, for example, *qatl al-nafs*, by contrast, is

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<sup>158</sup> Rosenthal, “On Suicide”, p. 243; Kohlberg, “Medieval Muslim Views”, p. 304.

<sup>159</sup> Slavicek, “Deconstructing the Shariatic Justification”, p. 558.

<sup>160</sup> <sup>c</sup>Alīq, *Falsafat al-Istishhād*, p. 114.

<sup>161</sup> Various narrations are mentioned by the Sunnah in this regard. According to one ḥadīth narrated by Ab- Hurayrah, the Prophet is quoted as saying, “Whoever strangles himself will repeat his act in the Hellfire, and whoever kills himself by stabbing his own body will repeat his deed in the Hellfire.” Al-Bukhārī, *Ṣaḥīḥ al-Bukhārī*, no.1365, in *Mawsū<sup>c</sup>at al-Ḥadīth*, p. 106. According to another narration by Ab- Hurayrah, the Prophet is reported to have said, “Whoever kills himself from a mountain, will keep falling in the Hellfire, forever and ever. Whoever kills himself with poison, his poison will be in his hand and he will keep taking it in the Hellfire, forever and ever. Whoever kills himself with an iron tool, his tool will be in his hand and he will stab his abdomen with it in the Hellfire, forever and ever.” Al-Bukhārī, *Ṣaḥīḥ al-Bukhārī*, no. 5778, in *Mawsū<sup>c</sup>at al-Ḥadīth*, p. 493. See also, Abū Dawūd, *Sunan Abū Dawūd*, no. 3185, in *Mawsū<sup>c</sup>at al-Ḥadīth*, p. 1462; Munawar A. Anees, “Salvation and Suicide: What Does Islamic Theology Say?”, *Dialog*, Vol. 45, No. 3, Fall 2006, p. 277; Rosenthal, “On Suicide”, pp. 243-245; Kohlberg, “Medieval Muslim Views”, p. 304; Farhana Ali and Jerrold Post, “The History and Evolution of Martyrdom in the Service of Defensive Jihad: An Analysis of Suicide Bombers in Current Conflicts”, *Social Research*, Vol. 75, No. 2, Summer 2008, p. 626; Freamon, “Martyrdom, Suicide”, p. 308, n. 22.

an abominable act which secures its perpetrator an abode in Hellfire, according to Qur'ān 4: 29-30 and various Prophetic aḥādīth. Interestingly, there remains a contentious issue in which martyrdom may be viewed as suicide and vice versa by modern Muslim and non-Muslim researchers as a result of different understanding of almost the same verses whose interpretations by classical and modern exegetes we have considered earlier in this chapter.

'Martyrdom operations' or 'suicide attacks' in the context of the Palestinian-Israeli conflict will now be presented as a case study.<sup>162</sup> The primary reason for selecting the Palestinian-Israeli conflict is the central place it occupies in today's world as far as the relations between Islam and the West are concerned.<sup>163</sup> There is not space in this thesis to incorporate or refer to other similar contexts, such as in Iraq and Afghanistan, because each of these would require a separate discussion. However, a brief overview of how and when 'martyrdom or suicide operations' started in modern Middle Eastern history is necessary for a better understanding of the Palestinian-Israeli case.

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<sup>162</sup> In what follows, inverted commas will be employed in reference to operations as 'martyrdom' or 'suicide' so as not to compromise the researcher's objectivity. However, when the opinions of the proponents or opponents of these operations are presented, the term they themselves employ will be used.

<sup>163</sup> Halim Rane, "Jihad, Competing Norms and the Israel-Palestine Impasse", *Australian Journal of International Affairs*, Vol. 63, No. 1, March 2009, p. 41. According to Kamali, "The manuals of Islamic law are silent on the issue of suicide bombing, a disturbing phenomenon of our time that became frequent in connection with Israeli-Palestinian conflict, especially when Israel unleashed a new wave of aggression on the street processions of unarmed Palestinian youth in 2000-1." See, Kamali, *Shari'ah Law*, p. 285.

## 4.4 ‘Martyrdom’ or ‘Suicide Operations’ in the Palestinian-Israeli Conflict

### 4.4.1 Historical Overview of ‘Martyrdom’ or ‘Suicide Operations’ in the Modern Middle East

Before discussing the Palestinian case, it is worth presenting a brief historical overview of how ‘martyrdom or suicide operations’ started in the modern Middle East. Earlier in Chapter One of this thesis, reference has been made to the Assassins as one of the most radical sects in Islamic history, especially in the eleventh century. However, the systematic emergence of ‘martyrdom’ or ‘suicide attacks’ as a religiously motivated action started in the 1980s in Lebanon.<sup>164</sup> Shay takes the view that these attacks began in the modern era in Lebanon in 1983 at the hands of the Lebanese-Shi’ite Hizbullah.<sup>165</sup> At that time, Hizbullah started embracing ‘martyrdom’ or ‘suicide operations’ in its struggle against the Western military presence among the multinational forces in

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<sup>164</sup> Matthias Küntzel, “Suicide Terrorism and Islam”, *American Foreign Policy Interests*, Vol. 30, No. 4, July/August 2008, p. 228; ‘Alīq, *Falsafat al-Istishhād*, p. 20; Moghadam, *The Globalization of Martyrdom*, p. 7; Ibrāhīm Ab- Ḥalīwah, *Al-‘Amaliyyāt al-Istishhādiyyah khilāl Intifādat al-Aqsā 2000-2007* (Beirut: Bāḥith li al-Dirāsāt, 2007), p. 19; MacEoin, “Suicide Bombing as Worship”, p. 15; Cook, “Suicide Attacks or ‘Martyrdom Operations’”, p. 116; Jeffry W. Lewis, “Precision Terror: Suicide Bombing as Control Technology”, *Terrorism and Political Violence*, Vol. 19, No. 2, June 2007, p. 223; Ami Pedahzur, Arie Perliger, and Alexander Bialsky, “Explaining Suicide Terrorism”, in Christopher Ankersen and Michael O’Leary, eds., *Understanding Global Terror* (Cambridge: Polity Press, 2007), p. 37.

<sup>165</sup> Shay, *The Shahids*, p. 2; John L. Esposito, *What Everyone Needs to Know about Islam* (Oxford: Oxford University Press, 2002), p. 126; Quintan Wiktorowicz, “A Genealogy of Radical Islam”, *Studies in Conflict and Terrorism*, Vol. 28, No. 2, March/April 2005, p. 92; Aamer Liaquat Hussain, *Islam and Terrorism: An Historical and Theological Enquiry* (Karachi: Ahmed Publishers, 2002), p. 48; Freamon, “Martyrdom, Suicide”, p. 369; Marvin Perry and Howard E. Negrin, eds., *The Theory and Practice of Islamic Terrorism: An Anthology* (New York: Palgrave Macmillan, 2008), p. 119.

Lebanon, killing 241 US marines and 58 French troops.<sup>166</sup> These attacks eventually led to the successful withdrawal of all US and French troops from Beirut.<sup>167</sup> According to Shay, the Lebanese attacks continued until the 1990s, but with “less frequency”.<sup>168</sup> Interestingly, the Lebanese who adopted such attacks were inspired by the Shi’ites in Iran,<sup>169</sup> and it was through the Lebanese that these attacks were applied in the Palestinian territories and this *modus operandi* was embraced by Ḥamās, or the Islamic Resistance Movement.<sup>170</sup> Hizbullah, according to Freamon, “...encouraged this development with active political and military support”.<sup>171</sup>

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<sup>166</sup> According to Küntzel, the first attack was carried out in Southern Lebanon on 11 November 1982 by a 15-year-old Hizbullah member named Ahmad Qusayr. Küntzel, “Suicide Terrorism”, p. 229.

<sup>167</sup> Simon Haddad, “A Comparative Study of Lebanese and Palestinian Perceptions of Suicide Bombings: The Role of Militant Islam and Socio-Economic Status”, *International Journal of Comparative Sociology*, Vol. 45, No. 5, 2004, p. 338.

<sup>168</sup> Shay, *The Shahids*, p. 2. For more details about how suicide attacks emerged and developed in Lebanon, see Pape, *Dying to Win*, pp. 129-131. See also, Farhad Khosrokhavar, *Suicide Bombers: Allah’s New Martyrs*, trans. David Macey (London: Pluto Press, 2005), pp. 141-149.

<sup>169</sup> Küntzel, “Suicide Terrorism”, p. 229. According to Freamon, “It was the Shi’a theologians and jurists who first raised the theology of martyrdom to the level of ideology and, using Shi’a sources, endorsed self-annihilation as a permissible behavior in a *jihadi* war.” Freamon, “Martyrdom, Suicide”, p. 360; Shay, *The Shahids*, pp. 35-51; Assaf Moghadam, “Mayhem, Myths, and Martyrdom: The Shi’a Conception of Jihad”, *Terrorism and Political Violence*, Vol. 19, No. 1, March 2007, pp. 129 f. Importantly, this theoretical framework was translated into practical actions by “...dispatching human waves to face the enemy, clearing minefields by having young boys run across them, and suicide attacks against fortified targets and Iraqi tanks.” Shay, *The Shahids*, p. 37.

<sup>170</sup> According to Bloom, “Hamās is the Arabic acronym for the *Harakat al Muqawamah al-Islamiyya* (Islamic Resistance Movement), formed in 1987 as an outgrowth of the Muslim Brotherhood and the *Mujamma al-Islami*, and established in 1974 to provide much-needed social services to Palestinians under occupation.” Mia M. Bloom, “Palestinian Suicide Bombing: Public Support, Market Share and Outbidding”, *Political Science Quarterly*, Vol. 119, No. 1, Spring 2004, p. 75; republished in David C. Rapoport, ed., *Terrorism: Critical Concepts in Political Science* (London: Routledge, 2006), Vol. 4, pp. 194 f. For a brief overview of Ḥamās’s background and martyrology, see Alshech, “Egoistic Martyrdom and Ḥamās’ Success in the 2005 Municipal Elections”, pp. 26-37; Dipak K. Gupta and Kusum Mundra, “Suicide Bombing as a Strategic Weapon: An Empirical Investigation of Hamas and Islamic Jihad”, *Terrorism and Political Violence*, Vol. 17, No. 4, January 2005, pp. 576 f.; Eric Bordenkircher, “An Analysis of Jihād in the Context of the Islamic Resistance Movement of Palestine” (MA diss., Faculty of Graduate Studies and Research, Institute of Islamic Studies, McGill University, Montreal, 2001), pp. 58-60; Zaki Chehab, *Inside Hamas: The Untold Story of the Militant Islamic Movement* (New York: Nation Books, 2007), pp. 15-37. The first attack launched by Ḥamās was in April 1994. Laetitia Bucaille, “The Impossible Palestini

Importantly however, ‘suicide terrorism’ was not introduced by Muslims in modern history,<sup>172</sup> but rather by various other groups, such as the Tamil Tigers in Sri Lanka, the Kurdish Workers Party (PKK), the Irish Republican Army (IRA), and the Japanese Kamikazes.<sup>173</sup> Thus, the issue is not limited to Muslims,<sup>174</sup> as unjustly claimed by some Western media circles.<sup>175</sup> It is therefore inappropriate to describe acts committed by a very few Muslims as “Islamikaze”, as Raphael Israeli has put it,<sup>176</sup>

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, Laetitia Bucaille and Luis Martinez, eds., *The Enigma of Islamist Violence*, trans. John Atherton, Ros Schwartz, and William Snow (London: Hurst & Co., 2007), p. 48; Haddad, “A Comparative Study of Lebanese and Palestinian Perceptions of Suicide Bombings”, p. 338; Halim Rane, “Reformulating Jihad in the Context of the Israeli-Palestinian Conflict: A Theoretical Framework”, *Global Change, Peace and Security*, Vol. 19, No. 2, June 2007, p. 140. Importantly, this attack was a response to a massacre perpetrated by Goldstein, a Jewish settler, in which 29 Muslims were killed in a Hebron Mosque. Muhammad Munir, “Suicide Attacks and Islamic Law”, *International Review of the Red Cross*, Vol. 90, No. 869, March 2008, p. 74. For a brief chronology of the operations carried out by Ḥamās members, including female members, between 1994 and 2006, see Ab- Ḥalīwah, *Al-‘Amaliyyāt al-Istishhādiyyah*, p. 20; Robert A. Pape, “The Strategic Logic of Suicide Terrorism”, *American Political Science Review*, Vol. 97, No. 3, August 2003, p. 352; republished in David C. Rapoport, ed., *Terrorism: Critical Concepts in Political Science* (London: Routledge, 2006), Vol. 4, pp. 152 f. For a detailed list of attacks between October 2000- December 2003 see Shay, *The Shahids*, pp. 225-242. According to Aamer Hussain, in 1998 Ḥamās published a book that endorses the legitimacy of martyrdom operations on its official website, but it was not written by a well-versed religious authority. See, Hussain, *Islam and Terrorism*, p. 49. However, Ḥamās’s official website shows that the book is no longer available. See, <http://www.palestine-info.info/>, accessed 13 December 2009.

<sup>171</sup> Freamon, “Martyrdom, Suicide”, pp. 357 f.

<sup>172</sup> Robert A. Pape, *Dying to Win: The Strategic Logic of Suicide Terrorism* (New York: Random House Trade Paperbacks, 2006), p. 16. See also, Kamali, *Shari’ah Law*, p. 287.

<sup>173</sup> According to Shah, “The Kamikazes were neither Christians nor Muslims, but their logic is similar to that of the modern suicide terrorists.” Niaz A. Shah, *Self-defence in Islamic and International Law: Assessing al-Qaeda and the Invasion of Iraq* (Basingstoke: Palgrave Macmillan, 2008), p. 67. See also, Raphael Israeli, *Islamikaze: Manifestations of Islamic Martyrology* (London: Frank Cass, 2003), p. 5; Todd Sandler, “Collective Action and Transnational Terrorism”, *The World Economy*, Vol. 26, No. 6, 2003, p. 784.

<sup>174</sup> According to Kamali, “Suicide bombing in the name of Islam is therefore a socio-political phenomenon, not a theological one.” See Kamali, *Shari’ah Law*, p. 287.

<sup>175</sup> Shah, *Self-defence in Islamic and International Law*, p. 66; Hilal Khashan, “Collective Palestinian Frustration and Suicide Bombings”, *Third World Quarterly*, Vol. 24, No. 6, December 2003, p. 1050.

<sup>176</sup> Raphael Israeli, “Islamikaze and Their significance”, *Terrorism and Political Violence*, Vol. 9, No. 3, Autumn 1997, pp. 96-121; Israeli, *Islamikaze Manifestations*, pp. 71-95. See also, Raphael Israeli, “A Manual of Islamic Fundamentalist Terrorism”, *Terrorism and Political Violence*, Vol. 14, No. 4, Winter 2002, p. 23. See also, Ivan Strenski, “Sacrifice, Gift and the

because this clearly singles out a specific faith group without regard for the overall reality. This is regardless of whether or not the employment of this tactic is permitted or prohibited in Islam.

#### 4.4.2 Features of the Palestinian-Israeli Conflict

‘One man’s martyr is another man’s suicide’ could be coined as a phrase that reflects the state of conflict highlighted in certain elements that make the selected case study highly contentious in comparison with others.

The first element is the way in which the terms ‘martyrdom’ and ‘suicide’ operations are selected by both proponents and opponents of such practices. On the one hand, the proponents view these operations as noble and consider those who carry them out as martyrs who sacrifice their lives in Allah’s cause, so that their actions have nothing to do with prohibited suicide. On the other, the opponents look on the same operations as acts of suicide and refuse to consider their perpetrators as martyrs. Between the two, there are discreet researchers whose approach to the issue is limited to presenting the supporters’ or opponents’ views without favouring one over the other.

The second element is the role played by what may be termed “free market *fatāwā*” in which each party appeals to the classical and modern exegetes,<sup>177</sup> along with other sources, to find precedents in Islamic law on which to base supporting or opposing opinions. This flood of *fatāwā*, or *ḥālat al-Tafātī*,<sup>178</sup> which is also described as ‘war of

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Social Logic of Muslim ‘Human Bombers’, *Terrorism and Political Science*, Vol. 15, No. 3, Autumn 2003, p. 5.

<sup>177</sup> Takr- rī, *Al-‘Amaliyyāt*, pp. 86 f., 100 f.

<sup>178</sup> The writer of this thesis first heard this phrase (*ḥālat al-tafātī*) in a lecture delivered by Dr Sayf al-Dīn ‘Abd Al-Fattāḥ, professor of political theory at the Faculty of Political Science at Cairo University. The lecture was hosted by [www.islamonline.net](http://www.islamonline.net) in Cairo during the winter of 2005. Afterwards, the term gained wide currency. See, Sayf al-Dīn ‘Abd Al-Fattāḥ, “Naḥwa Manhajīyyah li-Binā’ wa Fahm Fatāwā al-Ummah”, [article online]; available from

*fatāwā*’ or ‘*ḥarb al-fatāwā*’<sup>179</sup> is striking both among those sanctioning the ‘martyrdom operations’,<sup>180</sup> as well as those forbidding them.<sup>181</sup> This has motivated Western researchers such as Bar to highlight the role played by *fatāwā* related to the Palestinian-Israeli conflict, especially in recent times.<sup>182</sup>

The third element is the inability of Muslim and non-Muslim researchers debating the issue of ‘martyrdom’ or ‘suicide operations’ to find a unified terminology that might be described as neutral, even in relative terms. Claudia Brunner<sup>183</sup> takes the view that,

“In Arabic...the word *shahid* or martyr is intended to bring in the dimension of self-sacrifice and honour...In contrast, the label suicide bomber has a completely different connotation and only speaks of the terrorist side of the coin...Most Arabic articles translated into English/French/German end up with the notion of *martyrs*. Publications from within Israel or the United States speak almost exclusively of *terrorists*.”<sup>184</sup>

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[http://mdarik.islamonline.net/servlet/Satellite?c=ArticleA\\_C&pagename=Zone-Arabic-Mdarik/MDALayout&cid=1173696693711](http://mdarik.islamonline.net/servlet/Satellite?c=ArticleA_C&pagename=Zone-Arabic-Mdarik/MDALayout&cid=1173696693711); accessed 3 December 2009; ‘Abdullāh Bin Bayyah, ‘*Ṣinā‘at al-Fatwā*’, [article online]; available from <http://www.aljazeera.net/NR/exeres/C4A769DB-3B5F-49BF-A0F0-9C5E9EA76F60.htm>; accessed 3 December 2009.

<sup>179</sup> Sayf al-Dīn ‘Abd Al-Fattāḥ, “Al-‘Amaliyyah al-Iftā’iyyah wa Qaḍāyā al-Ummah”, [article online]; available from [http://mdarik.islamonline.net/servlet/Satellite?c=ArticleA\\_C&pagename=Zone-Arabic-Mdarik/MDALayout&cid=1173696695942](http://mdarik.islamonline.net/servlet/Satellite?c=ArticleA_C&pagename=Zone-Arabic-Mdarik/MDALayout&cid=1173696695942); accessed 3 December 2009.

<sup>180</sup> Takr- rī lists up to 29 *fatāwā* sanctioning ‘martyrdom operations’. Takr- rī, *Al-‘Amaliyyāt*, pp. 102-179. Other researchers list more than 30 *fatāwā*. See al-Aḥmad, “Al-Mukhāṭarah bi al-Nafs fī al-Qitāl”, pp.111-126. Cook states that he counted up to 45 *fatāwā* on the subject. Cook, *Martyrdom*, p. 151, n. 33.

<sup>181</sup> Aḥmad bin Sālim Al-Miṣrī, *Fatāwā al-‘Ulamā’ al-Kibār: Fī al-Irhāb wa al-Tadmīr wa Dawābiḥ al-Jihād wa al-Takfīr wa Mu‘āmalat al-Kuffār* (Riyadh: Dār al-Kayān, 2005/1426), pp. 344-356. Al-Miṣrī lists seven *fatāwā*, mostly by scholars from Saudi Arabia, prohibiting ‘martyrdom operations’ and calling them ‘*amaliyyāt intihāriyyah*’ (suicide operations). According to Cook and Allison, al-Miṣrī’s book is a “good start” by Muslim scholars who speak against suicide attacks. See Cook and Allison, *Understanding and Addressing Suicide Attacks*, p. 151, n. 31; Al-Aḥmad, “Al-Mukhāṭarah bi al-Nafs fī al-Qitāl”, pp. 126-140; Ali and Post, “The History and Evolution of Martyrdom”, p. 625.

<sup>182</sup> Shmuel Bar, *Warrant for Terror: Fatwās of Radical Islam and the Duty of Jihad* (Lanham, Md: Rowman & Littlefield Publishers, 2006), pp. 1-17, 58-67.

<sup>183</sup> Lecturer at the Institute for Political Science and at the International Development Project at the University of Vienna.

<sup>184</sup> Claudia Brunner, “Female Suicide Bombers – Male Suicide Bombing? Looking for Gender in Reporting the Suicide Bombings of the Israeli- Palestinian Conflict”, *Global Society*, Vol. 19, No. 1, January 2005, p. 29, n. 2.

This may be attributed to the binary explanations and the uncompromising attitude maintained by supporters of both sides. As a result, there is a sharp contrast between the terms used in the West and those used in the Middle East.<sup>185</sup> Even Freamon's attempt to neutralize the contradicting terminologies by way of introducing his own terminology, which is "self-annihilatory violence",<sup>186</sup> finds very little support among either Muslim or non-Muslim researchers.

The fourth element is the vigorous debate that characterizes the divisions among Muslim scholars,<sup>187</sup> which adds to *ḥālat al-Tafāṭī*. Those scholars sometimes represent Sunnī Islamic official establishments in the Middle East such as al-Azhar, non-official organizations such as the Islamic Fiqh Council (IFC) affiliated to the Organization of the Islamic Conference (OIC), and individual scholars who enjoy popularity and whose religious views are well-received, particularly in the world of Sunnī Islam, such as al-Qaraḍāwī. In spite of the wide diversity of opinion among these scholars, Western researchers concerned with the issue are hardly aware of these divisions because they

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<sup>185</sup> According to Güss, Tuason and Teixeira, terms such as 'suicide terrorism', 'suicide missions' and 'suicide bombers' are frequently used in Western literature to describe the issue. However, in Middle Eastern countries such terms are not used and terms such as '*shahīd*' and '*istishhād*' are used instead. C. Dominik Güss, Ma. Teresa Tuason and Vanessa B. Teixeira, "A Cultural-Psychological Theory of Contemporary Islamic Martyrdom", *Journal for the Theory of Social Behaviour*, Vol. 37, No. 4, 2007, pp. 439 f. See also Patrick Sookhdeo, *Understanding Islamic Terrorism: The Islamic Doctrine of War* (Pewsey: Isaac Publishing, 2004), p. 149; Neil L. Whitehead and Nasser Abufarha, "Suicide, Violence, and Cultural Conceptions of Martyrdom in Palestine", *Social Research*, Vol. 75, No. 2, Summer 2008, p. 395. This same concept is reiterated by Reuven Paz, who states: "The difference in perception between the West and Islam is evident in the very terminology used to describe suicide terrorism. While Western political culture uses the term 'suicide terrorism,' Islamists refer to the issue as 'Istishhad'—martyrdom and self-sacrifice in the name of Allah." Reuven Paz, "The Islamic Legitimacy of Palestinian Suicide Terrorism", [article online]; available from <http://www.ict.org.il/Portals/0/51563-Countering%20Suicide%20Terrorism.pdf>; accessed 5 December 2009. As noted earlier, few Muslim scholars in the Middle East call such operations as '*amaliyyāt intiḥāriyyah*' (suicide operations). Al-Miṣrī, *Fatāwā al-'Ulamā' al-Kibār*, pp. 344-356; Shay, *The Shahids*, p. 5.

<sup>186</sup> Freamon, "Martyrdom, Suicide", pp. 308 f.

<sup>187</sup> Jerrold M. Post, "Reframing of Martyrdom and Jihad and the Socialization of Suicide Terrorists", *Political Psychology*, Vol. 30, No. 3, June 2009, p. 385.

take their stand mostly with the opponents of ‘martyrdom operations’, relentlessly attempting to deconstruct and eventually dismiss the justifications brought as proofs for the validity of ‘martyrdom operations’ by their proponents.<sup>188</sup>

#### 4.4.3 Arguments of the Supporters of Martyrdom Operations

An examination of the arguments of the supporters of martyrdom operations<sup>189</sup> shows that certain factors need to be considered in order to reach a better understanding of the supportive arguments as a whole. The first relates to the representatives of the argument, i.e., the scholars or researchers who present the theoretical framework. The second relates to the fate of the person carrying out the operation, the third to the benefit or otherwise of such operations to the Palestinian side of the conflict, and the fourth to those targeted by the operations.

With regard to the first factor, there are scholars and researchers who consider martyrdom operations a legitimate tool of defence when used by Palestinians against Israelis. They come from majority Muslim countries in the Middle East, such as Egypt,<sup>190</sup> Saudi Arabia,<sup>191</sup> Syria,<sup>192</sup> Lebanon,<sup>193</sup> Sudan,<sup>194</sup> Palestine<sup>195</sup> and Kuwait,<sup>196</sup>

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<sup>188</sup> Slavicek, “Deconstructing the Shariatic Justification”, pp. 555-564.

<sup>189</sup> From this point until the arguments of the opponents are presented, the term ‘martyrdom operations’ will be used as it reflects the core argument of the supporters of these actions.

<sup>190</sup> Among the Egyptian scholars who support martyrdom operations are Y-suf al-Qaraḏāwī, Ibrāhīm al-Fayy-mī, °Abdul Mu°ṭī Bayy-mī, Naṣr Farīd Wāṣīl, °Abdul °Aẓīm al-Maṭ°anī, Yaḥyā Ismā°īl. See Takr-rī, *Al-°Amaliyyāt*, pp. 144-152; Lajnat al-Mutāba°ah li Mu°tamar °Ulamā’ al-Islām Tajammu° al-°Ulamā’ al-Muslimīn fī Lubnān, *Masā’il Jihādiyyah wa Huḳm al-°Amaliyyāt al-Istishhādiyyah* (Beirut: Dār al-Waḥdah al-Islāmiyyah, 2002), pp. 25-42.

<sup>191</sup> Among the Saudi scholars who support martyrdom operations are °Abdullāh al-Manī°, Ḥamm-d bin °Uqalā al-Shu°aybī, Salmān bin Fahd al-°Udah, °Abdullāh bin Ḥumayd. See al-Aḥmad, “Al-Mukhāṭarah bi al-Nafs fī al-Qitāl”, pp. 113-117.

<sup>192</sup> Among the Syrian scholars who support martyrdom operations are Muḥammad Saīd Ramaḏān al-B-ṭī, Wahbah al-Zuḥaylī, Muḥammad al-Zuḥaylī, Ahmad Kaftār-. See *Ibid.*, pp. 111-114; Takr-rī, *Al-°Amaliyyāt*, p. 122.

<sup>193</sup> Among the prominent Lebanese Sunnī scholars who support martyrdom operations are Fayṣal Mawlawī and Fathī Yakan. See al-Aḥmad, “Al-Mukhāṭarah bi al-Nafs fī al-Qitāl”, p. 125; Takr-rī, *Al-°Amaliyyāt*, pp. 137-141.

and are either scholars who are well-trained in Islamic scholarship and have an international reputation, such as al-Qaraḏāwī, or researchers whose names are widely linked to the issue, such as Takr-rī. In addition, there are official institutions that generally support martyrdom operations, such as al-Azhar in Egypt<sup>197</sup>, formerly headed by the late Muḥammad Sayyid Ṭaṇṭāwī (1928-2010), and non-official organizations that still enjoy popular support at the national<sup>198</sup> or multi-national level in the Arab world.<sup>199</sup> Of the above, special focus is given here to the arguments of al-Qaraḏāwī, Ṭaṇṭāwī, Takr-rī and Mawlawī because, on one hand, their views are widely discussed in modern Western literature.<sup>200</sup> And, on the other, the other three factors mentioned above are clearly reflected in their arguments.

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<sup>194</sup> Among the Sudanese scholars who support martyrdom operations is Aḥmad ʿAlī al-Imām. See ʿUlamāʾ al-Muslimīn fī Lubnān, *Masāʾil Jihādiyyah*, p. 34.

<sup>195</sup> Among the late Palestinian scholars who supported the martyrdom operations is Niẓār ʿAbd al-Qādir Rayyān (1959-2009), who was killed in an Israeli raid on Gaza in January 2009. Other Palestinian scholars include ʿIkrimah Saīd Sabrī. See, ʿUlamāʾ al-Muslimīn fī Lubnān, *Masāʾil Jihādiyyah*, p. 35; Takr-rī, *Al-ʿAmaliyyāt*, p. 168-170.

<sup>196</sup> Among the Kuwaiti scholars who support martyrdom operations are ʿUjayl Jāsim al-Nashmī and Ḥāmid al-ʿAlī. See al-Aḥmad, “Al-Mukhāṭarah bi al-Nafs fī al-Qitāl”, p. 117; ʿUlamāʾ al-Muslimīn fī Lubnān, *Masāʾil Jihādiyyah*, pp. 35 f.

<sup>197</sup> Takr-rī, *Al-ʿAmaliyyāt*, pp. 143 f.

<sup>198</sup> Such as the Sudanese *Fiqh* Academy, Iraqi Muslim Scholars’ Association, Palestinian Scholars’ Association. See, Takr-rī, *Al-ʿAmaliyyāt*, pp. 152-156; Al-Aḥmad, “Al-Mukhāṭarah bi al-Nafs fī al-Qitāl”, p. 121.

<sup>199</sup> Such as the Islamic Fiqh Council affiliated to the OIC. The Council approved martyrdom operations in its fourteenth session in Qatar between 11–16 January 2003. See Islamic Fiqh Council, “Martyrdom Operations or Terrorism”, [article online]; available from [http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-English-Ask\\_Scholar/FatwaE/FatwaE&cid=1119503546498](http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-English-Ask_Scholar/FatwaE/FatwaE&cid=1119503546498); Internet; accessed 7 December 2009.

<sup>200</sup> See, for example, David Cook, *Understanding Jihad* (Berkeley: University of California Press, 2005), pp. 142-150; Bar, *Warrant for Terror*, pp. 58-65; Sookhdeo, *Understanding Islamic Terrorism*, pp. 149-151; Bonney, *Jihād*, pp. 314-319; Mary R. Habeck, *Knowing the Enemy: Jihadist Ideology and the War on Terror* (New Haven: Yale University Press, 2006), pp. 125-128; Shay, *The Shahids*, pp. 9-13. Azam Tamimi, “The Islamic Debate over Self-inflicted Martyrdom”, in Madawi Al-Rasheed and Marat Shterin eds. *Dying for Faith: Religiously Motivated Violence in the Contemporary World* (London: I.B. Tauris, 2009), pp. 91-104; John Kelsay, *Arguing the Just War in Islam* (Cambridge, Mass.: Harvard University Press, 2007), pp. 140-143; Bukay, “The Religious Foundations”, p. 35; Haim Malka, “Must Innocents Die? The Islamic Debate over Suicide Attacks”, *The Middle East Quarterly*, Vol. 10, No. 2,

As for the second factor, relating to the fate of the individuals who carry out the operations, the scholars named above view those who carry out such operations as martyrs, not suicides. According to al-Qaraḍāwī, these actions constitute *a<sup>l</sup>ā anwā<sup>l</sup> al-jihād al-yawm* (the supreme form of jihād today), and *ab<sup>l</sup>ad mā tak-n<sup>l</sup> an al-intihār* (as far removed from suicide as it is possible to be).<sup>201</sup> He attempts to differentiate between the martyr and the suicide, highlighting that, from a psychological point of view, the two stand at opposite poles. While the martyr who carries out the operation sacrifices himself for a noble cause—which is to defend his country by ‘selling’ himself to Allah and attaining His pleasure, according to Qur’ān 2: 207 and 9: 111, the suicide kills himself because of a personal problem, such as failing to cope with life’s tribulations, experiencing a business loss, failing in an examination or in a love affair.<sup>202</sup> However, suicide is not always negative in the way al-Qaraḍāwī depicts it. Famous authors in the field, such as Emile Durkheim (1858-1917), mention various types of what may be termed ‘positive suicide’, such as when a mother sacrifices her life to save her child.<sup>203</sup>

Qur’ān 2: 207 and 9: 111 are cited by al-Qaraḍāwī as evidence to support his argument. However, he does not refer to the context in which these verses were revealed or to the interpretations of them by any of the classical or modern exegetes.

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Spring 2003, pp. 17-26; Shaul Kimhi and Shemuel Even, “Who are the Palestinian Suicide Bombers?”, *Terrorism and Political Violence*, Vol. 16, No. 4, Winter 2004, pp. 820 f.

<sup>201</sup> Yūsuf al-Qaraḍāwī, *Al-Islām wa al-<sup>l</sup>Unf: Nazarāt Ta’šīliyyah* (Cairo: Dār al-Shurūq, 2005), pp. 33-38; idem, *Fiqh al-Jihād: Dirāsah Muqāranah li Aḥkāmihī wa Falsafatihi fī Daw’ al-Qur’ān wa al-Sunnah* (Cairo: Maktabat Wahbah, 2009\1430), Vol. 2, p. 1089.

<sup>202</sup> Al-Qaraḍāwī, *Al-Islām wa al-<sup>l</sup>Unf*, p. 37.

<sup>203</sup> For Durkheim’s three main classifications of suicide (i.e. egoistic, altruistic, and fatalistic), see Emile Durkheim, *Suicide: A Study in Sociology*, trans. John A. Spaulding and George Simpson, ed. George Simpson (New York: Free Press, 1951), pp. 210-215. According to Pape, “suicide terrorism” is classified under “altruistic suicide”. See Pape, *Dying to Win*, pp. 173-181. See also, Israel Orbach, “Terror Suicide: How Is It Possible?”, *Archives of Suicide Research*, Vol. 8, No. 1, January 2004, p. 115; Whitehead and Abufarha, “Suicide, Violence, and Cultural Conceptions”, pp. 399 f.

Moreover, these two Qur’ānic verses are not among the ‘standard verses’, such as Qur’ān 2: 195 and 4: 29- 30, usually quoted by researchers in the field.

The late Muḥammad Sayyid Ṭaṭṭāwī is the second main scholar who is, unfortunately, sometimes presented as a staunch proponent of ‘martyrdom operations’,<sup>204</sup> at others as a strong opponent,<sup>205</sup> and at yet others as holding them to be permitted as long as the intention is to kill only fighting soldiers, but not women and children.<sup>206</sup> His seemingly inconsistent attitude has made him the object of criticism among Western researchers, some of whom argue that when he addresses Westerners he states that these actions are prohibited but when he addresses Muslims and Arabs he describes them as permissible.<sup>207</sup> An in-depth examination of Ṭaṭṭāwī’s conflicting views shows that the sources where they can be found are not authentic, but rather media statements that can be easily edited to suit the agendas of printed and online media. Lamentably, nothing has been published by Ṭaṭṭāwī himself about this complex issue, in book form or by way of a refereed journal article, whether in English or in Arabic, that can be used as an official source for his views. Neither has an official statement been published by al-Azhar, over which he presided from 1996 until his death in 2010, that would present his position clearly. Moreover, perhaps because of Ṭaṭṭāwī’s position as the former head of the most prestigious Sunnī religious institution,<sup>208</sup> his hastily-prepared oral statements are assumed to be *fatāwā* reflecting the attitude of Sunnī Islam. Finally, his conflicting views are limited to the second of the

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<sup>204</sup> Takr- rī, *Al-‘Amaliyyāt*, pp. 134 f. Quoted in *Al-Ḥayāt* newspaper on 4 August 1997.

<sup>205</sup> Bukay, “The Religious Foundations”, p. 35; Malka, “Must Innocents Die?”, p. 21 Quoted in *Al-Akhbar* (Cairo), 16 December 2001.

<sup>206</sup> Shay, *The Shahids*, p. 11, 32. Quoted in *Sout al-[U]mmah* (Egypt), 26 April 2001.

<sup>207</sup> Sookhdeo, *Understanding Islamic Terrorism*, p. 149, nn. 17, 18. See also, Munir, “Suicide Attacks”, p. 76; Malka, “Must Innocents Die?”, pp. 20-26.

<sup>208</sup> Bukay, “The Religious Foundations”, p. 35.

four factors listed above, which is the fate of the person carrying out the operation, and they are not supported by evidence from the Qur’ān and Sunnah.

Takr-rī is the third main researcher whose views are gaining wide coverage in Western literature. According to Cook, it is hard to find a Western author writing about the issue who does not cite Takr-rī’s *Al-‘Amaliyyāt al-Istishhādiyyah fī al-Mīzān al-Fiqhī (Martyrdom Operations in the Juristic Balance)*, which cites “...almost every conceivable bit of evidence” to support the legality of martyrdom operations.<sup>209</sup> As far as the second factor is concerned, Takr-rī listed up to 29 *fatāwā*<sup>210</sup> to support the view that one who dies in these operations is a martyr. He refers to three conditions that qualify the action as martyrdom. First, the attack should be carried out solely for Allah’s sake. Any similar attack carried out because the fighter is fed up with his life, or has lost hope of victory over the Israelis because of their military supremacy, is suicide, no matter how much damage is caused to the enemy. Second, the attack should be well-planned beforehand by a state, a group of fighters or an Islamic movement who know the situation well. However, if an individual fighter—without seeking the permission of his group—carries out an attack after undertaking the necessary planning and being sure that the attack is in the best interest of his fellow Palestinian Muslims, his individual action is not only permissible but praiseworthy. Third, the attacker should have the *ghalabat al-zann* (strong probability) that his operation will cause *nikāyah mu‘tabarah* (considerable harm) to the enemy, and that there is no other means to achieve this *nikāyah mu‘tabarah* save by carrying out this operation. If the same or a greater

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<sup>209</sup> Cook, *Martyrdom*, p. 149.

<sup>210</sup> Takr-rī, *Al-‘Amaliyyāt*, pp. 102-179.

*nikāyah mu<sup>ʿ</sup>tabarah* can be achieved by other means, the action becomes an act of suicide, not martyrdom, and is therefore prohibited.<sup>211</sup>

To support his view, Takr-rī presents twelve proofs which, in his opinion, establish the permissibility of martyrdom operations. It is not practical to analyse all twelve proofs here, so those relevant to the second factor will be highlighted and then those related to the third and the fourth factors will be considered in turn.

Qur'ān 9: 111, cited earlier in this chapter as evidence that martyrdom is a heroic and rewarding act in which the fighter 'sells' his soul to His creator when he is killed on the battlefield, is a primary proof text cited by Takr-rī to back his argument. He gives long quotations from the interpretations of al-Qurṭubī and Ibn al-<sup>ʿ</sup>Arabī of this verse and asserts that the 'bargain' between the fighter and Allah is realized in martyrdom operations.<sup>212</sup> However, there is nothing in these quotations that substantiates Takr-rī's view, even indirectly. This is because al-Qurṭubī and Ibn al-<sup>ʿ</sup>Arabī do not refer to *inghimās*, which may be their contemporary equivalent of martyrdom operations, in their interpretations of this verse. They focus on describing martyrdom as a heroic and rewarding act, which has nothing to do with the juridical permissibility or otherwise of martyrdom operations as they exist today.

Moreover, the same verse cited by Takr-rī as the first proof of the permissibility of martyrdom operations is itself cited again as his eleventh proof,<sup>213</sup> although there he attempted to consider the verse on the basis of a *qirā'ah* (mode of recitation, reading)<sup>214</sup>

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<sup>211</sup> Ibid., pp. 180-182.

<sup>212</sup> Ibid., p. 182.

<sup>213</sup> Ibid., pp. 197 f. Takr-rī mentioned twelve proofs to support his argument. Ibid., pp. 182-202.

<sup>214</sup> The Arabic word *qirā'ā* (pl. *qirā'āt*) is a term used to denote the variant modes of reciting the Qur'ān. It also refers to the differences regarding the length of syllables and where to pause and insert verse ending. See, Frederik Leemhuis, "Readings of the Qur'ān", in Jane Dammen McAuliffe, ed., *The Encyclopaedia of the Qur'ān* (Leiden: Brill, 2002), Vol. 4, pp. 353-363; Intisar A. Rabb, "Non-Canonical Readings of the Qur'an: Recognition and Authenticity (The

of Ḥamzah (d. 156/773) and al-Kisā'ī (d. 189/804).<sup>215</sup> In the version widely read in today's *maṣāḥif* (Arabic copies of the Qur'ān), Qur'ān 9: 111 says "...they fight in God's way: they kill (*yaqtul-na*) and are killed (*yuqtal-na*)...", but Ḥamzah and al-Kisā'ī invert this and read the verse with *yuqtal-na* first and *yaqtul-na* second, swapping the order of the active and the passive verbs. Takr-rī argues that the *qirā'ah* of Ḥamzah and al-Kisā'ī dictates that the fighter is required first to kill himself before killing others. This, according to him, "*yusta'nasu bihi 'alā shar'īyyat al-'amaliyyāt*" (is a presumption of the permissibility of these operations).<sup>216</sup> However, the presumption of permissibility, according to Takr-rī's argument, cannot be considered as an independent proof upon which the ruling of such a serious issue is determined. The fact that *yuqtal-na* precedes *yaqtul-na* is not a conclusive proof of the permissibility of the operations. In addition, the death of the person in a 'martyrdom' or 'suicide' operation does not necessarily lead to the deaths of others.

The seventh proof text cited by Takr-rī is Qur'ān 4: 29-30. The interpretation of some modern exegetes, such as Riḍā and al-Sha'rawī, that these two verses constitute a prohibition of suicide and hence a prohibition of killing oneself in 'martyrdom' or 'suicide' operations, is challenged by Takr-rī, who claims that these two verses endorse martyrdom operations. To establish this view, he asserts that *all exegetes* [emphasis

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Ḥimṣī Reading)", *Journal of Qur'anic Studies*\_8, No. 2, October 2006, p. 86. According to Nī' Ḥannān Muṣṭafā, lecturer at the International Islamic University in Malaysia (IIUM), one of the reasons for having different modes of reciting the Qur'ān is to make it easy for diverse Muslims of various backgrounds to recite the Qur'ān. The Prophet would sometimes recite the Qur'ān according to the predominant local dialect of a certain tribe to give them the chance to have better understanding and endear the Qur'ān to them. Nī' Ḥannān Muṣṭafā, "*Madā Iltizām Abī 'Amr bin al-'Alā' wa al-Kisā'ī bi-Madrasatayhimā al-Naḥwiyyatayn: Dirāsah Taḥlīliyyah fī Daw' Qirā'āt al-Qur'ān*", *Journal of Qur'anic Studies*, Vol. 10, No. 1, April 2008, pp. 204 f. See also, Mustafa Shah, "The Quest for the Origins of the *Qurrā'* in the Classical Islamic Tradition", *Journal of Qur'anic Studies*, Vol. 7, No. 2, October 2005, pp. 1-35.

<sup>215</sup> Takr-rī, *Al-'Amaliyyāt*, p. 198.

<sup>216</sup> *Ibid.*, pp. 197 f. See also, Slavicek, "Deconstructing the Shariatic Justification", p. 556.

added] unanimously agree that the verses refer to the prohibition of ‘mutual killing’, citing only al-Qurṭubī, Ibn al-<sup>c</sup>Arabī, al-Al-sī and Riḍā as examples. He further maintains that the exegetes did not refer to the permissibility of killing oneself in just and non-aggressive causes because this form of self-murder was not common in their times. Nowadays, with the introduction of this fighting strategy, the exegetical understanding of the verse automatically, in his view, renders the act permissible.<sup>217</sup>

Takr-rī’s assertion has its own weak points and lacks a sound methodological approach. He cites al-Qurṭubī, Ibn al-<sup>c</sup>Arabī, al-Al-sī and Riḍā as though they represent all classical and modern exegetes, which is quite unrealistic. Even the exegetes he cites have diverse views, as explained earlier in this chapter, especially with regard to the interpretation of Riḍā, who cites ‘mutual killing’ and suicide as two possible interpretations. Thus, Takr-rī’s analysis of the exegetical literature in general, and particularly the exegetes he singles out, is marked by a highly selective approach, which may put his academic neutrality in doubt.

Furthermore, Takr-rī presents the interpretation of ‘mutual killing’ as the opinion of the majority of scholars, creating confusion for readers by intermingling the opinions of exegetes with those of other scholars. Furthermore, he does not refer to the various occasions of revelation of these two verses as a primary tool for understanding the various interpretations of the exegetes.

As for the third factor, which refers to the benefit or otherwise of the operations to the Palestinians, the supporters of martyrdom operations consider them to be one of the most effective strategies in the Palestinian-Israeli conflict.<sup>218</sup>

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<sup>217</sup> Takr-rī, *Al-‘Amaliyyāt*, pp. 190 f.

<sup>218</sup> Tamimi, “The Islamic Debate”, pp. 93 f.

Al-Qaraḍāwī argues that the attacks are launched primarily by the Palestinian resistance movements in self-defence. They are a reaction to the Israeli aggression and occupation and are very beneficial to the Palestinian cause because they threaten the security of and disseminate fear in Israel. All these effective martyrdom operations, he continues, may eventually force the Israelis to leave Palestine. Furthermore, these operations affect vital sectors in Israel, especially tourism and the economy. In his discussion of the benefit to the Palestinians, al-Qaraḍāwī does not give adequate attention to the repercussions these operations may have on the Palestinians as a result of the escalation of land confiscations and killing of Palestinians by the Israelis following these attacks,<sup>219</sup> although he does say that, if the continuation of these operations will make the lives of Palestinians extremely difficult, it is the responsibility of *ahl al-ḥall wa al-ʿaqd* (those in authority in Palestine) to find other effective alternatives.<sup>220</sup> However, the nature of such alternatives and the question of who claims the role of *ahl al-ḥall wa al-ʿaqd* in the politically-divided society of modern Palestine are two problematic issues that al-Qaraḍāwī leaves unresolved.

Takr-rī shares al-Qaraḍāwī’s approach, citing examples of how the Israelis are seriously affected by these very effective operations.<sup>221</sup> It is to be noted that this view is sidelined by the fact that, since the peak of the ‘martyrdom’ or ‘suicide’ operations in 2002, they have been on the decline because of strong Israeli counterintelligence<sup>222</sup> and

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<sup>219</sup> Al-Qaraḍāwī, *Al-Islām wa al-ʿUnf*, pp. 38 f.; idem, *Fiqh al-Jihād: Dirāsah Muqāranah*, Vol. 2, pp. 1090 f.

<sup>220</sup> The expression *ahl al-ḥall wa al-ʿaqd* refers mainly to the rulers and Muslim scholars. See Nazih N. Ayubi, “State Islam and Communal Plurality”, *Annals of the American Academy of Political and Social Science*, Vol. 524, Political Islam, November 1992, p. 83.

<sup>221</sup> Takr-rī, *Al-ʿAmaliyyāt*, pp. 49-57. See also al-Aḥmad, “Al-Mukhāṭarah bi al-Nafs fī al-Qitāl”, pp. 162 f.

<sup>222</sup> Steven Erlanger, “In Most Cases, Israel Thwarts Suicide Attacks without a Shot”, [article online]; available from <http://www.nytimes.com/2005/07/25/international/middleeast/25occupy.html>; accessed 13

so, the polemics between those who support the effectiveness of the operations and those who belittle their impact carry less weight as to the permissibility or otherwise of the operations. However, the fourth factor, related to those targeted by the operations is the “...most acute and problematic legal aspect of the suicide action”.<sup>223</sup> This is because the targeting of non-combatants triggers huge debate among the supporters and their opponents.<sup>224</sup> What is meant by ‘non-combatants’ must be outlined before contextualizing the issue within the framework of the Palestinian-Israeli conflict.

Non-combatants, as explained earlier, in Chapter Three of this thesis where Qur’ān 2: 190<sup>225</sup> was discussed, include women, children, the infirm, the elderly, monks, rabbis, the sick and *al-‘asīf* (the hired man). This is widely acknowledged by classical and modern exegetes.<sup>226</sup> James T. Johnson states that these categories of non-combatants are known to be so because they are not physically capable of bearing arms.<sup>227</sup> According to Mahmassani, “...they cannot be attacked, nor killed or otherwise

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December 2009. In 2002, according to Moghadam, 60 attacks were carried out by the Palestinians against the Israelis. See Moghadam, *The Globalization of Martyrdom*, p. 24. See also, Esposito, *What Everyone*, p. 125.

<sup>223</sup> Muhammad al-Atawneh, “Shahda [*sic*] Versus Terror in Contemporary Islamic Legal Thought: The Problem of Suicide Bombers”, *Journal of Islamic Law and Culture*, Vol. 10, No. 1, April 2008, p. 24.

<sup>224</sup> In this thesis, the terms ‘non-combatants’ and ‘civilians’ are used interchangeably. See, Lester Nurick, “The Distinction between Combatants and Noncombatants in the Law of War”, *The American Journal of International Law*, Vol. 39, No. 4, October 1945, p. 680, n. 2.

<sup>225</sup> “Fight in God’s cause against those who fight you, but do not overstep the limits: God does not love those who overstep the limits.” See Haleem, *Qur’an*, p. 21. According to Munir, “...the reservation ‘those who fight you’ in the original text of the verse ...means combatants. Thus, non-combatants must not be fought against.” Munir, “Suicide Attacks”, p. 85.

<sup>226</sup> See for example, Al-Ṭabarī, *Jāmi‘ al-Bayān*, Vol. 2, p. 190; Al-Qurṭubī, *Al-Jāmi‘*, Vol. 2, pp. 347-350; Al-Rāzī, *Al-Tafsīr al-Kabīr*, Vol. 5, p. 110; Al-Alūsī, *Rūḥ al-Ma‘ānī*, Vol. 2, p. 74; Quṭb, *Fī Zilāl*, Vol. 1, p. 188; idem, *In the Shade*, Vol. 1, p. 210; Abdulrahman Muhammad Alsumaih, “The Sunni Concept of Jihad in Classical Fiqh and Modern Islamic Thought” (PhD thesis, Department of Politics, University of Newcastle Upon Tyne, 1998), p. 117; Al-Ḥifnī, *Maws-‘at al-Qur’ān*, Vol. 2, pp. 1866 f., 1886, 1901; Sohail H. Hashmi, “Saving and Taking Life in War: Three Modern Muslim Views”, *The Muslim World*, Vol. 89, No. 2, April 1999, p. 170.

<sup>227</sup> James T. Johnson, “The Meaning of the Non-Combatant Immunity in the Just War/Limited War Tradition,” *Journal of the American Academy of Religion*, Vol. 39, No. 2, June 1971, p.

molested”.<sup>228</sup> While the exegetes do not identify the specific categories of non-combatants, classical Muslim jurists use terms such as *al-muqātilah\ahl al-muqātilah\al-muḥāribah* (fighters or warriors) for the combatants and *ghayr al-muqātilah\ghayr al-muḥāribah* (non-fighters or non-warriors) for the non-combatants.<sup>229</sup>

In addition to Qur’ān 2: 190, the above categories are also referred to in the Prophetic aḥādīth.<sup>230</sup> Notably, the Caliph Abu Bakr in a farewell address to Muslim soldiers heading for a battle with the Byzantines said:

“I recommend to you that you fear Allah and obey Him. When you engage the enemies do not loot, do not mutilate the dead, do not commit treachery, do not behave cowardly, do not kill children, the elderly or women, do not burn trees or damage crops, and do not kill an animal unless lawfully acquired for food. You will come across men confined to hermitages in which they claim to have dedicated their lives to worshipping God, leave them alone.”<sup>231</sup>

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155. Johnson further refers to “...those members of the enemy society or party who are engaged in such activity [i.e. war] and those who are not [i.e. the non-combatants].” See idem, “Maintaining the Protection of Non-Combatants”, *Journal of Peace Research*, Vol. 37, No. 4, July 2004, pp. 422 f.; See also, Richard J. Arneson, “Just Warfare Theory and Noncombatant Immunity”, *Cornell International Law Journal*, Vol. 39, No. 3, 2006, pp. 666; Jason R. Gatliff, “Terrorism and Just War Tradition: Issues of Compatibility” (PhD thesis, Graduate College of Bowling Green State University, Bowling Green, Ohio, USA, August 2006), pp. 50-53.

<sup>228</sup> Sobhi Mahmassani, “The Principles of International Law in the Light of Islamic Doctrine”, *Recueil des Cours*, Vol. 117, 1966, p. 301.

<sup>229</sup> ‘Alā’ al-Dīn al-Samarqandī, *Tuḥfat al-Fuqahā’* (Beirut: Dār al-Kutub al-‘Ilmiyyah, 1405/1984), Vol. 3, pp. 295-301. See also Ahmed Mohsen Al-Dawoody, “War in Islamic Law: Justifications and Regulations” (PhD thesis, University of Birmingham, Department of Theology and Religion, School of Philosophy, Theology and Religion, College of Arts and Law, August 2009), p. 201.

<sup>230</sup> See, for example, Al-Bukhārī, *Ṣaḥīḥ al-Bukhārī*, no. 3014 and 3015, in *Mawsū‘at al-Ḥadīth*, p. 242; Abū Dawūd, *Sunan Abū Dawūd*, no. 2613 and 2614 in *Mawsū‘at al-Ḥadīth*, p. 1416. The focus of the Qur’ān and Prophetic Traditions on the prohibition of targeting non-combatants is also highlighted by some modern Western authors. See, for example, John Kelsay, *Islam and War: A Study in Comparative Ethics* (Louisville, KY: Westminster/John Knox, 1993), p. 60; Laura A. Dickinson, “Using Legal Process to Fight Terrorism: Detentions, Military Commissions, International Tribunals, and the Rule of Law”, *Southern California Law Review*, Vol. 75, 2002, pp. 1489- 1490; Manuel E.F. Supervielle, “Islam, the Law of War, and The U.S. Soldier”, *American University International Law Review*, Vol. 21, 2005, pp. 207 f.

<sup>231</sup> Tamimi, “The Islamic Debate”, p. 97. Quoted in Sharif M. Basyuni, *Al-Wathā’iq al-Dawliyyah al-Ma‘niyyah bi Ḥuq-q al-Insān* (Cairo: Dār al-Shur-q, 2003), Vol. 2, p. 35. See also, Marcel A. Boisard, “The Conduct of Hostilities and the Protection of the Victims of Armed Conflict in Islam”, *Hamdard Islamicus*, Vol. 1, No. 2, Autumn 1978, p. 8; Ahmed Zaki

The above quotation show how problematic is the issue of targeting non-combatants in the attacks,<sup>232</sup> and this may further establish the view of al-Atawneh stated above. While being fully aware of the above facts about the absolute obligation to spare non-combatants, the proponents of the permissibility of martyrdom operations continue to justify the attacks. Al-Qaraḍāwī, Mawlawī and, of course, Takr-rī are ardent supporters.

An analysis of al-Qaraḍāwī's view reveals that he depends on three arguments to avoid possible criticism from his opponents as a result of the legal dilemma caused by his issuing a *fatwā* that violates the Islamic established principle stated above. One argument refers to the context of the Palestinian-Israeli conflict itself, and the two others are based on certain rulings derived from *uṣ-ḥ al-fiqh* (principles of Islamic jurisprudence).

In his contextual argument, al-Qaraḍāwī asserts that Israeli society is a “*mujtama' askari*” (military society): Israeli civilians are in reality combatant personnel even though they do not carry weapons because, in his view, they can be asked to participate, through conscription on a regular or reserve basis, at any time, either directly by fighting or indirectly by providing logistical support in factories, for

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Yamani, “Humanitarian International Law in Islam: A General Outlook”, *Michigan Yearbook of International Legal Studies*, Vol. 7, 1985, p. 207; Ibrāhīm Madk-r and Adnān al-Khaṭīb, *Huq-q al-Insān fī al-Islām: Awwal Taqnīn li mabādi' al-Sharī'ah al-Islāmiyyah fīmā Yata'allaq bi Huq-q al-Insān* (Damascus: Dār Ṭalās li al-Dirāsāt wa al-Tarjamah wa al-Nashr, 1992/1412), pp. 126 f.; Mahmassani, “The Principles of International Law”, pp. 301 f.; Mohammed Abu-Nimmer, “Framework for Nonviolence and Peacebuilding in Islam”, in Abdul Aziz Said, Mohammed Abu-Nimer and Meena Sharify-Funk, eds., *Contemporary Islam: Dynamic, Not Static* (London: Routledge, 2006), p. 149; Shaheen Sardar Ali and Javaid Rehman, “The Concept of Jihad in Islamic International Law”, *Journal of Conflict and Security Law*, Vol. 10, No. 3, Winter 2005, pp. 341 f.; Ali Raza Naqvi, “Laws of War in Islam”, *Islamic Studies*, Vol. 13, No. 1, March 1974, p. 31.

<sup>232</sup> According to Cook, “...the most problematic part of “martyrdom operations”— [is] that they frequently kill (and oftentimes target) civilians.” Cook, “Suicide Attacks or “Martyrdom Operations””, p. 134.

example. The inability of the Palestinians to use even one tenth of the sophisticated military means used by Israel has compelled them to turn their bodies into “human bombs” to repel the Israeli aggression. As for anti-war Israelis, he says they are not responsible for the Israeli aggression and therefore should not be targeted. However, they should live outside Israel.<sup>233</sup>

Al-Qaraḍāwī’s view sheds light on the necessity of redefining non-combatants in modern conflicts. While the classical exegetes and medieval jurists refer to categories such as *al-‘asīf* as non-combatants, today there are certain professions whose contribution to the battlefield is unavoidable, such as the Information Technology (IT), which is widely applied in directing modern missiles.

Moreover, one of the views attributed to al-Qaraḍāwī by Mary R. Habeck is that he permits the targeting of civilians in Israel because the Israelis’ participation in “...the democratic process proves every Israeli is complicit in the policies of the government”. In Habeck’s understanding, this view, attributed to al-Qaraḍāwī, has led, al-Qaeda to declare its war against the US in the September 11<sup>th</sup> 2001 attacks, using the same argument. Habeck’s argument here is weak because she cites al-Qaraḍāwī using secondary sources<sup>234</sup> and her understanding of his view is not confirmed in either of his two books that discuss this issue in detail.<sup>235</sup>

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<sup>233</sup> Al-Qaraḍāwī, *Al-Islām wa al-‘Unf*, pp. 34-38; idem, *Fiqh al-Jihād: Dirāsah Muqāranah*, Vol. 2, pp. 1086-1088. This view is also held by other authors. See, for example, Ḥasan al-Bāsh, *Al-‘Amaliyyat al-Istishhādiyyah: Asbābuhā Ahdāfuhā Ghāyātuhā* (Damascus: Dār Qutaybah li al-Ṭab‘ wa al-Nashr wa al-Tawzī‘, 2003/1423), pp. 35-46; Muḥammad Sa‘īd Ghaybah, *Al-‘Amaliyyāt al-Istishhādiyyah wa Ārā’ al-Fuqhā’ fihā*, rev. ‘Abdul Qādir al-Arnā’ūtī (Damascus: Dār al-Maktabī li al-Ṭibā‘ah wa al-Nashr wa al-Tawzī‘, 2<sup>nd</sup> ed., 2001/1421), pp. 57 f.

<sup>234</sup> Habeck relies on a newspaper report published by *al-Sharq al-Awsaṭ* newspaper in London on 19 July 2003 and another report under the title “MEMRI Special Dispatch- Jihad and Terrorism Studies Project” published by the Middle East Media Research Institute on 24 July 2003. See Habeck, *Knowing the Enemy*, pp. 128, 217 f., n. 96.

<sup>235</sup> Al-Qaraḍāwī, *Al-Islām wa al-‘Unf*, pp. 34-38; idem, *Fiqh al-Jihād: Dirāsah Muqāranah*, Vol. 2, pp. 1086-1088.

Al-Qaraḍāwī's second argument is based on the legal maxim “*al-ḍar- rāt tubīh al-maḥz- rāt*” (necessity permits the forbidden). In his view, this legal maxim permits the Palestinians, being the weak victim of Israeli aggression, to resort to this kind of resistance, even though it is a strategy fraught with legal risks because non-combatants are targeted. Al-Qaraḍāwī adds that if non-combatants are killed in the course of attacks against combatants, their death constitutes collateral damage. For him, this is a *ḍar-rah* (necessity) sometimes dictated by the nature of modern warfare, especially in Palestine; it should remain restricted unless circumstances dictate otherwise.<sup>236</sup> Beyond the Palestinian territories, al-Qaraḍāwī continues, it is prohibited to resort to this defensive tactic because there is no *ḍar-rah*, that dictates it.<sup>237</sup> Kamali strongly criticizes al-Qaraḍāwī's view about the death of non-combatants being ‘collateral damage’ because, in his view, “...non-combatants are chosen as the direct target of suicide bombing. They are, as such, neither collateral nor incidental. Even if the cause of fighting the Israeli aggression is deemed valid, that would still not justify killing non-combatants.”<sup>238</sup>

Al-Qaraḍāwī's third argument is based on a medieval war practice known as *tatarrus*,<sup>239</sup> when an enemy takes Muslims as ‘human shields’ to force Muslims not to attack their barracks for fear of killing their fellow Muslims.<sup>240</sup> Al-Qurṭubī is among the classical exegetes who permitted Muslims to attack in these circumstances if it led to the *maṣlahah ḍar-riyyah kulliyyah qaṭʿiyyah* (necessary, collective and definitive benefit) of the Muslims who were fighting.<sup>241</sup>

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<sup>236</sup> Ibid.

<sup>237</sup> Kamali, *Shari'ah Law*, p. 285; Al-Qaraḍāwī, *Fiqh al-Jihād: Dirāsah Muqāranah*, Vol. 2, p. 1092.

<sup>238</sup> Kamali, *Shari'ah Law*, p. 288.

<sup>239</sup> Al-Qaraḍāwī, *Al-Islām wa al-ʿUnf*, pp.35 f.; idem, *Fiqh al-Jihād: Dirāsah Muqāranah*, Vol. 2, p. 1087.

<sup>240</sup> Haykal, *Al-Jihād*, Vol. 2, p. 1328.

<sup>241</sup> Al-Qurṭubī, *Al-Jāmiʿ*, Vol. 16, pp. 287 f.

Al-Qaraḍāwī argues that if Muslims facing *tatarrus* are permitted, according to *the ijma'*<sup>242</sup> (*consensus of Muslim jurists*) [emphasis mine] or the majority of them to kill their fellow Muslims, it is permitted, a fortiori, for them to kill Israeli non-combatants.<sup>243</sup> He presents the case of *tatarrus* as an issue on which the polemical discussion is settled, although the phrase he uses denotes that he is in doubt regarding who permits it (i.e. the consensus of jurists or the majority of them). Haykal's *Al-Jihād* indicates that al-Qaraḍāwī's view that the majority of jurists agree on this opinion is correct. However, his claim that there is a consensus lacks evidence; Haykal cites classical opinions to the effect that attacking in this situation is not permitted, although he agrees with al-Qaraḍāwī that the majority of jurists condone it.<sup>244</sup>

Moreover, al-Qaraḍāwī's attempt to apply *tatarrus*, a contentious medieval tactic, to the modern Palestinian-Israeli conflict constitutes a violation of an important rule of *jihād*: the necessity of acting with the approval of the ruling authority.<sup>245</sup>

It is notable that al-Qaraḍāwī, after citing the above proofs in his recently published two volume work titled *Fiqh al-Jihād: Dirāsah Muqāranah*, adds an important note as part of his concluding remarks on the whole issue of martyrdom operations:

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<sup>242</sup> For a thought-provoking account of *ijma'* in modern times see, Izzī Dien, *Islamic Law*, pp. 47 f.

<sup>243</sup> The Arabic phrase used by al-Qaraḍāwī is "*fuqahā' al-Muslimīn ittafaq- aw ittafaqa jumh- ruhum*" (the consensus of Muslim jurists agree or the majority of them agree). Al-Qaraḍāwī, *Al-Islām wa al-ʿUnf*, pp.35 f.; idem, *Fiqh al-Jihād Dirāsah Muqāranah*, Vol. 2, p. 1087.

<sup>244</sup> See, for example, al-Shirbīnī, *Mughnī al-Muhtāj*, Vol. 4, p. 224; Haykal, *Al-Jihād*, Vol. 2, pp. 1332 f; See also, Sāmī al-Ṣalāḥāt, *Al-ʿAmaliyyāt al-Istishhādīyyah fī Manẓ- r al-Siyāsah al-Sharʿiyyah* (Giza: Markaz al-ʿIlām al-ʿArabī, 2006), pp. 35-39.

<sup>245</sup> Haykal, *Al-Jihād*, Vol. 2, p. 1331; Shah, *Self-defence in Islamic and International Law*, p. 23; Munir, "Suicide Attacks", p. 81; Katerina Dalacoura, "Violence, September 11 and the Interpretations of Islam", in Mashood A. Baderin, ed., *International Law and Islamic Law* (Aldershot: Ashgate, 2008), p. 236; Al-Dawoody, "War in Islamic Law", p. 132; Jamal Badawī, "Muslim/Non-Muslim Relations: Reflections on Some Qur'anic Texts", *Scientific Review of the European Council for Fatwa and Research*, No. 6, January 2005, p. 269.

“Allah has spared the brothers in Palestine these operations [martyrdom operations] by enabling them to make rockets that can reach the heart of Israel. Even though the range of their rockets is limited compared to the Israeli ones, they can still hurt and disturb the Israelis. Unlike before, martyrdom operations are no longer the tactic to be sought in defence. After all, there is a specific ruling for every new situation.”<sup>246</sup>

This important statement shows that he qualifies his earlier opinion about martyrdom operations by showing that in practice these attacks have nowadays been superseded by rockets, and are therefore no longer effective. He is making this statement in 2009,<sup>247</sup> at a time when one hardly hears of any ‘martyrdom’ or ‘suicide operations’ carried out by Palestinians against Israelis. This qualifying statement by al-Qaraḏāwī poses an important question: will the appearance of other tactics that supersede rockets, for example, spare the Palestinians the need to make them!? Or will the current Gaza blockade force the Palestinians to think of adopting the operations again!? In addition, al-Qaraḏāwī’s statement raises other questions. For example, what is the fate of a person, not updated about the latest *fatwā*, who plans to carry out an attack after this strategy has been deemed no longer necessary. Have martyrdom operations, deemed “...the supreme form of jihad”<sup>248</sup> in the 1990s, been dismissed in 2009 as ineffective tactics!? These are important questions unfortunately left unanswered by al-Qaraḏāwī.

With regard to the fourth factor, Fayṣal Mawlawī is the second main supporter of the permissibility of targeting non-combatants. For him, all the Israeli settlers in occupied Palestinian territories are collaborating in the Israeli aggression. Had it not been for the universal military norms prohibiting attacks against non-combatants, they

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<sup>246</sup> Al-Qaraḏāwī, *Fiqh al-Jihād: Dirāsah Muqāranah*, Vol. 2, p. 1092.

<sup>247</sup> Ibid. According to Shay, al-Qaraḏāwī first addressed the issue in March 2006 “...in a sermon aired over Qatar television.” Shay, *The Shahids*, p. 9.

<sup>248</sup> Al-Qaraḏāwī, *Al-Islām wa al-‘Unf*, pp. 33-38; idem, *Fiqh al-Jihād: Dirāsah Muqāranah*, Vol. 2, p. 1089.

would have been killed. Nevertheless, when the Israelis refrain from killing non-combatant women, children and elderly people, it will then be obligatory for Palestinians to refrain from killing Israeli civilians. However, the reality shows that the Israelis are not committed to avoiding non-combatant deaths and they continue to bombard civilians. It is therefore permissible, on the principle of *al-mu'āmalah bi al-mithl* (reciprocity), to fight and kill any Israeli until they stop killing Palestinian civilians. Mawlawī cites the first half of Qur'ān 16: 126<sup>249</sup> to support his view.<sup>250</sup>

Mawlawī's reference to Israeli attacks on Palestinian non-combatants is supported by statistics<sup>251</sup> as well by the actual practice of the Israeli army against Palestinian civilians in the recent Gaza war, for example.<sup>252</sup> However, he misinterprets the principle of reciprocity to support his argument.<sup>253</sup>

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<sup>249</sup> “If you [believers] have to respond to an attack, make your response proportionate [emphasis mine], but it is best to stand fast.” Haleem, *Qur'an*, p. 147. The italicized words are the part of the verse quoted by Mawlawī as to support his argument.

<sup>250</sup> To support his argument, Mawlawī referred to the Qana massacre on 18 April 1996 in Southern Lebanon, when Israeli troops killed more than 100 women and children in a United Nations compound near Qana. See, Fayṣal Mawlawī, “Qatl al-Yah-d al-Madaniyyīn fī al-°Amaliyyāt al-Istishhādiyyah fī Filasṭīn”, [article online]; available from [http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-Arabic-Ask\\_Scholar/FatwaA/FatwaA&cid=1122528609048](http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-Arabic-Ask_Scholar/FatwaA/FatwaA&cid=1122528609048); accessed 18 December 2009; idem, “Al-Radd °Alā man yaq-l bi anna al-°Amaliyyāt al-Istishhādiyyah Intiḥār”, [article online]; available from <http://www.mawlawi.net/Fatwa.asp?fid=204&mask=>; accessed 18 December 2009; idem, “Al-°Amaliyyāt al-Istishhādiyyah”, [article online]; available from <http://www.mawlawi.net/Fatwa.asp?fid=593&mask=>; accessed 18 December 2009; Al-Aḥmad, “Al-Mukhāṭarah bi al-Nafs fī al-Qitāl”, p. 125; °Ulamā' al-Muslimīn fī Lubnān, *Masā'il Jihādiyyah*, pp. 36 f.

<sup>251</sup> According to the BBC website, “1,314 Palestinians were killed in the conflict [i.e. the Israeli war against Gaza from 27 December 2008 until 17 January 2009], 412 of them children.” Bethany Bell, “Counting casualties of Gaza's war”, [article online]; available from [http://news.bbc.co.uk/1/hi/world/middle\\_east/7855070.stm](http://news.bbc.co.uk/1/hi/world/middle_east/7855070.stm); accessed 18 December 2009.

<sup>252</sup> In this war, Israeli soldiers were ordered not to differentiate between combatants and non-combatants. See, BBC Arabic Website, “Jun-d Isrā'īliyy-n: Umirna Bi°adam al-Tamyīz Bayn al-Madaniyyīn wa al-Musallaḥīn fī Ghazzah”, [article online]; available from [http://www.bbc.co.uk/arabic/middleeast/2009/07/090715\\_dh\\_gaza\\_israel\\_tc2.shtml](http://www.bbc.co.uk/arabic/middleeast/2009/07/090715_dh_gaza_israel_tc2.shtml); accessed 18 December 2009.

<sup>253</sup> Munir, “Suicide Attacks”, p. 77.

First, Mawlawī quotes the first part of Qur’ān 16: 126 on reciprocity without referring to the fact that this principle was originally revealed to prohibit mutilation at times of war. Al-Nīsāb-ri says that this verse was revealed at the Battle of *Uḥud*, when the bodies of Muslims, including the Prophet’s uncle Ḥamzah, were horrifically mutilated. In return, the Prophet and other Muslims vowed to mutilate the enemies’ bodies but Qur’ān 16: 126 and 127 were revealed and so the Prophet prohibited mutilation.<sup>254</sup> Mawlawī is clearly interpreting a verse originally revealed to prohibit one thing as indicating the permissibility of something else.

Second, even if the verse were taken as a permission for reciprocity, as Mawlawī claims—which is not actually the case, as we have seen—Mawlawī’s quotation truncates the verse, whose last part and the following verse call for steadfastness,<sup>255</sup> an option which is completely absent from all Mawlawī’s *fatāwā* regarding the issue.

Third, the application of reciprocity would entail that Muslims kill Israeli non-combatants in the attacks, although there is no unanimity among exegetes and jurists, as earlier indicated regarding *tatarrus*. Resorting to this actually “lowers the ethics of war in Islam”.<sup>256</sup> In addition, this way of “vengeful deterrence” is prohibited because, “...war by Muslims is...restricted by virtue and never transgresses its limits even though the aggressors may transgress those limits”.<sup>257</sup>

Takr-rī is the third main supporter of the view that Israeli non-combatants are legitimate targets. He agrees with Mawlawī in considering all Israelis in Israel to be enemy combatants, including women, the elderly, farmers and rabbis. In his view,

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<sup>254</sup> Al-Nīsābūrī, *Asbāb*, pp. 178 f.; Al-Dawoody, “War in Islamic Law”, p. 218.

<sup>255</sup> “...but it is best to stand fast. So [Prophet] be steadfast: your steadfastness comes only from God. Do not grieve over them; do not be distressed by their scheming.” Haleem, *Qur’an*, p. 147.

<sup>256</sup> This phrase was the outcome of intensive discussion between the researcher and Dr Khalid El-Awaisi, Director of the Centre for Islamic Jerusalem Studies, University of Aberdeen in March 2009.

<sup>257</sup> Yamani, “Humanitarian International Law in Islam”, pp. 205 f.

children are the only category who should not be killed in martyrdom operations, unless they fight Muslims, in which case they are to be killed because they are fighters. Takr- rī maintains that the attackers in martyrdom operations are not initially intended to kill Israeli children, but their death occurs as collateral damage.<sup>258</sup> Here, Takr- rī's view follows the same line of argument as al-Qaraḏāwī and Mawlawī.

#### 4.4.4 Arguments of the Opponents of Martyrdom Operations

Following the same approach applied regarding the four factors discussed above within the context of supporters of martyrdom operations, it is important to use the same methodology here.

With regard to the first factor, opponents of martyrdom operations are either Muslim scholars belonging mainly to the official religious establishment in Saudi Arabia or individual Western academics who criticize the attacks, such as Cook and Slavicek. Beyond these two main representative groups, there are a few other opposing opinions, such as those of the Syrian scholar al-Albānī (1914-1999) and the Egyptian preacher Ḥasan Ayy- b (d. 2008).

In their *fatāwā*, Ibn Bāz (1914-1999), Ibn al-°Uthaymīn (1929-2001), and the current *mufī* of Saudi Arabia, °Abd al-°Azīz Āl al-Shaykh, maintain that those who carry out 'martyrdom operations' are committing a suicidal act prohibited by Qur'ān 4: 29. Like the supporters, the opponents neither discuss the context of revelation of the verse nor do they refer to the succeeding verse, which, according to the supporters of these operations, permits them. Moreover, their *fatāwā* are clearly short statements in response to questions posed by anonymous individuals and there is no evidence that their *fatāwā* are issued in response to the proponents of the operations. Their *fatāwā* are

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<sup>258</sup> Takr- rī, *Al-°Amaliyyāt*, pp. 245-252.

consistent and there is no clear contradiction in their views, as the supporters of these operations sometimes maintain. With regard to the third factor, they do refer to whether or not the attacks have adverse effect on the Palestinians, and the same applies with regard to attacks on non-combatants, who are hardly mentioned in their *fatāwā*.<sup>259</sup>

Apart from the Saudi scholars, other scholars and researchers have strong views opposing ‘suicide attacks’, although their opinions are not as clearly presented in Western literature as those of their Saudi counterparts. This may be because Western authors tended to cite weighty scholars from a Saudi religious establishment to balance the views of scholars affiliated to al-Azhar.

Al-Albānī is one of the non-Saudi Muslim scholars who, in one of his *fatāwā*, vehemently opposes the attacks, considering them acts of suicide.<sup>260</sup> In another *fatwā*, he states that they cannot be approved unless ratified by the Muslim ruler.<sup>261</sup> While this position may be understood as conditionally supportive of the attacks, the absence of the Muslim ruler today may prevent these attacks being permitted.<sup>262</sup> Al-Albānī must be categorized with the opponents of the operations because the source from which his second opinion is extracted (i.e. an audio tape) can be easily altered, similarly to Ṭanṭāwī’s inconsistent views considered above. Moreover, Al-Albānī’s prohibitive view

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<sup>259</sup> Al-Miṣrī, *Fatāwā al-‘Ulamā’ al-Kibār*, pp. 344-352; Māhir bin Zāfir al-Qaḥṭānī, *Rasā’il ‘Ilmiyyah fī Fiqh al-Jihād wa al-‘Amaliyyāt al-Intihāriyyah* (n.p.: Maktabat al-Tawhīd, 2006/1427), pp. 76-84; Al-Aḥmad, “Al-Mukhāṭarah bi al-Nafs fī al-Qitāl”, pp. 127, 134; Bin Jubayr, *Al-‘Amaliyyāt al-Istishhādiyyah*, pp. 83 f; Alshech, “Egoistic Martyrdom and Ḥamās’ Success in the 2005 Municipal Elections”, p. 24, n. 2.

<sup>260</sup> Al-Miṣrī, *Fatāwā al-‘Ulamā’ al-Kibār*, pp. 347 f.; Al-Qaḥṭānī, *Rasā’il ‘Ilmiyyah fī Fiqh al-Jihād*, pp. 80 f.

<sup>261</sup> According to al-Aḥmad, this latter view of al-Albānī is recorded on audio tape no. 134 from *al-Hudā wa al-N-r* series. Al-Aḥmad, “Al-Mukhāṭarah bi al-Nafs fī al-Qitāl”, pp. 130 f., n. 1. See also excerpts from al-Albānī’s *fatwā* in Takr-rī, *Al-‘Amaliyyāt*, pp. 103-105; Bin Jubayr, *Al-‘Amaliyyāt al-Istishhādiyyah*, pp. 79-81.

<sup>262</sup> According to Khan, “Not even the king of Saudi Arabia, the original home of Islam, has any universal authority over the entire Muslim world. Furthermore, rulers lack even local authority to change or legislate Islamic law.” L. Ali Khan, *A Theory of International Terrorism: Understanding Islamic Militancy*, *Developments in International Law*, (Leiden: Martinus Nijhoff Publishers and VSP, 2006), Vol. 56, p. 201.

is mainly focused on the fate of the person carrying out the attack without any reference to the third or the fourth factors, and it also lacks supporting evidence from the Qur'ān and Sunnah.

Ḥasan Ayy-b is another non-Saudi scholar whose view clearly prohibits the operations. In his *Al-Jihād wa al-Fidā'iyah fī al-Islām*, he tries to define the classical concept of *tahlukah* in Qur'ān 2: 195, which is widely understood as evidence for the prohibition of suicide. Ayy-b argues that although some exegetes, such as al-Qurṭubī sanction these attacks with certain preconditions, the medieval concept of *tahlukah* is different from today's bombings. *Tahlukah*, in his view, is primarily intended to kill enemy combatants, though the death of the attacker may occur as a result. In modern suicide attacks, however, the attacker's main objective is to kill himself and the death of his enemy may occur as a result.<sup>263</sup> Interestingly, Ayy-b also uses Qur'ān 4: 29-30, widely understood by the majority of classical and modern exegetes to prohibit mutual killing, as evidence to support the permissibility of a Muslim captive committing suicide to avoid revealing military information to the enemy.<sup>264</sup> Thus Ayy-b quotes two verses thought to prohibit suicide: in his understanding one of them (Qur'ān 2: 195) is evidence for prohibition, whereas the other (Qur'ān 4: 29- 30) is evidence for permission. Like many modern supporters of the attacks, Ayy-b does not refer to the original context in which these verses were revealed. His views have been the object of criticism by researchers who support the attacks.<sup>265</sup>

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<sup>263</sup> Ayy-b, *Al-Jihād wa al-Fidā'iyah*, pp. 160-164.

<sup>264</sup> *Ibid.*, pp. 165-167.

<sup>265</sup> Al-Aḥmad, "Al-Mukhāṭarah bi al-Nafs fī al-Qitāl", pp. 127 f.; Takr-rī, *Al-'Amaliyyāt*, pp. 102-105.

Other Muslim researchers who oppose the attacks include the Egyptian Salafi preacher Saʿīd ʿAbd al-ʿAzīm,<sup>266</sup> the Kuwaiti researcher al-Misbaḥī, who sees no benefit in the operations for the Palestinian cause,<sup>267</sup> the Irāqī researcher Spīndārī, who cites the *fatāwā* of al-Albānī and Ibn al-ʿUthaymīn to back his argument,<sup>268</sup> the famous professor of Islamic law Mohammad Hashim Kamali,<sup>269</sup> and the leaders of the Islamic Group in Egypt in their historical initiative to halt violence.<sup>270</sup> It is noteworthy that, with the exception of al-Albānī and the prominent Saudi scholars, the opponents of the attacks are hardly mentioned by modern Western scholars,<sup>271</sup> even by authors such as Cook and Slavicek who critique the arguments of the supporters.<sup>272</sup>

Apart from the arguments of the proponents and opponents of ‘martyrdom’ or ‘suicide operations’, the debate regarding the issue is generally marked by mutual demonization. Takr-rī, being one of the strongest supporters of the attacks, is a very clear example of a researcher who classifies the opponents in three categories: First, true scholars whose analysis of the whole issue, in his view, is superficial. Second, *muqallid-n* (imitators) who are just repeating the views of the first category parrot-

<sup>266</sup> Saʿīd ʿAbd al-ʿAzīm, *Taḥṣīl al-Zād li Taḥqīq al-Jihād* (Alexandria: Dār al-Īmān li al-Ṭabʿ wa al-Nashr wa al-Tawzīʿ, 1990), pp. 202-204.

<sup>267</sup> Al-Misbaḥī, *Al-Shahīd*, pp. 347-356.

<sup>268</sup> ʿAbd al-Raḥmān Spīndārī, *Al-Irhāb min Manzūr Qurʾānī* (Kurdistan: Hawār, 2006), pp. 82 f.

<sup>269</sup> According to Kamali, “Martyrdom in Islam does not begin with suicidal intention, let alone the linkage of that intention with the killing of non-combatants. To justify suicide bombing under the banner of retaliation, or as a form of *jihād* is therefore questionable, simply because it begins on an erroneous note, which goes against the essence both of just retaliation and justified *jihād*.” Kamali, *Shariʿah Law*, p. 288.

<sup>270</sup> Osāmah Ibrāhīm Ḥāfīz and ʿĀṣim ʿAbd al-Mājid Muḥammad, *Mubādarat Waqf al-ʿUnf: Ruʿyah Wāqīʿiyyah wa Nazrah Sharʿiyyah*, ed. Karam Muḥammad Zuhdī et al. (Cairo: Maktabat al-ʿUbaykān, 2004/1425), pp. 70-73. See also al-Aḥmad, “Al-Mukhāṭarah bi al-Nafs fī al-Qitāl”, pp. 134 f.

<sup>271</sup> See, for example, Bar, *Warrant for Terror*, pp. 58-65; Sookhdeo, *Understanding Islamic Terrorism*, pp. 149-151; Bonney, *Jihād*, pp. 314-319; Habeck, *Knowing the Enemy*, pp. 125-128; Shay, *The Shahids*, pp. 9-13; Tamimi, “The Islamic Debate”, pp. 91-104; Moghadam, *The Globalization of Martyrdom*, p. 106.

<sup>272</sup> Cook, *Martyrdom*, pp. 146-153; Slavicek, “Deconstructing the Shariatic Justification”, pp. 553-571.

fashion. Third, agents paid by the Israelis whose main objective is to weaken the morale of Palestinian fighters by instilling doubts about the suicidal nature of the operations.<sup>273</sup> At the other end of the debate are Western authors who reject the operations, such as Cook who criticizes the supporters of the attacks for applying an “overly selective” reading of the Qur’ān and “the traditional literature” to justify their arguments.<sup>274</sup> In addition, he hails the Muslim opponents for presenting “persuasive and strongly rooted” arguments of “Islamic history and law”, although the arguments of supporters are gaining mass distribution in the Muslims world.<sup>275</sup> Compared to the supporters, the opponents are relatively few in number and it is rare to find a national or multi-national organization in the Muslim world that prohibits the attacks.

#### **4.4.5 The Discreet Approach**

In the midst of this debate, it is notable that there are researchers and academics, mostly in the West, who discuss the issue by presenting the views of the proponents and opponents without giving preference to one view over the other. Their approach can be described as discreet. Although this approach is rarely referred to in modern debate about the attacks, it is very clear in the writings of al-Atawneh and Tamimi.<sup>276</sup> The arguments of the supporters and the opponents seem to be equally presented and it is hard, therefore, to identify these writers’ own views. On the other hand, there are many leaders of the Muslim community in Western Europe and North America who are apparently silent about the whole action.

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<sup>273</sup> Takr-rī, *Al-‘Amaliyyāt*, pp. 43 f.

<sup>274</sup> Cook and Allison, *Understanding and Addressing Suicide Attacks*, p. 56.

<sup>275</sup> Cook, *Martyrdom*, p. 153.

<sup>276</sup> Al-Atawneh, “Shahda [*sic*] Versus Terror”, pp. 18-29; Tamimi, “The Islamic Debate”, pp. 91-104.

## 4.5 CONCLUSION

The above discussion reveals that exegetes, both classical and modern, do not place much emphasis on defining martyrdom especially in its technical understanding. The Sunnah, however, gives more details about martyrdom and it thus provides necessary explanations without which the Qur'ānic view of martyrdom may be difficult to understand. Almost all the definitions stipulate that the *shahīd* is a person killed by unbelievers, with hardly any reference to self-killing, although some classical exegetes approve exposing oneself to death in the cases of *inghimās* and *tahlukah*, with certain preconditions. The Qur'ānic discourse about *qatl al-nafs* in Qur'ān 2: 195 is mainly understood by classical exegetes and the majority of modern ones as denoting 'mutual killing' rather than suicide.

As shown above, the word *intiḥār* does not occur in the Qur'ān. However, some modern exegetes interpret the Qur'ānic reference to *qatl al-nafs* as referring to *intiḥār*. This chapter has shown that modern 'suicide terrorism' was not initiated by Muslims. Rather, it was practiced by other groups such as the Japanese Kamikazes, the PKK and the IRA, and it is therefore inappropriate to ascribe 'Islamikaze' to Muslims. The term carries its own weakness.

The issue of 'martyrdom' or 'suicide operations', as far as the case study highlighted in this chapter is concerned, is a subject of huge controversy among proponents who consider it permissible, opponents who deem it impermissible and a third category who prefer a middle path, maintaining a discreet approach. The supporters, although they have a louder voice and wider support in the Muslim world, have weaknesses in their arguments, so it is no wonder they face criticism. The main supporters of the attacks can be seen as apparently revisiting their staunch support such

as al-Qaraḏāwī, inconsistent in their argument by offering more than one legal judgement to the same case, like Ṭanṭāwī, totally disregarding the prohibition of killing Israeli civilians, such as Mawlawī, and marked by selectively quoting from classical exegetes to support the permissibility of the attacks, such as Takr-rī. The opponents, as this chapter has explained, are comparatively less heard, fewer in number and found in only some parts of the Muslim world.

It is to be hoped that many modern Muslim scholars may revisit the case study presented and update their readers about their new findings. It is through this that not only will Muslim readers be updated about the impermissibility or otherwise of this action, but also Western researchers will be able to arrive at a clear view of the issue.

It can also be further concluded that for a proper understanding of this issue in the Western milieu, Muslim scholars should have a unified stance instead of their current sharp division. At the many conferences and discussion seminars on the Palestinian issue, there is hardly any national or international discussion of this serious legal problem, for which there should be a viable solution. The ‘free market’ *fatāwā* have become a phenomenon. Although they represent the individual efforts of scholars, concerted effort is lacking. Until such effort materializes, and for the sake of objectivity, the researcher’s convictions or point of view regarding the case study presented above is best aligned with the discreet approach. This, however, does not rule out the right of the Palestinians to self-defence using all legal means to end the occupation. In this, Palestinians “...do not fight the Israelis simply because they are Jews but because they are colonizers who have robbed them of their land, killed their children and destroyed

their homes, thus depriving them of the basic means of human life.”<sup>277</sup> Jews, it must be emphasized, lived with Muslims in “...peace and harmony for centuries...This harmony was only broken with the [sic] Western-born ideology of Zionism and its implementation by the force of tanks and the uprooting of a whole people from its land with overt support and sanctioning by Western democracies!”<sup>278</sup>

Finally, the Qur’ān and Sunnah’s warnings against killing non-combatants should be considered a basic ethical code which this chapter has attempted to make clear, and it cannot be underestimated. Highlighting whether or not the Qur’ān has referred to the punishment for violating this ethical code, when non-combatants are unjustly killed in terrorist operations, is an important point which the following chapter will attempt to discuss.

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<sup>277</sup> Mohamed El-Tahir El-Mesawi and Tesnim Khriji, “Islam and Terrorism: Beyond the Wisdom of the Secularist Paradigm”, *Intellectual Discourse*, Vol. 14, No. 1, 2006, p. 66.

<sup>278</sup> *Ibid.*

# CHAPTER FIVE

## PUNISHMENT FOR TERRORISM IN THE QUR'ĀN

### 5.1 Introduction

Little attention has been paid to studying the Qur'ānic attitude towards terrorism as a punishable crime. Specifically, the subject of punishment for terrorism, using the Qur'ān as the main textual evidence, has unfortunately received very limited coverage in Western literature. This chapter, therefore, attempts to fill this void. It stands to reason that, although the Qur'ān does not explicitly or literally deal with terrorism as a crime in its modern sense, it takes an uncompromising attitude by prohibiting all acts that lead to unjust killing, as in Qur'ān 17: 33,<sup>1</sup> and various forms of *fasād* (corruption), as in Qur'ān 7: 56.<sup>2</sup>

In this chapter, the Qur'ānic punishment set for *ḥirābah* (brigandage), as well as the views of the proponents and opponents of the contention that *ḥirābah* and terrorism can be linked, will be analytically presented and evaluated.

As *ḥirābah* is a term extensively discussed by classical and modern exegetes, as well as by classical jurists, it is necessary to analyse the discussion of *ḥirābah* by the exegetes whose works are consulted in this study. *Ḥirābah* is also a juristic term and so the definitions it has been given by the four Sunnī schools of jurisprudence, along with

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<sup>1</sup> “Do not take life, which God has made sacred, except by right: if anyone is killed wrongfully, We have given authority to the defender of his rights, but he should not be excessive in taking life, for he is already aided [by God].” M.A.S. Abdel Haleem, *The Qur'an: A New Translation* (Oxford: Oxford University Press, 2005), p. 177

<sup>2</sup> “Do not corrupt the earth after it has been set right—call on Him fearing and hoping. The mercy of God is close to those who do good.” Haleem, *Qur'an*, p. 98.

various relevant juristic rulings, must be highlighted too.<sup>3</sup> The discussion will be limited to the opinions of the four schools, as they constitute the main legal basis for a wide range of modern writings, including discussions on the punishment for *ḥirābah* in the Qur’ān in general and its relation to terrorism in particular.

After presenting the various definitions of *ḥirābah*, the discussion will focus on its punishment according to the Qur’ān in an attempt to answer the question of whether or not, according to the Qur’ānic texts, terrorism should be subject to the same punishment as that set by the Qur’ān for *ḥirābah*. In order to answer this question, an analysis of the Qur’ānic textual evidence for *ḥirābah* as presented thematically by the exegetes and the four Sunnī schools will be presented. At the outset, a brief account of the Qur’ānic concept of crime and punishment is needed to reach an understanding of the attitude of the Qur’ān towards the punishment of terrorism and where this may be textually identified in the Qur’ānic discourse.

## 5.2 The Qur’ānic Concept of Crime and Punishment

The Arabic word *jarīmah* (crime) does not occur in the Qur’ān, but related lexemes that convey the sense of committing a crime (i.e. *ijrām*) do occur. *Ijrām* occurs once,<sup>4</sup> in Qur’ān 11: 35,<sup>5</sup> and *mujrim* (criminal) occurs twice.<sup>6</sup> The first occurrence is in Qur’ān

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<sup>3</sup> The four Sunnī schools of Islamic jurisprudence are the Shāfi‘ī, the Ḥanafī, the Mālikī, and the Ḥanbalī. For a comprehensive study of the lives of the four imams who founded them and a brief explanation of their juristic methodologies, see Muḥammad Ab- Zahrah, *The Four Imams: The Lives and Teaching of Their Founders* (London: Dār al-Taqwā, 2001). See also, Majid Khadduri, “Nature and Sources of Islamic Law”, *George Washington Law Review*, Vol. 22, 1953-1954, pp. 10-20; Mawil Izzi Dien, *Islamic Law: From Historical Foundations to Contemporary Practice* (Edinburgh: Edinburgh University Press, 2004), pp. 13-25.

<sup>4</sup> Elsaïd M. Badawi and Muhammad Abdel Haleem, *Arabic-English Dictionary of Qur’anic Usage* (Leiden: Brill, 2008), p. 160.

<sup>5</sup> Al-Rāghib al-Aṣfahānī, *Mufradāt Alfāz al-Qur’ān*, ed. Ṣafwān °Adnān Dawūdī (Damascus: Dār al-Qalam, 2<sup>nd</sup> ed., 2002), p. 193.

<sup>6</sup> Badawi and Abdel Haleem, *Dictionary of Qur’anic Usage*, p. 160.

20: 74.<sup>7</sup> Al-Sha<sup>c</sup>rāwī maintains that *mujrim* here refers to a person who commits a criminal act, usually characterized by violation of Allah’s divine ordinances.<sup>8</sup> The second occurrence is in Qur’ān 70: 11<sup>9</sup> and al-Alūsī states that it here refers to guilty person(s).<sup>10</sup> Other lexemes of *ijrām* such as *mujrimūn* and *mujrimīn* occur 50 times<sup>11</sup> in the Qur’ān.<sup>12</sup> The last related lexeme in this context is *jarama* (to commit a crime, a bad act, an offence), which occurs five times<sup>13</sup> in the Qur’ān. Al-Aṣḫānī states that the word *jarama* originally referred to picking fruit from trees. Later, it was rhetorically used to mean committing bad acts.<sup>14</sup> In all five Qur’ānic occurrences,<sup>15</sup> the word *jarama* is preceded by the negative particle *lā* forming the phrase *lā jarama* (e.g., Qur’ān 16: 23), which may mean “surely” or “no doubt”. However, some modern lexicographers state that the verb *jarama* without the particle *lā* means “to commit a crime or an offence”.<sup>16</sup>

Moreover, a deeper look into the juridical literature related to the concept of crime in Qur’ānic discourse shows that Muslim jurists, unlike the exegetes, take much

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<sup>7</sup> Muḥammad Fu’ād <sup>c</sup>Abd al-Bāqī, *Al-Mu<sup>c</sup>jam al-Mufahras li Alfāz al-Qur’ān al-Karīm* (Cairo: Dār al-Ḥadīth, 1988), p. 166.

<sup>8</sup> Muḥammad Mutawallī al-Sha<sup>c</sup>rāwī, *Tafsīr al-Sha<sup>c</sup>rāwī* (Cairo: Akhbār al-Yawm, 1991), Vol. 15, p. 9331.

<sup>9</sup> <sup>c</sup>Abd al-Bāqī, *Al-Mu<sup>c</sup>jam al-Mufahras*, p. 166.

<sup>10</sup> Al-Sayyid Maḥmūd al-Alūsī, *Rūḥ al-Ma<sup>c</sup>ānī fī Tafsīr al-Qur’ān al-<sup>c</sup>Azīm wa al-Sab<sup>c</sup> al-Mathānī* (Beirut: Dār Iḥyā’ al-Turāth al-<sup>c</sup>Arabī, n.d.), Vol. 29, p. 60.

<sup>11</sup> Badawi and Abdel Haleem, *Dictionary of Qur’anic Usage*, p. 160.

<sup>12</sup> For a full citation of those 50 occurrences see, <sup>c</sup>Abd al-Bāqī, *Al-Mu<sup>c</sup>jam al-Mufahras*, pp. 166 f.

<sup>13</sup> Badawi and Abdel Haleem, *Dictionary of Qur’anic Usage*, p. 160.

<sup>14</sup> Al-Aṣḫānī, *Mufradāt Alfāz*, p. 192. See also Yahaya Yunusa Bambale, *Crimes and Punishments under Islamic Law* (Lagos: Malthouse Press Limited, 2<sup>nd</sup> ed., 2003), p. 1.

<sup>15</sup> The five occurrences of *lā jarama* are mentioned in <sup>c</sup>Abd al-Bāqī. See <sup>c</sup>Abd al-Bāqī, *Al-Mu<sup>c</sup>jam al-Mufahras*, p. 167.

<sup>16</sup> Majma<sup>c</sup> al-Lughah al-<sup>c</sup>Arabiyyah, *Al-Mu<sup>c</sup>jam al-Wajīz* (Cairo: Egyptian Ministry of Education, 1994/1415), p. 101; Badawi and Abdel Haleem, *Dictionary of Qur’anic Usage*, p. 161.

interest in defining crime,<sup>17</sup> its types and its categories.<sup>18</sup> This is because explaining such details about the nature of the Islamic rulings on crime is a primary task of the jurist, but not of the exegete, whose main aim is to communicate the meaning of the Qur’ānic text to a wider audience. However, the two roles, it can be argued, complement each other: the exegete depends on the juristic analysis and the rulings developed by the jurist, who in turn makes use of the exegetical tools employed by the exegete to reach his rulings.

Terrorism is a crime from the Qur’ānic perspective, as those who commit it violate Allah’s ordinances, and thus become *mujrimīn* (criminals) according to the

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<sup>17</sup> *Jarīmah* (crime), according to al-Māwardī, is a prohibited act for which Allah sets a deterring punishment either through *ḥadd* or through *taʿzīr* (discretionary punishment). °Alī bin Muḥammad Ḥabīb al-Baṣrī al-Mawardī, *Al-Aḥkām al-Sulṭāniyyah wa al-Wilāyāt al-Dīniyyah* (Cairo: Dār al-Fikr li al-Ṭibāʿah wa al-Nashr wa al-Tawzīʿ, 1983), p. 189; idem, *Al-Aḥkam As-Sultaniyyah: The Laws of Islamic Governance*, trans. Asadullah Yate (London: Ta-Ha Publishers, 1966/1416, repr. 2005), p. 309; Muntaṣir Saʿīd Ḥamm-dah, *Al-Irhāb: Dirāsah Fiqhiyyah fī al-Tashrīʿ al-Jināʿī al-Islāmī* (Alexandria, Egypt: Dār al-Jāmiʿah al-Jadīdah li al-Nashr, 2008), p. 15. For a detailed lexical and technical definition of *jarīmah*, see Muḥammad bin °Abdullāh al-Zāḥim, *Āthār Taṭbīq al-Sharīʿah fī Manʿ al-Jarīmah* (Cairo: Dār al-Manār li al-Ṭabʿ wa al-Nashr wa al-Tawzīʿ, 1992/1412), pp. 12-14.

<sup>18</sup> According to Frank E. Vogel, crimes in Islamic law can be divided into three main categories: *ḥudūd* crimes (whose punishments are set out by the scriptures), retaliatory crimes, and *taʿzīr* (crimes whose punishment is discretionary). Frank E. Vogel, “The Trial of Terrorists under Classical Islamic Law”, *Harvard International Law Journal*, Vol. 43, No. 1, Winter 2002, p. 58. See also, Rachel Saloom, “Is Beheading Permissible under Islamic Law? Comparing Terrorist Jihad and the Saudi Arabian Death Penalty”, *UCLA Journal of International Law and Foreign Affairs*, Vol. 10, 2005, pp. 242 f. For a full exposition of the definition of crime and its different types, see °Abd al-Qādir °Udah, *Al-Tashrīʿ al-Jināʿī fī al-Islām: Muqārānan bi al-Qānūn al-Waḍʿī* (Beirut: Muʿassasat al-Risālah li al-Ṭibāʿah wa al-Nashr wa al-Tawzīʿ, 13<sup>th</sup> ed., 1994), Vol. 1, pp. 66-102; idem, *Criminal Law of Islam*, trans. S. Zakir Aijaz (New Delhi: Kitab Bhavan, 1999, repr. 2005), Vol. 1, pp. 71-103. For the various *ḥadd* and *taʿzīr* crimes, see Rudolph Peters, *Crime and Punishment in Islamic Law: Theory and Practice from the Sixteenth to the Twenty-first Century* (Cambridge: Cambridge University Press, 2005), pp. 53-68. See also, Mahfodz Mohamed, “The Concept of Qisās in Islamic Law”, *Islamic Studies*, Vol. 21, No. 2, Summer 1982, pp. 77-88. For a very brief literal and technical definition of *ḥadd*, see also Mawil Izzi Dien, “Ḥadd”, in Ian Richard Netton, ed., *Encyclopedia of Islamic Civilisation and Religion* (Abingdon, Oxon: Routledge, 2008), pp. 202 f.; Wahbah al-Zuhaylī, *Al-Wajīz fī al-Fiqh al-Islāmī* (Damascus: Dār al-Fikr, 2005/1426), Vol. 2, p. 367; Mohammad Hashim Kamali, *Shariʿah Law: An Introduction* (Oxford: Oneworld Publications, 2008), p. 191; Sulaymān °Abd al-Raḥmān al-Ḥaqīl, *Ḥaqīqat Mawqif al-Islām min al-Taṭarruf wa al-Irhāb* (Riyadh: N.p., 2001/1421), p. 143.

exegetical explanation of al-Sha<sup>‘</sup>rāwī and al-Alūsī cited above. Some modern researchers consider that there are differences between a *mujrim* (criminal) and an *irhābī* (terrorist), arguing that criminals usually commit their crimes for personal reasons whereas terrorists commit their actions for political reasons, with the aim of subduing a more powerful authority. Moreover, criminals usually know their victims, while terrorists do not.<sup>19</sup> These differences, however, are not clear-cut because terrorists may clearly have many religious, economic, social, and even personal aims and may not be completely ignorant about their targets, but know well that helpless civilians will be present at the scenes of their attacks. On the other hand, these researchers state that disseminating fear and alarm among people is a feature common to both crime and terrorism, and that they are therefore similar in effect, although different in nature.<sup>20</sup> The main conditions necessary for the punishment of crime, according to <sup>‘</sup>Abd al-Qādir <sup>‘</sup>Udah (1906-1954), are a textual source authorizing the punishment, deliberate intention on the part of the criminal, and the criminal’s having attained the age of *tamyīz* (legal maturity).<sup>21</sup> <sup>‘</sup>Udah is probably generally referring here to crimes that have *ḥudūd* punishments, since *ta<sup>‘</sup>zīr* punishments, for example, do not require textual evidence. The conditions referred to by <sup>‘</sup>Udah are applicable to terrorism although, as a crime, it has its own additional criteria.<sup>22</sup> Thus, it may be said that, according to many modern researchers, terrorism, from the Qur’ānic perspective, should be considered a crime.

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<sup>19</sup> Muhammad <sup>‘</sup>Awaḍ al-Tartūrī and Aghādīr <sup>‘</sup>Arafāt Guwayḥān, *‘Ilm Al-Irhāb: Al-Usus al-Fikriyyah wa al-Nafsiyyah wa al-Ijtimā‘iyyah wa al-Tarbawīyyah li Dirāsāt al-Irhāb* (Amman: Dār al-Ḥāmid li al-Nashr wa al-Tawzī‘, 2006), pp. 64 f.

<sup>20</sup> Al-Tartūrī and Guwayḥān, *‘Ilm Al-Irhāb*, p. 65. For a discussion on the relationship between crime and terrorism with particular attention to social psychology, see Sam Mullins, “Parallels between Crime and Terrorism: A Social Psychological Perspective”, *Studies in Conflict and Terrorism*, Vol. 32, No. 9, September 2009, pp. 811-830.

<sup>21</sup> <sup>‘</sup>Udah, *Al-Tashrī‘ Al-Jinā‘ī*, Vol. 1, pp. 110 f.; idem, *Criminal Law*, Vol. 1, pp. 90 f.

<sup>22</sup> The terrorism-related criteria will be either referred to or discussed later in this Chapter.

Terrorists, therefore deserve punishment just as criminals do – which leads us to discuss how the Qur’ān itself views punishment for crime in general in order to attempt to determine the punishment it sets for terrorism in particular.

According to the Qur’ān, there are two types of punishment: punishment in this world, which is carried out by the ruler of the Muslim state or those authorized by him<sup>23</sup> to execute it, and the punishment that is postponed until the Day of Judgment.<sup>24</sup> The worldly punishment is usually for a crime related to violating the rights of the community or those of the individual, whereas the “postponed” punishment is for committing a sinful act.<sup>25</sup> Both punishments<sup>26</sup> are referred to in the Qur’ānic verse<sup>27</sup> that speaks of *ḥirābah*, discussion of which will constitute a major part of this Chapter.

### 5.3 Exploring the *Ḥirābah*-Terrorism Relationship

There are two main approaches to the *ḥirābah*-terrorism relationship. Both propose that the Qur’ān sets a punishment for terrorists, but the essence of their difference lies in determining the category within the Islamic criminal law system under which the punishment for terrorism should be categorized. In the view of the followers of one

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<sup>23</sup> Nājih Ibrāhīm °Abdullāh, *Taṭbīq al-Aḥkām min Ikhtisāṣ al-Ḥukkām: Al-Ḥūdūd, I’lān al-Ḥarb, al-Jizyah - Nazarāt fī Fiqh al-Taṭbīq*, rev. & eds. Karam Muḥammad Zuhdī and °Alī Muḥammad °Alī al-Sharīf et al., (Cairo: Maktabat al-°Ubaykān, 2004/1425), p. 38.

<sup>24</sup> A.A.K. Sherwani, *Impact of Islamic Penal Laws on the Traditional Arab Society* (New Delhi: M D Publications Pvt, 1993), p. 31.

<sup>25</sup> Ibid., pp. 31 f. Some researchers, such as Serajzadeh apparently state that there is no difference between sinners and criminals. He argues that sinners will be punished either in this world or in the Hereafter, or both if they do not repent. See, Seyed Hossein Serajzadeh, “Islam and Crime: The Moral Community of Muslims”, *Journal of Arabic and Islamic Studies*, Vol. 4, 2001/2002, p. 120.

<sup>26</sup> According to °Udah, an examination of the Qur’ānic verses about juristic rulings (including Qur’ān 5: 33) shows that they refer to two punishments; one in this world and another in the Hereafter. °Udah, *Al-Tashrī° al-Jinā’i*, Vol. 1, p. 167; idem, *Criminal Law*, Vol. 1, p. 196. For a detailed explanation of both punishments, see also °Abd al-Raḥīm Ṣidqī, *Al-Jarīmah wa al-°Uqūbah fī al-Sharī°ah al-Islāmiyyah: Dirāsah Taḥlīliyyah li Aḥkām al-Qaṣās wa al-Ḥudūd wa al-Ta°zīr* (Cairo: Maktabat al-Nahḍah al-Miṣriyyah, 1987/1408), pp. 104-151.

<sup>27</sup> Qur’ān 5: 33.

approach, modern terrorism corresponds in its most salient features to *ḥirābah*.<sup>28</sup> If one takes this standpoint, the punishment for terrorism is referred to in the text of the Qur’ān. On the other hand, those who oppose this opinion maintain that there is very little or no relationship between modern terrorism and *ḥirābah*.<sup>29</sup> Before presenting the arguments on each side, a thematic handling of the textual Qur’ānic discourse on *ḥirābah* itself must be presented.

### 5.3.1 The Textual Source of *Ḥirābah* in the Qur’ān

There is a consensus among classical and modern exegetes, as well as jurists, in past and present times that the following Qur’ānic verses are the textual source of *ḥirābah*.

“Those who wage war against God and His Messenger and strive to spread corruption in the land should be punished by death, crucifixion, the amputation of an alternate hand and foot, or banishment from the land: a disgrace for them in this world, and then a terrible punishment in the Hereafter, unless they repent before you overpower them— in that case bear in mind that God is forgiving and merciful.”<sup>30</sup> (Qur’ān 5: 33-34)

°Abd al-Rahīm Ṣidqī also claims that Qur’ān 2: 27 is textual evidence for *ḥirābah*,<sup>31</sup> but his claim is not supported either by the context of the verse itself or by its

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<sup>28</sup> Nik Rahim Nik Wajis, “The Crime of *Ḥirāba* in Islamic Law” (PhD thesis, Glasgow Caledonian University, United Kingdom, 1996), p. 165; Khaled Abou El Fadl, *The Great Theft: Wrestling Islam from the Extremists* (New York: HarperCollins, 2005), p. 243; Aḥmad bin Sulaymān Ṣāliḥ al-Rubaysh, *Jarā’im al-Irhāb wa Ṭaṭbīqātuhā al-Fiqhiyyah al-Mu’āṣirah* (Riyadh: Maṭābi’ Akādīmiyyat Nāyef al-°Arabīyyah li al-°Ulūm al-Amniyyah, 2003), p. 132; Al-Amīn °Uthmān al-Amīn, “Mawqif al-Islām min Ḍāhirat al-Irhāb”, in *Islam and the 21<sup>st</sup> Century*, Researches and Facts. The Tenth General Conference of the Supreme Council for Islamic Affairs (Cairo: Maṭābi’ al-Ahrām al-Tujāriyyah, 1998\1419), p. 308.

<sup>29</sup> Haytham °Abd al-Salām Muḥammad, *Maṣhūm al-Irhāb fī al-Sharī’ah al-Islāmiyyah* (Beirut: Dār al-Kutub al-°Ilmiyyah, 2005) pp. 173-174; Sa’id °Abdullāh Ḥārib, *Al-Ta’āṣṣub wa al-°Unf: Fikran wa Sulūkan* (Kuwait: Al-Markaz al-°Ālamī li al-Wasaṭiyyah, 2006/1427), pp. 11-15; Salah as-Sawi [sic], “Refutation of a Fatwa Issued Concerning the Permissibility of Muslims Participating in Military Operations against the Muslims in Afghanistan”, [article online]; available from [http://www.robert-fisk.com/refutation\\_of\\_fatwa\\_november2001.htm](http://www.robert-fisk.com/refutation_of_fatwa_november2001.htm); accessed 13 June 2008.

<sup>30</sup> Haleem, *Qur’an*, p. 71.

<sup>31</sup> Ṣidqī, *Al-Jarīmah wa al-°Uqūbah*, p. 249.

context of revelation.<sup>32</sup> Above all, his claim is not evidence-based. The verse, according to al-Ṭabarī was revealed with reference to the fate of those who break Allah’s covenant from among the People of the Book and hypocrites in general, as well as some Rabbis who showed animosity towards the Prophetic mission, particularly after his migration to Medina.<sup>33</sup> Neither al-Ṭabarī nor any of the other classical or modern exegetes refer to this particular verse as textual evidence for *ḥirābah* – reason enough to reject Ṣidqī’s claim both in theory and practice.

Similar to this claim is the denial of the Egyptian former judge and author Muḥammad Saʿīd al-ʿAshmāwī, who does not consider Qur’ān 5: 33-34 as textual evidence of *ḥirābah*, but rather as a reference to fighting *only* against Allah and the *person* of the Prophet [emphasis mine]. Al-ʿAshmāwī did not even extend the application of the verses to the Prophet’s caliphs or to the jurists after them because, in his view, their morals were marred by sinful acts.<sup>34</sup> These claims constitute a sufficient incentive to study the textual evidence of *ḥirābah* as seen by the exegetes in order to determine whether or not the context of the verses is applicable to *ḥirābah* and other similar crimes.

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<sup>32</sup> *Asbāb al-nuzūl* (occasions of revelation) is one of the subdivisions of *tafsīr* (Qur’ān exegesis). They deal with the transmission of the cause of revelation of a certain chapter or verse of the Qur’ān and the time, place and so forth of its revelation. See, A. Rippin, “The Exegetical Genre of ‘asbab al-nuzul’: A Bibliographical and Terminological Survey”, *Bulletin of the School of Oriental and African Studies*, Vol. 48, No. 1, 1985, p. 1. The most famous book in the area of *asbāb al-nuzūl*, according to Andrew Rippin, is al-Wāḥidī’s *Kitāb Asbāb al-Nuzūl* which gathers all the reports together in accordance with the order of the Qur’ān. Andrew Rippin, “Asbab al-nuzul”, in Ian Richard Netton, ed., *Encyclopedia of Islamic Civilisation and Religion* (Abingdon, Oxon: Routledge, 2008), pp. 66 f.

<sup>33</sup> Muhammad ibn Jarīr ibn Yazīd ibn Khālid al-Ṭabarī, *Jāmiʿ al-Bayān ʿan Ta’wīl Āy al-Qur’ān* (Beirut: Dār al-Fikr, 1984-5/1405), Vol. 1, pp. 182 f.

<sup>34</sup> Muḥammad Saʿīd al-ʿAshmāwī, *Usūl al-Sharīʿah* (Cairo: Madbūlī al-Ṣaghīr, 4th ed., 1996/1416), pp. 128-130; Ahmed Mohsen Al-Dawoody, “War in Islamic Law: Justifications and Regulations” (PhD Thesis, University of Birmingham, Department of Theology and Religion, School of Philosophy, Theology and Religion, College of Arts and Law, August 2009), p. 317, n. 146.

### 5.3.2 The Context of Revelation

Although exegetes consider Qur'ān 5: 33-34 to be a textual reference to *ḥirābah*, all of them—especially the classical ones—cite contradictory contexts for the revelation of these two verses. Ibn al-<sup>c</sup>Arabī alone mentions five contradictory contexts for the revelations<sup>35</sup> while al-Qurṭubī mentions four occasions,<sup>36</sup> and al-Ṭabarī mentions three.<sup>37</sup> Others, such as al-Jaṣṣāṣ, cites only one.<sup>38</sup> Looking at those classical interpretations as a whole shows that there are up to seven sets of reports regarding Qur'ān 5: 33-34; leaving the reader confused as to which narration is authentic.

The first set of reports state that the verses were revealed because a group of the People of the Book broke their covenant with the Prophet and caused corruption on earth.<sup>39</sup> The second set of reports relate that the tribesmen of Abū Barzah al-Aslamī, who had entered into a reciprocal treaty of mutual protection with the Prophet, but later blocked the way of a group of people who want to meet the Prophet in order to embrace Islam.<sup>40</sup> According to a third set of reports, the verses were revealed because of some polytheists who attacked Muslims and fled to a non-Muslim territory before being captured.<sup>41</sup> The fourth set, according to a selection from among the various sets of reports mentioned by al-Ṭabarī, states that, according to Ibn al-<sup>c</sup>Arabī, the verses were

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<sup>35</sup> Muḥammad ibn <sup>c</sup>Abdullah ibn al-<sup>c</sup>Arabī, *Aḥkām al-Qur'ān*, ed. Muḥammad <sup>c</sup>Abd al-Qādir <sup>c</sup>Aṭā (Beirut: Dār al-Kutub al-<sup>c</sup>Ilmiyyah, 1996), Vol. 2, pp. 91-94.

<sup>36</sup> Muḥammad ibn Aḥmad al-Anṣārī al-Qurṭubī, *Al-Jāmi' li Aḥkām al-Qur'ān* (Cairo: Dār al-Sha<sup>c</sup>b, n.d.), Vol 6, pp. 148-150.

<sup>37</sup> Al-Ṭabarī, *Jāmi' al-Bayān*, Vol. 6, pp. 205-208. See also, <sup>c</sup>Abd al-Mun<sup>c</sup>im al-Ḥifnī, *Maws-<sup>c</sup>at al-Qur'ān al-<sup>c</sup>Aẓīm* (Cairo: Maktabat Madb- lī, 2004), Vol. 2, p. 1306.

<sup>38</sup> Aḥmad ibn <sup>c</sup>Ali al-Rāzī al-Jaṣṣāṣ, *Aḥkām al-Qur'ān*, ed. Muḥammad al-Ṣādiq Qamḥāwī (Beirut: Dār Iḥyā' al-Turāth al-<sup>c</sup>Arabī, 1984-5/1405), Vol. 4, p. 53.

<sup>39</sup> Al-Qurṭubī, *Al-Jāmi'*, Vol. 6, p. 149.

<sup>40</sup> Al-Jaṣṣāṣ, *Aḥkām*, Vol. 4, p. 53.

<sup>41</sup> Ibn al-<sup>c</sup>Arabī, *Aḥkām*, Vol. 2, p. 92; <sup>c</sup>Abd al-Raḥmān ibn al-Kamāl Jalāl al-Dīn al-Suyūfī, *Al-Durr al-Manthūr fī al-Tafsīr bi al-Ma'thūr* (Beirut: Dār al-Fikr, 1993), Vol. 3, 69.

revealed regarding some Jews.<sup>42</sup> Although Ibn al-<sup>c</sup>Arabī tries to refute al-Ṭabarī's view by arguing that the Jews did not engage in *ḥirābah* and were not subjected to its punishment when these two verses were revealed, double-checking the various sets of reports cited by al-Ṭabarī reveals that they contain no reference to the Jews, which throws doubt on Ibn al-<sup>c</sup>Arabī's refutation and further deepens the contradictory exegetical attitudes concerning the contexts of revelation of these two verses.

The final set of reports revolve around a narration that, according to Abou El Fadl, arouses the most controversy.<sup>43</sup> Although many classical and modern exegetes have referred to this narration, it is important to trace its original ḥadīth source. Anas, may Allah be pleased with him, narrates that:<sup>44</sup>

“A group of men from the tribe of <sup>c</sup>Ukl and <sup>c</sup>Uraynah<sup>45</sup> came to Medina and adopted Islam. They then said, O Prophet of Allah! We were people of the desert and are, therefore, unable to live in Medina.<sup>46</sup> The Prophet sent with them a shepherd and camels and ordered them to drink the camels' milk and urine [to regain health]. The men travelled until they reached (a place called) *al-Harrah*. They then apostatized, killed the shepherd, and stole the camels and fled. When the Prophet knew about that he sent a group of Muslims to seize them. When they

<sup>42</sup> Ibn al-<sup>c</sup>Arabī, *Aḥkām*, Vol. 2, p. 92.

<sup>43</sup> Khaled Abou El Fadl, *Rebellion and Violence in Islamic Law* (Cambridge: Cambridge University Press, 2001), p. 49.

<sup>44</sup> Al-Bukhārī, *Ṣaḥīḥ al-Bukhārī*, no. 4192, in *Mawsū'at al-Ḥadīth al-Sharīf: Al-Kutub al-Sittah*, ed. Ṣāliḥ bin <sup>c</sup>Abd al-<sup>c</sup>Azīz Āl al-Shaykh (Riyadh: Dār al-Salām li al-Nashr wa al-Tawzī', 1999), p. 344.

<sup>45</sup> There are other narrations of the ḥadīth stating that the men were from <sup>c</sup>Ukl. Ibid., no. 6802, p. 567; One narration states that the men were from <sup>c</sup>Uraynah. Ibid., no. 1501, p. 119; other narrations do not mention where the men were from. Ibid., no. 4610, p. 380; Ibid., no. 5685, p. 487; Ibid., no. 5686, p. 487. <sup>c</sup>Ukl is a name of an Arab tribe whose inhabitants were named after a woman named <sup>c</sup>Uklā. She looked after some members of her tribe when they were young and so the tribe was named after her. <sup>c</sup>Uraynah is the name of an Arab tribe. See, Shihāb al-Dīn Abi <sup>c</sup>Abdullāh Yāqūt <sup>c</sup>Abdullāh al-Ḥamawī, *Mu'jam al-Buldān* (Beirut: Dār Ṣādir, 1977/1397), Vol. 4, pp. 115, 143.

<sup>46</sup> According to ibn Rushd, those men complained of the climate in Medina and so the Prophet directed them to go outside it. Abī al-Walīd Muḥammad bin Aḥmad bin Muḥammad bin Aḥmad ibn Rushd, *Bidāyat al-Mujtahid wa Nihāyat al-Muqtaṣid*, ed. <sup>c</sup>Alī Muḥammad <sup>c</sup>Awaḍ and <sup>c</sup>Ādil Aḥmad <sup>c</sup>Abd al-Mawj- ḍ (Beirut: Dār al-Kutub al-<sup>c</sup>Ilmiyyah, 2<sup>nd</sup> ed., 2003/1424), Vol. 6, p. 190; idem, *The Distinguished Jurist's Primer: A Translation of Bidāyat al-Mujtahid*, trans. Imaran Ahsan Khan Nyazee, rev. Muhammad Abdul Rauf (Reading: Garnet Publishing, 1996), Vol. 2, p. 547.

were brought to him, he ordered for their eyes to be blinded, severed their hands and feet (from opposite ends), and let them to die in a corner place at *al-Ḥarrah*.”

This is just one of fourteen narrations cited by al-Bukhārī alone under various headings that range from “...the permissibility of drinking the camels’ urine for medical purposes” to “...narrating the stories of °Ukl and °Uraynah within the context of talking about the Prophet’s *maghāzī* [raids]”. The various narrations mentioned by al-Bukhārī are diverse, even in their descriptions of the punishments. Abou El Fadl argues that the debates around the above narration “...focused on whether the revelation of the verses meant to chide the Prophet for what he did to the men”. He further argues that some reports assert that the prohibition against *muthlah* (mutilation) came after and not before this incident and that no reproof was applicable because the Prophet blinded the men in retaliation for blinding the shepherd.<sup>47</sup> Al-Ḥifnī, however, maintains that the Prophet did not order the shepherds to be blinded, arguing that this incident is a narration promulgated by weak narrators.<sup>48</sup>

A careful look into the above set of reports reveals that the whole issue is very complex and it cannot be ascertained which narration or context of revelation is authentic.

Moreover, from the many contexts of revelation referred to above, some classical and modern exegetes are seemingly in favour of considering the two verses as general textual evidence against those “...who wage war against God and His Messenger and strive to spread corruption in the land”. Both al-Ṭabarī and Riḍā arrive at this conclusion, although they cite the different contexts of revelation like other

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<sup>47</sup> Abou El Fadl, *Rebellion*, p. 50.

<sup>48</sup> Al-Ḥifnī, *Maws- °at al-Qur’ān*, p. 2463.

exegetes.<sup>49</sup> This leads us to conclude that Qur’ān 5: 33-34 are considered the main Qur’ānic textual evidence concerning *ḥirābah*, no matter how diverse or contradictory the contexts of revelation of these two verses may be. The late Muslim writer Muhammad A. al-Sammān (1917-2007) affirms this view, stating that the two verses provide a general ruling applicable to all those who spread any kind of corruption in the land in all its forms.<sup>50</sup> This has to be said before approaching the thematic components of the *ḥirābah* verses.

Having referred to the contexts of revelation of the *ḥirābah* verses, the first issue to be tackled in the thematic treatment of them is the definition of this term. Although the verses are mainly about the punishment, it is necessary to define the term *ḥirābah* in order to discover the similarities or dissimilarities between *ḥirābah* and terrorism, and hence determine whether the punishment for the latter is the same as that for the former or not. It is noteworthy that the term *yuhāribūna* (wage war against) is the first vivid use of the term in the verse. Thus, a comprehensive definition of *ḥirābah* necessitates defining the lexical and technical aspects of the term.

### 5.3.3 Lexical Definition of *Ḥirābah*

Lexically, the word *ḥirābah* is derived from the root word *ḥaraba*, which originally means to despoil someone’s wealth or property.<sup>51</sup> *Ḥirābah* is also said to be derived from the word *ḥarb* (war, as opposite to peace). It thus refers either to fighting or to

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<sup>49</sup> Al-Ṭabarī, *Jāmi‘ al-Bayān*, Vol. 6, p. 208; Muḥammad Rashīd Riḍā, *Tafsīr al-Qur’ān al-Ḥakīm: Al-Mushtahir bi ism Tafsīr al-Manār* (Cairo: Dār al-Manār, 2<sup>nd</sup> ed., 1947/1366), Vol. 6, p. 354.

<sup>50</sup> Muḥammad ‘Abdullāh al-Sammān, *Al-Islām wa al-Dimā’* (Cairo: Al-Maktab al-Fannī li al-Nashr, n.d.), p. 45.

<sup>51</sup> Jamāl al-Dīn Muḥammad bin Makram ibn Manẓūr, *Lisān al-‘Arab* (Beirut: Dār Ṣādir, 6<sup>th</sup> ed., 1997/1417), Vol. 1, pp. 302 f.; Edward William Lane, *An Arabic-English Lexicon* (Beirut: Librairie du Liban, 1968), Vol. 2, p. 541.

committing a sinful act. The Qur’ān refers to both meanings, in 2: 279 and 5: 33. In the first Qur’ānic occurrence, the *ḥarb* refers to fighting those who deal in *ribā* (interest) and keep its outstanding dues. Al-Alūsī states that the war declared by Allah and His Prophet in this verse may refer to waging war similar to that declared against the apostates. It may also refer to threatening those who commit such acts with the grave consequences awaiting them in the Hereafter.<sup>52</sup> The second occurrence refers to people’s disobedience when they rebel against the ordinances of Allah and His Prophet.<sup>53</sup>

Thus, the lexical meanings of *ḥirābah* refers to conflict, disobedience and fighting. Also, it refers to disbelief, brigandage, striking terror among the passersby, and spreading corruption in the land.<sup>54</sup> However, neither the word *ḥirābah* nor the root verb *ḥaraba* occurs in the Qur’ān, although the verbal noun form (i.e. *ḥirābah*) is frequently used in the classical and modern books of Islamic jurisprudence.

Checking the occurrence of the word *ḥirābah* in Arabic lexicons shows it is interchangeable with *muḥārabah* as far as lexical definition is concerned.<sup>55</sup> This may explain why the word *ḥirābah*—and not other derivatives—is repeatedly used in various classical and modern works of Islamic jurisprudence. The fact that the Qur’ān does not contain the term itself does not necessarily mean that it is silent on identifying its

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<sup>52</sup> Al-Alūsī, *Rūḥ al-Ma‘ānī*, Vol. 3, p. 53.

<sup>53</sup> Muḥammad Bin ‘Abdullāh al-‘Umayrī, *Musqīṭat Ḥadd al-Ḥirābah wa Taṭbīqātihā fī al-Mamlakah al-‘Arabiyyah al-Su‘ūdiyyah* (Riyadh: Akādimiyyat Nāyef al-‘Arabiyyah li al-‘Ulūm al-Amniyyah, 1999), p. 16. See also, Muḥammad Bahjat Muṣṭafā al-Jazzār, “Al-Jarā’im al-Irhābiyyah: Bayna al-Qān-n al-Waḍ‘ī wa al-Sharī‘ah al-Islāmiyyah fī Ḍaw’ Aḥkām al-Qaḍā’” (PhD thesis, Faculty of Law, Zagazig University, Egypt, 2002), pp. 264 f.

<sup>54</sup> Muḥammad ‘Atrīs, *Al-Mu‘jam al-Wāfi li-Kalimāt al-Qur’ān al-Karīm* (Cairo: Maktabat al-Ādāb, 2006), p. 950.

<sup>55</sup> Shawqī Ḍayf, et al., *Al-Mu‘jam al-Wasīṭ* (Cairo: Maktabat al-Shurūq al-Dawliyyah, 4<sup>th</sup> ed., 2004), p. 163; Majma‘ al-Lughah al-‘Arabiyyah, *Al-Mu‘jam al-Wajīz* (Cairo: Egyptian Ministry of Education, 1994/1415), p. 142.

punishment. The Qur’ān rather refers to *ḥarb* four times,<sup>56</sup> only two of which are only mentioned above because of their relevance to the discussion in this chapter. Riḍā states that three out of the four occurrences of *ḥarb* in the Qur’ān refer to war in the sense of the opposite to peace, while the fourth refers to those who challenge Allah and His Prophet by insisting on wrongfully consuming people’s possessions as stated above.<sup>57</sup>

Like *ḥirābah*, the word *irhāb* does not occur in the Qur’ān either. The Qur’ānic discourse shows that there is no link between the term *irhāb* and its lexical origin (i.e. *rahaba*), as argued in Chapter One of this thesis, unlike *ḥirābah*, as *ḥarb* and *ḥirābah* have almost the same meaning. Although the lexical definition of *ḥirābah* is important, it is also essential to this discussion to clarify how *ḥirābah* is defined technically.

### 5.3.4 Technical Definitions of *Ḥirābah*

It is important before embarking on this definition to state that *ḥirābah* is to be located within the category of *ḥudūd* (crimes with fixed penalties) within the Islamic criminal law system *stricto sensu*.<sup>58</sup> The four Sunnī schools of Islamic jurisprudence, to which the definition of *ḥirābah* in this chapter is limited, took much interest in defining *ḥirābah* and distinguishing it from other legal terms similar to it. Within Sunnī legal theory, there are three terms that are widely used for *ḥirābah*; the first is *ḥirābah* itself, the second is *qaṭ’c al-ṭarīq* (highway robbery), and the third is *sariqah kubrā* (great theft, larceny).<sup>59</sup> However, it is the first term that will be used in this discussion because of its

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<sup>56</sup> Badawi and Abdel Haleem, *Dictionary of Qur’anic Usage*, p. 196; Riḍā, *Tafsīr al-Qur’ān al-Hakīm*, Vol. 6, p. 356.

<sup>57</sup> Riḍā, *Tafsīr al-Qur’ān al-Hakīm*, Vol. 6, p. 356.

<sup>58</sup> <sup>c</sup>Udah, *Al-Tashrīc al-Jinā’i*, Vol. 1, pp. 78 f.; idem, *Criminal Law*, Vol. 1, pp. 85 f; Rudolph Peters, “The Islamization of Criminal Law: A Comparative Analysis”, *Die Welt des Islams*, Vol. 34, No. 2, Nov., 1994, pp. 247 f.

<sup>59</sup> Wajis, “The Crime of *Ḥirāba*”, p. 63. See also, Sobhi Mahmassani, “The Principles of International Law in the Light of Islamic Doctrine”, *Recueil des Cours*, Vol. 117, 1966, p. 287.

strong relevance and similarity to terrorism and the fact that the term *ḥirābah* itself covers the two other terms.

A careful look at the exegeses of Qur’ān 5: 33-34 with a focus on the technical definitions of *ḥirābah* reveals that all classical and modern exegetes cite the various juristic definitions of *ḥirābah* without presenting adapted or new definitions of their own. There are many justifications for this attitude. For example, the exegetes may consider that *ḥirābah* is a purely juristic term, and that is why they save their efforts and depend on selecting some of the juristic definitions best suited to their exegetical approach or (as is often the case) the school of thought to which they belong. Another justification may be because the definitional issue, as far as *ḥirābah* is concerned, is of secondary importance to an exegete whose primary concern is the overall meaning of a given Qur’ānic text rather than a limited focus on some of the terminological aspects that text may include. It is therefore not surprising to see classical and modern exegetes citing the technical definitions of *ḥirābah* mostly from the four Sunnī schools of jurisprudence. This necessitates a discussion of their definitions of *ḥirābah* because they are considered a main reference not only for classical exegetes, as stated, but also for modern exegetes.

The first definition to be presented here is that of the prominent Ḥanafī jurist al-Kāsānī (d. 1191/587), who defines *ḥirābah* as:

“Setting out for the purpose of forcibly stealing travelers’ property in a way in which the travel on the road is obstructed. This is irrespective of whether the act is committed by an individual or a group as long as the one(s) who carries it out uses force in the shape of *asliḥah* (offensive weapons) or other means such as sticks and rocks.”<sup>60</sup>

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<sup>60</sup> Alā’ al-Dīn al-Kāsānī, *Badā’i’c al-Sanā’i’c fī Tartīb al-Sharā’i’c* (Beirut: Dār al-Kitāb al-‘Arabī, 1982), Vol. 7, pp. 90 f.

Moreover, the Ḥanafī jurist Abū Bakr al-Sarakhsī<sup>61</sup> (d. 483/1090) adds that it makes no difference whether those who obstruct the road or the targeted personnel are Muslims or *ahl al-dhimmah* (protected non-Muslim minorities in Muslim lands).<sup>62</sup> It is clear that the Ḥanafī school restricts the concept of *ḥirābah* to what they call *al-sariqah al-kubrā* (the great theft). In his *Ḥāshiyah*, Ibn ʿĀbidīn (1198–1252) treats *ḥirābah* as equivalent to *al-sariqah al-kubrā*.<sup>63</sup> However, this restriction cannot be accepted within the context of discussing the link between *ḥirābah* and terrorism because, in the Ḥanafī view, there is no apparent link between the two crimes.

The second definition is that of Imām al-Shāfiʿī (d. 204/819-20), who defines the *muḥāribūn* saying:

“They are a group of people who use offensive weapons to rob another group, either in the desert, on the highway, in a Bedouin camp or in a village.”<sup>64</sup>

In his book *Al-Aḥkām al-Sulṭāniyyah*, the Shāfiʿī jurist al-Māwardī (d. 450/1058), defines the *muḥāribūn* as:

“A group of corrupt people who use weapons and obstruct the way (or the highway) for the purpose of seizing travelers’ property, killing them or obstructing their way.”<sup>65</sup>

The emphasis on the communal sense understood from the word ‘group’ in the two Shāfiʿī definitions above indicates that if an individual person commits *ḥirābah* he or she cannot be punished because the application of the *ḥirābah* punishment, according to the Shāfiʿī school, requires the act to be carried out by a group of individuals rather

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<sup>61</sup> Al-Sarakhsī was the most prominent Ḥanafī jurist of the fifth/eleventh century. Abou El Fadl, *Rebellion*, p. 196.

<sup>62</sup> Muḥammad ibn Aḥmad ibn Abī Sahl al-Sarakhsī, *Kitāb al-Mabs-ṭ* (Beirut: Dār al-Maʿrifah, n.d.), Vol. 9, p. 195.

<sup>63</sup> Muḥammad Amīn ibn ʿUmar ibn ʿĀbidīn, *Ḥāshiyat Radd al-Muḥṭār ʿalā al-Durr al-Mukhtār: Sharḥ Tanwīr al-Abṣār* (Beirut: Dār al-Fikr, 2000\1421), Vol. 4, p. 113.

<sup>64</sup> Muḥammad ibn Idrīs al-Shāfiʿī, *Al-Umm*, ed. Maḥm-d Maṭrajī (Beirut: Dār al-Kutub al-ʿIlmiyyah, 1993/1413), Vol. 6, p. 152.

<sup>65</sup> Al-Mawardī, *Al-Aḥkām al-Sulṭāniyyah*, p. 56; idem, *Islamic Governance*, p. 93.

than a single person. Compared with the definition of terrorism arrived at earlier in this discussion, the Shāfi'ī's definition of *ḥirābah* is apparently dissimilar, giving special weight to the 'communal' act rather than treating terrorist acts by an individual, a group or a state with complete equality.<sup>66</sup> However, al-Shāfi'ī's view that the seriousness of *ḥirābah* remains the same whether committed in a city, village or a desert,<sup>67</sup> and al-Māwardī's reference to the *muḥāribūn* as 'corrupt people' whose heinous acts go beyond stealing to killing, may increase the similarity between *ḥirābah* and terrorism.

Indeed, this seemingly see-saw relationship between *ḥirābah* and terrorism is typically presented by two modern scholars who hold opposing views on this issue. The first, al-ʿUmayrī, states that the Shāfi'ī definition of *ḥirābah* is very restrictive,<sup>68</sup> whereas al-Majāli<sup>69</sup> adopts a balanced view, stating that one opinion of the Shāfi'ī school restricts the concept of *ḥirābah* to robbing others, whereas the other opinion broadens it to include any act that can be described as corruption.<sup>70</sup>

The third definition to be cited here is that of the famous Ḥanbalī jurist Ibn Qudāmah (d. 620/1223-4), who defines the *muḥāribūn* as:

“people armed with offensive weapons who rob others in the desert, where the victims find it very hard to expect help from others.”<sup>71</sup>

Ibn Qudāmah's definition restricts the site where the crime of *ḥirābah* can be committed to the desert and rules out the possibility that *ḥirābah* can be committed in

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<sup>66</sup> Please refer to the definition of terrorism arrived at by the researcher in Chapter One of this thesis. See also Mawil Izzi Dien, “Hiraba (Highway Robbery)”, in Ian Richard Netton, ed., *Encyclopedia of Islamic Civilisation and Religion* (Abingdon, Oxon: Routledge, 2008), p. 235.

<sup>67</sup> Wajis, “The Crime of *Ḥirāba*”, p. 64.

<sup>68</sup> Al-ʿUmayrī, *Hadd al-Ḥirābah*, p.20.

<sup>69</sup> ʿAbd al-Ḥamīd Ibrāhīm al-Majāli is the former dean of the Faculty of Sharīʿah, University of Mu'tah, Jordan.

<sup>70</sup> ʿAbd al-Ḥamīd Ibrāhīm al-Majāli, *Al-Taṭbīqāt al-Muʿāṣirah li Jarīmat al-Ḥirābah* (Amman: Dār Jarīr, 2005), p. 21.

<sup>71</sup> Muwaffaq al-Dīn ʿAbdallāh ibn Aḥmad ibn Qudāmah, *Al-Mughnī: fī Fiqh al-Imām Aḥmad Ibn Ḥanbal al-Shaybānī* (Beirut: Dār al-Fikr, 1984-5/1405), Vol. 9, p. 124.

the city. This is because he believes a person attacked in the city is readily aided. It is also apparent from Ibn Qudāmah's definition that, like al-Shafī<sup>c</sup>i, he restricts the tools used in *ḥirābah* to offensive weapons. Contrary to Ibn Qudāmah, the other Ḥanbalī jurist, al-Buhūtī (d. 1051/1651) stresses that it does not matter whether the act of *ḥirābah* is committed in a desert or city or at sea.<sup>72</sup> A close examination of the Ḥanbalī definitions of *ḥirābah* reveals that they bear no similarity to the modern definition of terrorism. Restricting the 'site' of the commission of *ḥirābah* to the desert, and the 'act' to mere robbery makes the Ḥanbalī definition appear distant from the definition of terrorism.

The fourth definition to be discussed here is that of Imām Mālik, who defines *ḥirābah* as:

“the act of terrorizing people whether to rob them or for any other purposes.”<sup>73</sup>

Moreover, the well-known Mālikī jurist Ibn ʿAbd al-Barr (d. 463), defines the *muḥārib*<sup>74</sup> as:

“the one who blocks the way of the passersby, terrifies them, spreads corruption in the land by robbing others' possessions, shedding their blood, and violating the sanctity of what Allah makes unlawful.”<sup>75</sup>

According to Ibn ʿAbd al-Barr, the person who commits such acts is considered a *muḥārib*, whether he is “...Muslim or non-Muslim, free or enslaved, or whether or not his acts end in robbing and killing or not”.<sup>76</sup>

<sup>72</sup> Mansūr ibn Yūnus ibn Idrīs al-Buhūtī, *Kashshāf al-Qināʿ ʿan Matn al-Iqnāʿ*, ed. Hilāl Muṣīlḥī Muṣṭafā Hilāl (Beirut: Dār al-Fikr, 1981-2\1402), Vol. 6, p. 150.

<sup>73</sup> Mālik ibn Anas, *Al-Mudawwanah al-Kubrā*, ed. Aḥmad ʿAbd al-Salām (Beirut: Dār al-Kutub al-ʿIlmiyyah, 1994/1415), Vol. 4, p. 552.

<sup>74</sup> According to Abou El Fadl, the *muḥārib* is one who attacks defenceless victims by stealth, and spreads terror in society. Khaled Abou El Fadl, “Islam and the Theology of Power”, in Aftab Ahmad Malik, ed., *With God on Our Side: Politics and Theology of the War on Terrorism* (Bristol: Amal Press, 2005), p. 303.

<sup>75</sup> Abū ʿUmar Yūsuf bin ʿAbdullāh bin Muḥammad al-Namirī ibn ʿAbd al-Barr, *Al-Kāfī fī Fiqh Ahl al-Madīnah* (Beirut: Dār al-Kutub al-ʿIlmiyyah, 2<sup>nd</sup> ed., 1992/1413), p. 582.

A deeper look into the Mālikī definition of *ḥirābah* may reveal that, unlike the other Sunnī definitions, it broadens the concept of *ḥirābah* to include all acts that lead to terrorizing people. Wajis asserts that the Mālikī definition excludes the instruments (i.e. the weapons) with which the *ḥirābah* is carried out as well as the site of the commission of *ḥirābah* from the criteria used to define *ḥirābah*.<sup>77</sup> The Wajis’s is also shared by what may be termed the “semi-consensus” approach among many contemporary scholars, who see the Mālikī definition as the most comprehensive.<sup>78</sup>

### 5.3.5 Evaluating the Sunnī Definitions: Synthesizing a Definition

Limitation of the concept is an important aspect of the discussion that can be easily identified in the above Sunnī definitions. The site of the commission of *ḥirābah* mentioned by al-Shāfi‘ī, for example, clearly limits the act to the land rather than sea or air. Although some of the juristic definitions of *ḥirābah* cited in this chapter mention the sea, no definition mentions the air as a scene for *ḥirābah*. Al-Ghunaymī<sup>79</sup> states that this is because the air, at the time the classical jurists lived, was not a trodden path. He argues that considering the sea as a site for *ḥirābah*, as accepted by some classical jurists, makes hijacking an aeroplane, for example, an act of *ḥirābah* if *qiyās* (analogical deduction) is applied.<sup>80</sup> Al-Ghunaymī’s view reflects a distinctive contribution in which modern scholarly efforts link modern forms of *ḥirābah* with the classical Sunnī theory using the principles of jurisprudence – namely analogical

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<sup>76</sup> Ibid., p. 583.

<sup>77</sup> Wajis, “The Crime of *Ḥirāba*”, p. 63.

<sup>78</sup> Al-Majālī, *Al-Taṭbīqāt al-Mu‘āṣirah*, pp. 21 f.; Al-‘Umayrī, *Al-Ḥirābah*, pp. 19-37.

<sup>79</sup> Muḥammad Ṭal‘aṭ al-Ghunaymī is Professor of Public International Law, Alexandria University, Egypt.

<sup>80</sup> Muḥammad Ṭal‘aṭ al-Ghunaymī, *Qānūn al-Salām fī al-Islām* (Alexandria, Egypt: Munsha’at al-Ma‘ārif, 2007), p. 815.

deduction – as a tool. His view refers to the necessity of widening the concept of *ḥirābah* beyond the limitations of classical Sunnī theory.

Another important aspect about the above four definitions is that, although they are different in focus, they are similar in many aspects. This becomes clear when an attempt is made to examine them collectively through a unifying concept, which is much sought after by many modern researchers.<sup>81</sup> They attempt to link *ḥirābah*, as a Qur’ānic crime extensively dealt with in classical juristic literature, with the current reality. However, Wajis, while attempting to reach a seemingly comprehensive definition of *ḥirābah*, pays special attention to what he calls “...the most important element of *ḥirāba*”, which is causing corruption. Wajis considers that this very important element has been seemingly ignored by jurists and argues that the addition of this element to the Mālikī definition will render it comprehensive.<sup>82</sup> His arrival at this conclusion may be attributed to the fact that Imām Mālik’s definition is the only one used in his thesis. After analysing it, he suggests adding a missing element so that it would appear comprehensive. He did this without referring to or quoting other definitions of *ḥirābah* formulated by other authoritative jurists from within the Mālikī school such as Ibn ‘Abd al-Bar, whose definition is quoted above. It would have been better if he had included this definition in his thesis, because it specifically refers to “spreading corruption”, which—according to him—is an element apparently missing from the Mālikī school’s definition. Wajis also dealt with the definition he quoted from Imām Mālik’s *Mudawwanah* as the sole definition representing the Mālikī school,

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<sup>81</sup> Some of those modern researchers are Wajīs, al-Majāli, al-Qarālah, Qā’id and al-Rubaysh whose views are discussed in this Chapter.

<sup>82</sup> Wajis, “The Crime of *Ḥirāba*”, p. 66.

despite citing two quotations for the Shāfi'ī definition of *ḥirābah* when he was discussing it.

In addition to Wajis, the efforts of 'Abd al-Fattāh Qā'id, al-'Umayrī and al-Majālī, who try to reach a unified definition of *ḥirābah* cannot be ignored. Qa'id highlights the seriousness of the issue of terrorizing the innocents as a common element in all the four Sunnī definitions of *ḥirābah*,<sup>83</sup> whereas al-Majālī stresses that some followers of the Shāfi'ī school and many followers of the Mālikī school focus on corruption as a common denominator in *ḥirābah*.<sup>84</sup> In addition, al-'Umayrī tries to reach a collective definition based on all the definitions of the classical Sunnī jurists, while taking into account the modern reality.<sup>85</sup>

A critical look at the definitions<sup>86</sup> formulated by the above researchers reveals that they omit the 'tools' used in *ḥirābah* from all their definitions, even though most of the Sunnī jurists include this as a criterion to be taken into account in the definition of *ḥirābah*. However, this is explicable, given that what matters is the act and not the 'tool' used.

In addition, these definitions refer more to individual rather than the collective action in *ḥirābah*, which may make it look as though collective *ḥirābah* is not as serious as an individual act, albeit both are of serious consequences. In addition, the targets of the *ḥirābah* are either Muslims, *mu'āhadīn* (protected non-Muslim minorities) or *ahl al-kitāb* (scriptuaries).<sup>87</sup> It would have been better if those researchers had specified

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<sup>83</sup> 'Abd al-Fattāh Muḥammad Qā'id, *Al-Ḥirābah fī al-Fiqh al-Islāmī: Dirāsah Muqāranah* (Cairo: Dār al-Ṭibā'ah al-Muḥammadiyyah, 1987/1407), p. 12.

<sup>84</sup> Al-Majālī, *Al-Taṭbīqāt al-Mu'āṣirah*, p. 21 f.

<sup>85</sup> For al-'Umayrī's definition, see al-'Umayrī, *Al-Ḥirābah*, p. 22.

<sup>86</sup> Wajis, "The Crime of *Ḥirābah*", p. 66; Al-Rubaysh, *Jarā'im al-Irhāb*, pp. 40-41; Al-'Umayrī, *Al-Ḥirābah*, p. 22; Al-Qarālah, *Al-Muqāwamah*, p. 132.

<sup>87</sup> I owe this term to Khaled Abou El Fadl. See, Abou El Fadl, *Rebellion*, p. 49.

innocent civilians as the target rather than referring to Muslims and scriptuaries. Having said that, we must conclude by formulating a definition of *ḥirābah* that may be deemed comprehensive and more applicable to the present day, such as:

“*Ḥirābah* is the premeditated act of a sane and mature individual (or group of individuals) aimed at frightening, robbing, killing and/or transgressing against non-combatants’ dignity, carried out from a position of *shawkah* (power). The targets in *ḥirābah* may be Muslims or non-Muslims, in any setting, be it a village, a city, at sea or in the air.”

#### 5.4 Elements of *Ḥirābah*

As referred to above, the exegetes did not give their own definitions of *ḥirābah* but rather referred to their ‘school’s definitions’. Sherman A. Jackson stresses that modern exegetes, such as Riḍā, ‘Abduh, and Quṭb would follow, for the most part, the contours laid down by their classical predecessors, providing definitions that are essentially the same, and do not provide any additional guidance to the extent that nothing of note can be said to be added or taken away from the classical definitions.<sup>88</sup>

Close examination of the definitions given by the classical exegetes reveals that they also cite their school’s views. More importantly, the classical exegetes did not agree on common elements in *ḥirābah*, as each apparently discusses either his own or his school’s view. However, from the above definitions of *ḥirābah*, many elements can be extracted: the use of weapons, the site of the action, the act of robbery, the act of terrorizing people, and causing corruption in the land all constitute elements of this crime according to some juristic schools.

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<sup>88</sup> Sherman A. Jackson, “Domestic Terrorism in the Islamic Legal Tradition”, *The Muslim World*, Vol. 91, No. 3-4, September 2001, pp. 303 f. This article has been recently reprinted in David Cook, ed. *Jihad and Martyrdom: Critical Concepts in Islamic Studies* (London: Routledge, 2010), Vo. 4, pp. 166-181.

### 5.4.1 The Use of Weapons

The four schools of jurisprudence have different views regarding whether the use of weapons may be an element in the definition of *ḥirābah*. The Ḥanafī, Shāfi<sup>°</sup>ī and Ḥanbalī jurists generally emphasize that the use of weapons is a necessary element of *ḥirābah*, whether or not they are used offensively. However, the Mālikī school does not refer to weapons in their definitions, implying that weapons need not be used. The Mālikīs would even consider someone who uses no weapons but only frightens others to be a *muḥārib*.<sup>89</sup> This Mālikī view is more akin to the modern reality, in which sophisticated means are used to spread terror without the use of weapons. Modern terrorist operations certainly use weaponless tactics to carry out their deadly attacks. Excluding the Mālikī view would prevent people and governments from facing such terrorist tactics and they will continue to suffer serious consequences as a result.

### 5.4.2 The Site of Commission of *Ḥirābah*

The site of commission of *ḥirābah* is an important element according to the Ḥanafī and the majority of the Ḥanbalī jurists.<sup>90</sup> Al-Sarakhsī<sup>91</sup> and Ibn Qudāmah<sup>92</sup> consider one of the main criteria for qualifying the act as *ḥirābah* is that it should be committed in an uninhabited place or a desert. It may be understood from this view that a crime committed in a town or a village, where the victims can receive help, is not considered

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<sup>89</sup> Mālik, *Al-Mudawwanah*, Vol. 4, p. 556.

<sup>90</sup> According to Mohamed S. El-Awa, Aḥmad ibn Ḥanbal gave no answer concerning this point, and because of this the Ḥanbalī jurists have different views concerning this element. Mohamed S. El-Awa, *Punishment in Islamic Law: A Comparative Study* (Plainfield, IN: American Trust Publications, 1993), p. 9. To identify the proponents and opponents of this element from within the Ḥanbalī school, see °Alī ibn Sulaymān al-Mardāwī, *Al-Inṣāf fī Ma°rifat al-Rājiḥ min al-Khilāf °alā Madhhab al-Imām Aḥmad Ibn Ḥanbal*, ed. Muḥammad Ḥamid al-Fiqī (Beirut: Dār Iḥyā° al-Turāth al-°Arabī, n.d.), Vol. 10, pp. 291 f.

<sup>91</sup> Al-Sarakhsī, *Al-Mabsūṭ*, Vol. 9, p. 201.

<sup>92</sup> Ibn Qudāmah, *Al-Mughnī*, Vol. 9, p. 124.

*ḥirābah*.<sup>93</sup> On the other hand, the above Shāfi'ī and Mālikī definitions of *ḥirābah* clearly indicate that the *muḥārib* is to be punished wherever his criminal act is committed. This view is apparently favoured by El-Awa who strongly prefers the Shāfi'ī opinion on this issue to those of the other Sunnī schools.<sup>94</sup> In addition, Wajis prefers the Shāfi'ī and Mālikī opinions arguing that the verse about *ḥirābah* is general, as it specifies neither a city nor a desert for an act to be considered *ḥirābah*. It can be said it is irrelevant whether *ḥirābah* or any other similar criminal act is committed in a city, village or uninhabited place, on earth, in the air or at sea, a view held by al-Ghunaymī, as we have seen above. In modern times, there is no room for restricting the definition of an act of *ḥirābah* either topographically or geographically, as most would say a crime is a crime regardless of where it is committed.

### 5.4.3 The Act of Robbery

The Ḥanafī, Shāfi'ī, and Ḥanbalī jurists consider the act of robbery a significant and essential element of *ḥirābah*. All the juristic definitions mentioned above, including the Mālikī definition, refer to the act of robbery. However, the Mālikī definition seemingly considers the act of robbery as one of the objectives of *ḥirābah* rather than one of its main elements. Wajis argues that the crime of *ḥirābah* has been committed, whether robbery is involved or not, as long as the remaining criteria are met.<sup>95</sup> Wajis's opinion here is apparently affected by the Mālikīs, whose view he favours here over the other Sunnī jurists. Although *ḥirābah* is generally linked to armed robbery in the juristic discourse, it may be said that robbery is only a limited demonstration of what constitutes *ḥirābah*. The adoption of this view widens the overlap between *ḥirābah* and

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<sup>93</sup> El-Awa, *Punishment*, p. 9.

<sup>94</sup> *Ibid.*, pp. 9 f.

<sup>95</sup> Wajis, "The Crime of *Ḥirāba*", pp. 68 f.

terrorism, and paves the way for discussing the two most important elements of *ḥirābah*: the act of terrorizing people and causing corruption.

#### **5.4.4 The Act of Terrorizing People**

Terrorizing people is one of the two most important elements of *ḥirābah* and plays a major role in determining whether or not the act is considered *ḥirābah*. Of all the four juristic definitions mentioned above, only the Mālikī definition specifies the act of terrorizing people as an element of *ḥirābah*. The Mālikīs consider any action intended to terrorize people to be an act of *ḥirābah*, irrespective of whether a weapon is used. Wajis takes this to cover and include all the other elements mentioned by other jurists.<sup>96</sup> This element can be considered the greatest common denominator between *ḥirābah* and terrorism because it is a distinctive characteristic of both crimes.

#### **5.4.5 Causing Corruption**

This is the second most important element in the definition of *ḥirābah*. Of all the previous elements, it can be argued that this is the most comprehensive because of the general nature of the word corruption.<sup>97</sup> Wajis argues that, with the exception of the site where *ḥirābah* is committed, all the other elements can be included under this comprehensive heading.<sup>98</sup> Abou El Fadl states that the classical jurists, almost without exception, argued that those who attack residents and wayfarers in order to terrorize them are corrupters of the earth.<sup>99</sup>

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<sup>96</sup> Ibid., p. 70.

<sup>97</sup> Chapter One of this thesis has dealt with the occurrences of the word *fasād* and the general Qur'ānic attitude towards it. According to Wajis, the closest equivalent to the English word "corruption" is the Arabic word "*fasād*." See, Wajis, "The Crime of *Ḥirāba*", p. 71.

<sup>98</sup> Ibid.

<sup>99</sup> Abou El Fadl, *The Great Theft*, p. 242.

Having examined the elements of *ḥirābah*, it can be said that the last two are the most important as far as the link between *ḥirābah* and terrorism is concerned. This is because any crime that meets either of these two criteria can be considered both *ḥirābah* and terrorism. It is therefore necessary to present the exegetical explanations of these two elements with special reference to corruption.

#### 5.4.6 Exegetical Discourse on Corruption in Qur’ān 5: 32-33

The Qur’ānic attitude towards *fasād* (corruption) as a central element in terrorism has been dealt with in Chapter One of this thesis, although Qur’ān 5: 33, which refers to *fasād*, was not discussed there. It has been left until now for discussion as a textual and contextual link with *ḥirābah* was needed first. Frederick Mathewson Denny considers that Qur’ān 5: 33 refers to committing destructive deeds as one of two general aspects of corruption as referred to the Qur’ān.<sup>100</sup>

Exegetes, both classical and modern, take much interest in discussing the various meanings and aspects of *fasād* in Qur’ān 5: 33 and some link this verse to a preceding one that also refers to *fasād*. Al-Sha<sup>c</sup>rāwī noticeably focuses on *fasād* when discussing Qur’ān 5: 32, stating that *al-fasād fī al-arḍ* (corruption on earth) has human beings as its targets, as well as fauna and flora.<sup>101</sup> He adds that causing corruption to those inanimate objects negatively affects human beings, and then cites the violation of people’s possessions as an example of *fasād*.<sup>102</sup> Al-Sha<sup>c</sup>rāwī’s discussion of this verse shows that he relies heavily on *al-arḍ* as the scene for corruption with which human beings can be charged. However, in modern times, settings such as the sea and space are

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<sup>100</sup> Frederick Mathewson Denny, “Corruption”, in Jane Dammen McAuliffe, ed., *The Encyclopaedia of the Qur’ān* (Leiden: Brill, 2001), Vol. 1, p. 439.

<sup>101</sup> Al-Sha<sup>c</sup>rāwī, *Tafsīr*, Vol. 15, pp. 3090 f.

<sup>102</sup> *Ibid.*, Vol. 15, p. 3090.

considered the site of modern forms of corruption in a time when the international community struggles to confront piracy and global warming. In addition, al-Mawdūdī states that *al-arḍ* in this verse refers to “...either country or territory” that is ruled by an Islamic state.<sup>103</sup> It can be said that al-Sha<sup>c</sup>rāwī, al-Mawdūdī and other exegetes<sup>104</sup> apparently limit the scene of corruption to *al-arḍ* because this word is the word used in Qur’ān 5: 32 and 33. However, the literal Qur’ānic reference to *al-arḍ* points to it as the main setting where corruption can be committed. This fact does not rule out the occurrence of corruption in the sea, the air and on other planets of which our knowledge is limited.

Moreover, the aspects of corruption in Qur’ān 5: 33 take many forms, according to the exegetes. Al-Ṭabarī states that corruption refers to several different sinful acts, such as terrifying Muslim passers-by,<sup>105</sup> obstructing their path, seizing their possessions, and infringing their rights.<sup>106</sup> Al-Ṭabarī apparently favours these explanations of *fasād*, although he cites other exegetical views held by Mujāhid (d. 104/722), who states that *fasād* refers to killing, adultery and theft.<sup>107</sup> He does not attempt to refute Mujāhid’s views, but rather cites them among others and then concludes by giving his own opinion. Riḍā, on the other hand, goes to great lengths to refute Mujāhid’s explanation of *fasād*, asserting that Muslim jurists<sup>108</sup> are of the opinion that these sinful acts are crimes for which there are specified punishments,<sup>109</sup> whereas the punishments mentioned in Qur’ān 5: 33 are for people who combine *muḥārabah* and *fasād* as two

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<sup>103</sup> Sayyid Abul A<sup>c</sup>lā al-Mawdūdī, *Towards Understanding the Qur’ān*, trans. and ed. Zafar Ishaq Ansari (Leicester: Islamic Foundation, 1988), Vol. 2, p. 156.

<sup>104</sup> Such as al-Ṭabarī, al-Jaṣṣāṣ, and Riḍā.

<sup>105</sup> Whether the targeted personnel in *ḥirābah* are Muslims or non-Muslims is a point to be discussed later in this Chapter.

<sup>106</sup> Al-Ṭabarī, *Jāmi<sup>c</sup> al-Bayān*, Vol. 6, p. 211.

<sup>107</sup> Ibid.

<sup>108</sup> These jurists are not named by Riḍā here.

<sup>109</sup> For the textual punishments for killing, adultery, and theft, see Qur’ān 2: 178; 24: 2; 5: 38.

textually linked actions. Riḍā adds that these actions are not only textually linked, but are also related to each other.<sup>110</sup> Riḍā’s view here is precise and evidence-based, and it may therefore be given priority over other explanations.

However, in a view which is apparently similar<sup>111</sup> to al-Ṭabarī’s, Frank E. Vogel argues that Qur’ān 5: 33 refers to two different crimes: the first is *ḥirābah*, understood from the phrase “wage war”, while the second is the crime of “corruption in the land”, understood from the clause “strive to spread corruption in the land”. Vogel ascribes this interpretation of this “vague text”<sup>112</sup> to classical scholars,<sup>113</sup> but his claim cannot be accepted. He does not say who are those scholars or how they formulated this view and he does not refer to any of their works, and a survey of all the available exegetical interpretations of this part of the verse finds not one exegete who has singled out *ḥirābah* as one crime and corruption in the land as another. On the contrary, most, if not all, exegetes refer to the two clauses as inextricably united elements in the crime of *ḥirābah*, and not as two separate crimes.<sup>114</sup>

#### 5.4.7 The Target of Corruption

The targeted audience of *fasād* in Qur’ān 5: 32-33, according to al-Shaḥrāwī, is inextricably linked to the perpetrator. He argues that *fasād* is of two types. In the first type, the perpetrator personally attempts to take revenge for a previous aggression against him initiated by the other party. This personal revenge, according to al-

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<sup>110</sup> Riḍā, *Tafsīr al-Qur’ān al-Ḥakīm*, Vol. 6, pp. 357 f.

<sup>111</sup> Vogel’s view here is apparently similar to that of al-Ṭabarī by virtue of the fact that both speak of the verse as referring to more than one crime. Other than this limited aspect of similarity, there is no apparent commonality between al-Ṭabarī’s view and that of Vogel.

<sup>112</sup> Whether or not Vogel means the whole of Qur’ān 5: 33 or the clauses referring to the “two crimes” cannot be clearly inferred from his words.

<sup>113</sup> Vogel, “The Trial of Terrorists”, p. 58.

<sup>114</sup> See, for example, Al-Suyūṭī, *Al-Durr al-Manthūr*, Vol. 3, p. 68; Al-Alūsī, *Rūḥ al-Ma‘ānī*, Vol. 6, p. 120.

Sha<sup>c</sup>rāwī, is prohibited not because it is reciprocating aggression, but because of the violation of Islamic law, which prohibits people from taking the law into their own hands. They would be applying their own laws in disregard of the authoritative bodies appointed to settle personal grudges primarily through legal channels.<sup>115</sup> This type of *fasād* bears no similarity to *ḥirābah*, but is more akin to repelling aggression, although in a prohibited way. The second type, according to al-Sha<sup>c</sup>rāwī, is the terrorization of people with whom there is no cause for dispute. This is the most apt example of *ḥirābah* here,<sup>116</sup> as it perfectly relates to the essence of the two verses under discussion. Indeed, this description of *ḥirābah* generally corresponds to terrorism as in this latter example there is also no dispute between the terrorist and his innocent victims. The targets are taken hostage not because of their own status but to subdue those in authority, such as rulers or governments, so that they succumb to the perpetrators' demands. This leads us to explore the similarities and differences between *ḥirābah* and terrorism.

### **5.5 *Ḥirābah* and Terrorism: Similarities and Differences**

Having defined *ḥirābah* and discussed its elements, it is time now to discuss the arguments of those who consider that there is a close similarity or complete equality between *ḥirābah* and terrorism. An in-depth look into the definition of terrorism previously mentioned in Chapter One of this study and the definition of *ḥirābah* above shows that there are many common characteristics between the two.

The first characteristic is that terrorism and *ḥirābah* lead to very similar results: the spreading of corruption in the land<sup>117</sup> through threatening national and international security by killing innocents unjustly, sometimes robbing them of their possessions, and

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<sup>115</sup> Al-Sha<sup>c</sup>rāwī, *Tafsīr*, Vol. 15, pp. 3090 f.

<sup>116</sup> Ibid, Vol. 15, p. 3091.

<sup>117</sup> Al-Qarālah, *Al-Muqāwamah*, p. 148.

spreading fear among them, which result in destabilizing the whole society. The second characteristic is the elements of intimidation and spreading fear, which are central to the definitions of terrorism and *ḥirābah*.<sup>118</sup> These two elements are clear in most of the juristic definitions of *ḥirābah* discussed here, especially the Mālikī definitions. They also represent the main features in the definition of terrorism arrived at earlier in this study. The third characteristic is that some researchers<sup>119</sup> have literally equated terrorism with *ḥirābah*, and even state that they are synonymous within the context of Islamic law.<sup>120</sup> Abou El Fadl maintains that researchers who follow this view argue that the word terrorism is an honest translation of the term *ḥirābah*, although he believes that this is anachronistic because terrorism, according to him, is a modern action that is related to the notions of political crime and national liberation. Abou El Fadl stresses that terrorism and *ḥirābah* have many similarities, but they are not literally or conceptually the same.<sup>121</sup> However, a stark contradiction of this view is to be found in another work by Abou El Fadl, where he says that “...*ḥirābah* and terrorism are fundamentally the same thing” and this is “...nothing short of remarkable”.<sup>122</sup>

This clear contradiction makes it difficult to determine Abou El Fadl’s position on this issue. Having been anonymously questioned by the researcher (25/03/08), Abou El Fadl answered that the punishment for terrorism is dealt with in Islamic jurisprudence within a legally complex discourse, and referred the questioner to his

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<sup>118</sup> Jackson, “Domestic Terrorism”, p. 295.

<sup>119</sup> According to Haytham ʿAbd al-Salām, these researchers include Abū Zahrah, Sayyid Sābiq and Muḥammad Kheir Haykal. For a full discussion of their views, see Haytham, *Mafhūm al-Irhāb*, pp. 172-174.

<sup>120</sup> Iqbāl Aḥmad Khān, “Mawqif al-Adyān tijāh al-Irhāb wa al-Taṭarruf”, in *Islam and the Future Dialogue between Civilizations*, Researches and Facts. The Eighth General Conference of the Supreme Council for Islamic Affairs (Cairo: Supreme Council of the Islamic Affairs, 1998/1418), p. 326.

<sup>121</sup> Abou El Fadl, *Rebellion*, p. 6.

<sup>122</sup> Abou El Fadl, *The Great Theft*, p. 243.

*Rebellion and Violence in Islamic Law*, which indicates that he is apparently of the view that there is a strong similarity rather than complete equivalence between *ḥirābah* and terrorism.

Salwā al-<sup>c</sup>Awwā is another researcher who agrees that the closest equivalent to the Western notion of “terrorism” in Islamic jurisprudence is *ḥirābah*, arguing that *ḥirābah* includes, among other things, declaring war against a society as a whole.<sup>123</sup> This view, which is also held by some others,<sup>124</sup> summarizes the optimal norm of the relation between terrorism and *ḥirābah* – that it is an exaggeration then to claim that the terms are synonymous, but safe to maintain that they have far more similarities than dissimilarities. However, this view has its staunch opponents who see terrorism as completely divorced from *ḥirābah*.

### 5.5.1 Opponents of the Majority View

Opponents of the majority view see very little similarity<sup>125</sup> or none at all between terrorism and *ḥirābah*.<sup>126</sup> Ḥārib considers that terrorism bears little resemblance to *ḥirābah* as it is usually associated with political or ideological aims without the destruction of property being a central objective, as it is in the case of *ḥirābah*. Although terrorism may involve destruction, its foremost intention is to achieve

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<sup>123</sup> Salwā al-<sup>c</sup>Awwā’s view concerning this issue is mentioned within the context of discussing the difficulties which researchers face when attempting to reach authentic information and reliable facts about extremist Muslim groups in Egypt from as early as 1974, which the Western media call “extremist” or “terrorist”. See, Salwā Muḥammad al-<sup>c</sup>Awwā, *Al-Jamā’ah al-Islāmiyyah al-Musallahah fī Misr 1974-2004* (Cairo: Maktabat al-Shurūq al-Dawliyyah, 2006), p. 33.

<sup>124</sup> See, for example, Muḥammad Fathī <sup>c</sup>Īd, *Wāqi’ al-Irhāb fī al-Waṭan al-<sup>c</sup>Arabī* (Riyadh: Akādimiyyat Nāyef al-<sup>c</sup>Arabiyyah li al-<sup>c</sup>Ulūm al-Amniyyah, 1999/1420), pp. 94 f.

<sup>125</sup> Sa’īd <sup>c</sup>Adullāh Ḥārib, *Al-Ta’asṣub wa al-<sup>c</sup>Unf: Fikran wa Sulūkan* (Kuwait: Wazārat al-Awqāf wa al-Shu’ūn al-Islāmiyyah, al-Markaz al-<sup>c</sup>Ālamī li al-Wasaṭiyyah, 2006\1427), p. 13.

<sup>126</sup> Haytham, *Maḥmūd al-Irhāb*, pp. 173-174; As-Sawī, “Refutation of a Fatwa”.

political aims.<sup>127</sup> Ḥārib thus admits that there may be some overlap between the two but considers that *ḥirābah* is the more general term.

A close consideration of the four Sunnī classical definitions above shows that there is no consensus among the four juristic schools that ‘robbery’ is the main objective of *ḥirābah* as argued by Ḥārib. Al-ʿUmayrī considers that disseminating fear is the main intention in *ḥirābah*, arguing that the four Sunnī definitions support his view. He also believes that the main objective of many terrorism-related crimes<sup>128</sup> today is to threaten the security of society, and that this is an act of *ḥirābah*.<sup>129</sup> His view is shared by Sherman A. Jackson, who argues that spreading terror and fear constitutes the basis of the foundational aspects of both *ḥirābah* and terrorism.<sup>130</sup>

Ḥārib’s view, referred to above, can only be seen as one opinion among many others. He overemphasizes political objectives as if they were the only factor to be considered when considering the relationship between *ḥirābah* and terrorism. Al-Rubaysh states that adopting a more general attitude concerning the objectives of terrorism, taking the political aim as one among others, brings some acts of terrorism within the definition of *ḥirābah*.<sup>131</sup>

Moreover, Ḥārib considers that the lack of similarity between *ḥirābah* and terrorism is also because of the difference between the type of force used. The force used in *ḥirābah*, in his opinion, is limited to traditional weapons, whereas the use of force in terrorism may extend to environmental, biological and economic attacks, which

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<sup>127</sup> Ḥārib, *Al-Taʿaṣṣub*, p. 13.

<sup>128</sup> Such crimes include, for example, hijacking aeroplanes, assassination, and other crimes that threaten the security of society.

<sup>129</sup> Al-ʿUmayrī, *Al-Ḥirābah*, pp. 36 f.

<sup>130</sup> Jackson, “Domestic Terrorism”, p. 299.

<sup>131</sup> Al-Rubaysh, *Jarāʿim al-Irhāb*, p. 30.

may take various sophisticated forms.<sup>132</sup> However, the Mālikī definition of *ḥirābah*, as well as the other definitions cited in this chapter, points to the conclusion that terrorism is close to *ḥirābah* by virtue because both include a very strong element of intimidation. Thus, the similarities between terrorism and *ḥirābah* exceed the dissimilarities, despite the fact that some researchers insist there is no similarity at all.

The first of those who deny any similarity is Ṣalāḥ al-Ṣāwī, who says there is no similarity between *ḥirābah* and terrorism as far as punishment is concerned. Al-Ṣāwī's opposing view is mainly based on his refutation of a *fatwā* (legal ruling) originally written by Mohamed S. El-Awa and ratified by the famous Muslim scholar Yūsuf al-Qaraḏāwī and others<sup>133</sup> on 27 September 2001.<sup>134</sup> Al-Qaraḏāwī's *fatwā*<sup>135</sup> is a response to a question submitted to him about whether or not it is permissible for American Muslim soldiers to participate in their country's military operations against Afghanistan and other Muslim countries.<sup>136</sup> It is beyond the scope of this chapter to discuss the content of this *fatwā* or the circumstances surrounding it,<sup>137</sup> but what is relevant to our

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<sup>132</sup> Ḥārib, *Al-Ta'asṣub*, pp. 13 f.

<sup>133</sup> The others who ratified the *fatwā* are Ṭāriq al-Bishrī, former head of Egypt's State Council, Prof. Muḥammad Haytham al-Khayyāt, a member of the board of the International Union for Muslim scholars, and the famous Egyptian writer and columnist Fahmī Huwaydī. See, Basheer M. Nafi, "Al-Judhūr al-Fikriyyah li al-Tayyār al-Salafī wa Ta'birātuhū al-Mukhtalifah", in Mādī, et al., *Al-Irhāb*, p. 66.

<sup>134</sup> *Ibid.*, pp. 49-70; For the full text of the Arabic *fatwā*, see *ibid.*, pp. 66-70. Another version of the Arabic text of the *fatwā* followed by a commentary by al-Qaraḏāwī can be found at Majmū'ah min al-Bāḥithīn, "Qitāl al-Muslim fī al-Jaysh al-Amrīkī: Ijtihādāt Muta'addidah", [article online]; available from [http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-Arabic-Ask\\_Scholar/FatwaA/FatwaA&cid=1122528615630](http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-Arabic-Ask_Scholar/FatwaA/FatwaA&cid=1122528615630); accessed 26 August 2008; excerpts of the original Arabic version of the *fatwā* with al-Ṣāwī's refutation can be found at As-Sawī[sic], "Refutation of a Fatwa".

<sup>135</sup> According to Basheer M. Nafi, the *fatwā* written by El-Awa and revised by al-Qaraḏāwī is famously known among those who oppose it as "al-Qaraḏāwī's *fatwā*" Basheer M. Nafi, "Al-Judhūr al-Fikriyyah" p. 50.

<sup>136</sup> This is in reference to the context of the American-led war on Afghanistan after 11 September 2001.

<sup>137</sup> For a detailed discussion of the question submitted to al-Qaraḏāwī, as well as the various responses see, Basheer M. Nafi, "Fatwā and War: On the Allegiance of the American Muslim

discussion is the punishment El-Awa and al-Qaraḍāwī set for those who perpetrated the attacks of 11 September 2001. They argue that, according to the texts of the Sharīḥ and the rulings of Islamic jurisprudence, the punishment for the perpetrators of those attacks is the same as the punishment set by Qur’ān 5: 33-34 for the crime of *ḥirābah*.

### 5.5.2 Al-Ṣāwī’s Refutation of al-Qaraḍāwī’s *Fatwā*<sup>138</sup>

Al-Ṣāwī<sup>139</sup> cites various justifications for rejecting any link between *ḥirābah* and terrorism, arguing that the punishment for the perpetrators of the 11 September attacks cannot be the same as the punishment for *ḥirābah*. He argues that *ḥirābah* is equivalent to what is known as *al-sariqah al-kubrā*, i.e., armed robbery with the intention of injuring and terrifying the victim. He further argues that consulting the reference works of exegesis and jurisprudence confirms that there is no link between *ḥirābah* and terrorism and cites one of the contexts of revelation as an example of the difference between the two.<sup>140</sup>

Al-Ṣāwī further claims that, on basis of the supposition that al-Qaeda and its leader, Osama Bin Laden, were the perpetrators of the September 11 attacks, as the American media claim, the devastating terrorist act has nothing to do with *ḥirābah*, as al-Qaraḍāwī’s *fatwā* attempts to show. Al-Ṣāwī gives some reasons for his assertion. First, al-Qaeda and its leader Osama Bin Laden, according to him, are not regarded by

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Soldiers in the Aftermath of September 11”, *Islamic Law and Society*, Vol. 11, No. 1, 2004, pp. 78-116. This article has been recently reprinted in David Cook, ed. *Jihad and Martyrdom: Critical Concepts in Islamic Studies* (London: Routledge, 2010), Vol. 4, pp. 204-235.

<sup>138</sup> Here, the discussion focuses on presenting al-Ṣāwī’s view about *ḥirābah* and terrorism within the context of the *fatwā* rather than his complete refutation of all its contents.

<sup>139</sup> There is another opposing *fatwā*, written by the late Saudi scholar Ḥammūd bin ‘Uqalā’ al-Shu‘aybī (d. 2002), which responds to “al-Qaraḍāwī’s *fatwā*”. However, al-Ṣāwī’s refutation is highlighted here for two reasons: firstly, its treatment of *ḥirābah* and terrorism and second, its wide availability and accessibility compared with al-Shu‘aybī’s. For a brief reference to the two opposing voices to “al-Qaraḍāwī’s *fatwā*”, see, Basheer M. Nafi., “Al-Judhūr al-Fikriyyah”, p. 50.

<sup>140</sup> Ibid.

Muslims as plunderers or in any way linked to immorality. Second, he says that those who carried out the attacks were among the casualties and this goes against any possibility that their actions were motivated by “worldly gain”.<sup>141</sup>

### 5.5.3 Evaluation of Al-Şāwī’s Refutation

Al-Şāwī’s refutation of al-Qaraḍāwī’s *fatwā* has weak points which cast doubt on whether it is well-structured or evidence-based. First, he considers *ḥirābah* as essentially equivalent to *al-sariqah al-kubrā* by apparently adopting the clearly limited Ḥanafī concept of *ḥirābah* while turning a blind eye to the other three juristic views. Specifically, he disregards the Mālikī<sup>142</sup> view, which broadens the concept of *ḥirābah* as clarified above. Second, al-Şāwī states that “...going back to the books of jurisprudence and *tafseer* will help make clear this issue”,<sup>143</sup> but fails to provide a single reference in *tafsīr* (exegesis) that is considered a main reference concerning punishment, and which al-Qaraḍāwī’s *fatwā* confirms is textually-based.<sup>144</sup> Third, he singles out one narration concerning the contexts of revelation of Qur’ān 5: 33-34 without referring to the other six contradictory narrations, set out above, in order to clarify the difference between *ḥirābah* and terrorism, and does not explain that there are different narrations. He then leaves the text of al-Qaraḍāwī’s *fatwā*—which he has tried in vain to refute—and focuses on information that is related to the topic of the *fatwā* in general but irrelevant to the punishment for *ḥirābah* and terrorism or the relationship between them. Fourth,

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<sup>141</sup> Ibid.

<sup>142</sup> At a certain point in al-Şāwī’s refutation, he refers to the Mālikī view, but in the context of explaining the differences between *ḥirābah* and *baghy* rather than of the punishment for *ḥirābah* and terrorism.

<sup>143</sup> Şalāḥ al-Şāwī, “Al-Ishtirāk fī Qitāl al-Muslimīn taḥta Rāyat al-Amrīkān: Ijtihād Ākhar”, [article online]; available from [http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-Arabic-Ask\\_Scholar/FatwaA/FatwaA&cid=1122528600884](http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-Arabic-Ask_Scholar/FatwaA/FatwaA&cid=1122528600884); accessed 27 August 2008; As-Sawī, “Refutation of a Fatwa”.

<sup>144</sup> Basheer M. Nafi,, “Al-Judhūr al-Fikriyyah”, p. 68.

al-Şāwī tries to portray *ḥirābah* as a crime inextricably linked to plunder while considering the perpetrators of the September 11<sup>th</sup> attacks as being far above worldly gain, thus attempting to destroy the link between *ḥirābah* and terrorism. In fact, this weakens his refutation, as *ḥirābah* goes beyond plundering to encompass other forms of corruption and terrorizing innocents. It is also impossible to ascertain the true intentions of the September 11<sup>th</sup> attackers, who, in al-Şāwī’s words, “...died, and their secrets have died with them”.<sup>145</sup> Fifth, although al-Şāwī rejects applying the punishment for *ḥirābah* to terrorists, he presents no alternative punishment, leaving readers perplexed as to his recommendations. Basheer M. Nafi argues that al-Şāwī agrees to consider the September 11<sup>th</sup> attacks as *baghy*<sup>146</sup> (rebellion) rather than *ḥirābah*, but that by doing so he ignores the fact that *baghy* in its original meaning is a crime of rebellion against a Muslim ruler, which has its set punishment.<sup>147</sup> A meticulous reading of the Arabic and English versions of al-Şāwī’s refutation to al-Qaraḏāwī’s *fatwā*<sup>148</sup> reveals that there is no reference to the punishment for *baghy* applying to the perpetrators of the September 11<sup>th</sup> attacks.

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<sup>145</sup> As-Sawi[sic], “Refutation of a Fatwa”.

<sup>146</sup> The Arabic word *baghy* literally refers to injustice or transgression. The *bughāh* (sing. *bāghī*) are those who attempt the violent overthrow of a legitimate ruler. See, Muḥyī al-Dīn ibn Sharaf al-Nawawī, *Al-Majm-‘: Sharḥ al-Muhadhdhab*, ed. Maḥmūd Maṭrajī (Beirut: Dār al-Fikr, 2000), Vol. 20, p. 337; See also, Al-Dawoody, “War in Islamic Law”, p. 277. According to Abou El Fadl, Qur’ān 49: 9-10 is “...the most important factor taken into consideration by Muslim jurists... on the subject [i.e. *baghy*].” See Khaled Abou El Fadl, “Political Crime in Islamic Jurisprudence and Western Legal History”, *U.C. Davis Journal of International Law and Policy*, Vol. 4, No. 1, Winter 1998, p. 11, n. 43; Mahmassani, “The Principles of International Law”, p. 286; Aḥmad ibn ‘Abd al-Ḥalīm Ibn Taymiyah, *Al-Khilāfah wa al-Mulk*, Min Rasā’il Shaykh al-Islām Ibn Taymiyah 4, ed. Ḥammād Salāmah and Muḥammad ‘Īwīd al-Ḥalabī (Al-Zarqā’, Jordan: Maktabat al-Manār, 2<sup>nd</sup> ed., 1994/1414), pp. 62-69; Mohd Farid bin Mohd Sharif, “*Baghy* in Islamic Law and the Thinking of Ibn Taymiyya”, *Arab Law Quarterly*, Vol. 20, No. 3, 2006, pp. 289-295; Al-Jazzār, “Al-Jarā’im al-Irhābiyyah”, p. 272-282.

<sup>147</sup> Basheer M. Nafi, “Al-Judhūr al-Fikriyyah”, pp. 50 f. According to al-Jazzār, “*Baghy* is a purely political crime that has nothing to do with the crime of terrorism.” See Al-Jazzār, “Al-Jarā’im al-Irhābiyyah”, pp. 284, 586.

<sup>148</sup> For the Arabic version see, Al-Şāwī, “Al-Ishṭirāk fī Qitāl al-Muslimīn”; For the English version, see As-Sawi[sic], “Refutation of a Fatwa”.

#### 5.5.4 Evaluation of Haytham's View

The second staunch opponent to the majority view is Haytham Muḥammad, who adopts a view very similar to al-Ṣāwī's, giving various justifications. He argues that the absence of an Islamic concept of terrorism is a reason why it is confused with *ḥirābah*.<sup>149</sup> He backs the view that *ḥirābah* refers essentially to an assault and, although terrorism may be similar, terrorists exclusively target an enemy whose blood and property are violable in the first place, and *ḥirābah* is different from terrorism because its perpetrators are primarily seeking illicit financial gain,<sup>150</sup> while terrorists are politically motivated. He argues that although terrorizing others is common to both *ḥirābah* and terrorism, it is a subsidiary element in *ḥirābah*, which usually targets a small group of people. This is unlike terrorism in which terror is the main element and is intended to affect all members of society.<sup>151</sup>

It is clear that Haytham ignores the efforts of the various Islamic institutions to define terrorism.<sup>152</sup> His depiction of the confusion between *ḥirābah* and terrorism belittles them. It is worth mentioning here that he does not refer to these definitional efforts, and so it is no wonder that he argues that their absence is a cause of the problem. Like al-Ṣāwī, Haytham is keen to narrow *ḥirābah* down to pillage and plunder while giving little attention to its broader scope, as Mālikīs do, for example.

Moreover, to say that terrorism targets an enemy whose blood and property are violable is a risky judgment that throws doubt upon whether this view is religiously

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<sup>149</sup> Haytham, *Maḥmūm al-Irhāb*, p. 173.

<sup>150</sup> *Ibid.*, pp. 173 f.

<sup>151</sup> *Ibid.*, p. 174.

<sup>152</sup> Chapter One of this thesis has dealt with some institutional definitions of terrorism and their evaluations.

acceptable. It is also not precise to claim that terrorism targets society at large while *ḥirābah* targets a very small group. The reality shows otherwise and the catastrophic attack of September 11<sup>th</sup> is just a single example. The targets of terrorism need not be the whole society, as claimed by Haytham, in order for an act of terrorism to be distinguished from an act of *ḥirābah*.

The above discussion shows that the views of the proponents that there is a relationship between *ḥirābah* and terrorism constitute the mainstream attitude. Their evidence-based arguments, although they have been challenged and attempts have been made to refute them by the opponents of this view, are strong enough to constitute a basis for saying that terrorism<sup>153</sup> has some equivalence to *ḥirābah*, at least in its effects, nature and aims. Compared to the main trend, the proponents of the opposing view are clearly fewer in number and lacking in influence. Their views do not carry weight because they contain so many weaknesses and contradictions. This brings us to an important point, which is that, although it cannot be claimed that *ḥirābah* and terrorism are synonymous, at least the majority view is that the punishment for terrorism should be the same as that for *ḥirābah*. This view has strong justifications, in contrast to the opponents' view.<sup>154</sup>

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<sup>153</sup> The terrorism meant here is the comprehensive concept that transcends politically-motivated terrorism to focus on terrorism where the souls of innocents, their properties and their interests are threatened. For a detailed handling of this concept of terrorism see, Al-Rubaysh, *Jarā'im al-Irhāb*, pp. 30 f.

<sup>154</sup> This view is further established by al-Azhar scholar `Abdul-Majeed Hamid Subh. See, `Abdul-Majeed Hamid Subh, "General Fatwa Session", [article online]; available from <http://www.islamonline.net/livefatwa/english/Browse.asp?hGuestID=4F3k3y>; accessed 3 February 2010.

### 5.5.5 The Similarity of *Ḥirābah* to Terrorism with Regards to Punishment

As we have seen, it is appropriate to apply Mālikī's definition of *ḥirābah* to terrorism. Wajis gives several justifications to support this view: first, he says that Qur'ān 5: 33 does not specifically refer to property as the main objective in *ḥirābah*.<sup>155</sup> It is therefore safest to interpret the meaning of the verse in a general sense, which includes all the elements of *ḥirābah* referred to above. Second, Qur'ān 5: 33 indicates that an act of *ḥirābah* takes place when corruption is spread in the land, and certainly terrorizing and killing innocents, and causing destruction to fauna and flora fulfills this criterion.<sup>156</sup> Third, armed robbery is much less harmful in its destructive effects than terrorism, whose main aim is to cause death and destruction of the fabric of society.

Moreover, Wajis argues that one who sets out with the intention to rob, with or without being involved in homicide, is treated as a *muḥārib*. Consequently, terrorists set out with the sole intention of causing death and destruction should be treated as *muḥāribīn*. Thus, terrorist acts are considered *ḥirābah* and terrorists are considered *muḥāribīn*.<sup>157</sup> It cannot be claimed that robbery is a main objective of *ḥirābah*; Muslim scholars, according to Vogel, "...frequently omit the requirement of the motive of taking property", considering that "spreading terror" deserves the same punishment as that set for *ḥirābah*.<sup>158</sup> Wajis's arguments and the view cited by Vogel provide enough support for the proposition that terrorists should receive the same punishment as that set

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<sup>155</sup> Wajis, "The Crime of *Ḥirāba*", p. 164.

<sup>156</sup> Ibid., p. 164.

<sup>157</sup> Ibid., pp. 164 f.

<sup>158</sup> Vogel, "The Trial of Terrorists", p. 59.

by the Qur'ān for *muḥāribīn*,<sup>159</sup> especially when they are supported by other proponents of the mainstream approach referred to above.

It should also be noted that Darwazah is an exegete whose unique contribution to the argument for applying the punishment for *ḥirābah* to terrorism cannot be underestimated. He argues that "...those who forcibly transgress against peoples' properties and honour by instilling fear are committing acts of terrorism, and hence they should receive the punishment set by the Qur'ān for *ḥirābah*." Darwazah maintains that terrorist acts can justifiably be named *ḥirābah* acts. He rules out, but not categorically denies, Muslims committing such terrorist acts.<sup>160</sup> Al-Maṭrūdī adds that the mutual approximation between *ḥirābah* and terrorism necessitates similarity in the way terrorists should be punished once the prerequisites necessary for applying the punishment are met.<sup>161</sup> Having reached this important conclusion, it is then necessary to discuss the forms of punishment for terrorism in Qur'ān 5: 33, according to the views of exegetes.

## 5.6 Punishment for Terrorism in the Qur'ān

Before discussing the forms of punishment set by the Qur'ān for terrorists, it is essential to look at how the punishment itself is presented. As stated earlier, the Qur'ān

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<sup>159</sup> Hereafter in this Chapter, *ḥirābah* and terrorism will be used interchangeably, as will *muḥāribūn* and terrorists.

<sup>160</sup> Muḥammad °Azzah Darwazah, *Al-Tafsīr al-Ḥadīth: Tartīb al-Suwar Ḥasab al-Nuzūl* (Beirut: Dār al-Gharb al-Islāmī, 2<sup>nd</sup> ed., 2000), Vol. 9, p. 105.

<sup>161</sup> °Abd al-Raḥmān Sulaymān al-Maṭrūdī, "Al-Irhāb wa Ra'y al-Qur'ān Fīh," *Journal of Qur'anic Studies*, Vol. 6, No. 1, 2004, pp. 167 f.; idem, *Nazrah fī Maḥm al-Irhāb wa al-Mawqif minhu fī al-Islām*, Dirāsāt Mu°aširah 17 (Riyadh: King Faisal Center for Research and Islamic Studies, 2004/1425), p. 48. See also °Alī °Abd al-Qādir al-Qarālah, *Al-Muqāwamah wa al-Irhāb min Manz-r Islāmī* (Amman: Dār °Ālam al-Thaqāfah li al-Nashr wa al-Tawzī°, 2005), p. 96; Al-Ṭāhir Maḥdī al-Bilīlī, *Maḥm al-Irhāb fī al-Fikr al-Insānī wa al-Sharī°ah al-Islāmiyyah: Dirāsah Muqāranah wa Ta°rīf* (Al-Mans-rah, Egypt: Dār al-Kalimah, 2006/1427), p. 132; Ḥamm-dah, *Al-Irhāb: Dirāsah Fiqhiyyah*, pp. 16, 171, 220; Al-Jazzār, "Al-Jarā'im al-Irhābiyyah", pp. 11, 18, 253 f., 260, 498, 580, 585, 587.

prescribes two punishments for *muḥāribīn*: a punishment in this world and a punishment in the Hereafter. The worldly punishment [whether for terrorists or for other criminals], is because they have committed a violation of human rights. The punishment in the Hereafter is because they have violated the Divine ordinances of Allah.<sup>162</sup> Each punishment has its own setting. The worldly punishment is executed by those who apply the criminal law of a given country. Contrary to what should be the case, Sharīʿah law is not applied in most of the countries where Muslims constitute a majority. The punishment in the Hereafter, as far as terrorism is concerned, is decreed by Allah. Kamali opposes ascribing the distinction between the violation of the rights of man from the violation of the ordinances of Allah to the Qurʾān because he regards *ijtihād*<sup>163</sup> (exertion of intellectual reasoning in understanding laws) as primarily responsible for this division. According to him, there is no need for such “hard and fast” divisions between the rights of Allah and the rights of man.<sup>164</sup> Sherwani, who clearly favours Kamali’s view, states that sins and crimes affect the rights of individuals and those of society.<sup>165</sup>

Moreover, classical and modern exegetes consider *ḥirābah* a punishable crime without distinguishing between the rights of man and the rights of Allah. More importantly, they take the view that two punishments await the *muḥāribīn*: one in this world and another in the Hereafter.

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<sup>162</sup> Sherwani, *Impact of Islamic Penal Laws*, p. 33.

<sup>163</sup> See Wael B. Hallaq, “Was the Gate of Ijtihād Closed?”, *International Journal of Middle Eastern Studies*, Vol. 16, No. 1, March 1984, pp. 3 f.

<sup>164</sup> Mohammad Hashim Kamali, *Punishment in Islamic Law: An Inquiry into the Hudud Bill of Kelantan* (Kuala Lumpur: Institute Kajian Dasar, 1995, repr. Ilmiah Publishers, 2000), p. 77. See also, Anver M. Emon, “Huquq Allah and Huquq Al-ʿIbad: A Legal Heuristic for a Natural Rights Regime”, *Islamic Law and Society*, Vol. 13, No. 3, 2006, pp. 325-391. Kamali, “Punishment in Islamic Law: A Critique of the Hudud Bill of Kelantan, Malaysia”, *Arab Law Quarterly*, Vol. 13, No. 3, 1998, pp. 204, 220.

<sup>165</sup> Sherwani, *Impact of Islamic Penal Laws*, p. 33.

Indeed, two phrases are used by the Qur’ān to describe the punishments of the *muḥāribīn*. *Khizy fī al-dunyā* (disgrace in this world) and *fī al-ākhirati* <sup>‘adhāb</sup> (punishment in the Hereafter) are the two phrases distinctively interpreted by the exegetes as referring to these two punishments. Both al-Ṭabarī and Ibn Kathīr interpret *khizy* here to mean “punishment”.<sup>166</sup> This is in addition to other ignominies, such as disgrace, humiliation, and being made an example. The punishment that awaits the *muḥāribīn* in the Hereafter is Hellfire.<sup>167</sup> Quṭb and al-Sha<sup>‘</sup>rāwī both refer to this double punishment for *ḥirābah*.<sup>168</sup> However, each of them focuses on a specific aspect of each punishment. Al-Sha<sup>‘</sup>rāwī, on the one hand, puts much emphasis on the worldly punishment for *muḥāribīn*, stressing that they deserve it because they obstruct and attack the way of the helpless passersby, who should enjoy security.<sup>169</sup> He extracts two linguistically different, yet complementary meanings for the word *khizy* stating that it denotes disgrace and humiliation<sup>170</sup> for the criminal. For him, the disgraceful exposure of the criminal is in itself a humiliation.<sup>171</sup> Quṭb and Darwazah, on the other, assert that *khizy* indicates that the worldly punishment does not waive the punishment in the Hereafter,<sup>172</sup> so the two punishments must be discussed in detail.

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<sup>166</sup> The punishment here refers to the two forms of worldly punishment to be discussed in the remaining part of this Chapter.

<sup>167</sup> Al-Ṭabarī, *Jāmi<sup>‘</sup> al-Bayān*, Vol. 6, p. 219; Ismā<sup>‘</sup>īl ibn ‘Umar ibn Kathīr, *Tafsīr al-Qur’ān al-‘Aẓīm* (Beirut: Dār al-Fikr, 1980-1/1401), Vol. 2, p. 52.

<sup>168</sup> Sayyid Quṭb, *Fī Zilāl al-Qur’ān* (Cairo: Dār al-Shurūq, 12<sup>th</sup> ed., 1986/1406), Vol. 2, p. 880; idem, *In the Shade of the Qur’ān*, trans. and ed. Adil Salahi (Leicester: The Islamic Foundation, 2001/1422), Vol. 4, p. 92; Al-Sha<sup>‘</sup>rāwī, *Tafsīr*, Vol. 5, p. 3103.

<sup>169</sup> Al-Sha<sup>‘</sup>rāwī, *Tafsīr*, Vol. 5, p. 3103.

<sup>170</sup> These are given as two different linguistic meanings for the word *khizy* by ibn Manẓūr, al-Aṣḥāhānī, Badawi and Abdel Haleem. See, Ibn Manẓūr, *Lisān*, Vol. 14, pp. 226 f.; Al-Aṣḥāhānī, *Mufradāt Alfāẓ*, p. 281; Badawi and Abdel Haleem, *Dictionary of Qur’anic Usage*, p. 261.

<sup>171</sup> Al-Sha<sup>‘</sup>rāwī, *Tafsīr*, Vol. 5, p. 3103.

<sup>172</sup> Quṭb, *Fī Zilāl*, Vol. 2, p. 880; idem, *In the Shade*, Vol. 4, p. 92; Darwazah, *Al-Tafsīr al-Ḥadīth*, Vol. 9, p. 109.

### 5.6.1 The Worldly Punishment for Terrorists

Qur'ān 5: 33 outlines four severe worldly punishments for the *muḥāribīn*. Quṭb states that these severe punishments are essential for the security of both the Muslim community and individuals.<sup>173</sup> However, Quṭb's emphasis on securing the 'Muslims', whether as communities or as individuals, may be used loosely here. Although he does not refer to non-Muslims in his interpretation, it can be easily understood from his explanation of, for example, Qur'ān 60: 8, that Islam is keen to promote peace among all people. He records that this universal peaceful attitude ensures the tolerant treatment non-Muslims enjoy in Islam.<sup>174</sup>

Moreover, al-Qurṭubī is also in favour of prescribing severe worldly punishment for the *muḥāribīn* if they prevent 'people', irrespective of whether they are Muslims or not, from earning their living.<sup>175</sup> His reason, although limited to earning a livelihood, is general when it comes to the Muslims as opposed to non-Muslims as victims of this crime. It can also be added that the worldly punishment for *muḥāribīn* is the most severe punishment in Islam,<sup>176</sup> as al-Sayyid Sābiq (d. 2000) confirms.<sup>177</sup> This may explain the unanimity of exegetes and jurists, both past and present, on the punishment itself, which may be—according to Qur'ān 5: 33—execution, crucifixion, the amputation of a hand and a foot on opposite sides, or banishment from the land. Two main approaches to these four alternative punishments<sup>178</sup> are identified by exegetes and

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<sup>173</sup> Quṭb, *Fī Zilāl*, Vol 2, pp. 880 f.; idem, *In the Shade*, Vol. 4, p. 89.

<sup>174</sup> Quṭb, *Fī Zilāl*, Vol. 6, pp. 3544 f.

<sup>175</sup> Muḥammad ibn Aḥmad al-Anṣārī al-Qurṭubī, *Al-Jāmi' li Aḥkām al-Qur'ān* (Cairo: Dār al-Sha'b, n.d.), Vol. 6, p. 157; Bambale, *Crimes*, p. 70.

<sup>176</sup> Jackson, "Domestic Terrorism", 295

<sup>177</sup> Al-Sayyid Sābiq, *Fiqh al-Sunnah* (Cairo: Al-Faṭḥ li al-I'lām al-ʿArabī, n.d.), Vol. 2, p. 296.

<sup>178</sup> Vogel, "The Trial of Terrorists", p. 59. See also, Muḥammad ʿĀrif Muṣṭafā Fahmī, *Al-Hudūd wa al-Qiṣāṣ bayna al-Sharīʿah wa al-Qānūn: Dirāsah Muqāranah* (Cairo: Maktabat al-Anglū al-Miṣriyyah, 2<sup>nd</sup> ed., 1979/1399), p. 169.

jurists alike. The first approach seeks to establish proportionality between the crime and the punishment whereas the second approach authorizes the Muslim ruler to use his discretion in applying the punishment. Abou El Fadl calls the first approach *tartīb*, and the second *takhyīr*.<sup>179</sup>

### 5.6.2 The *Tartīb* Versus *Takhyīr* Approaches

The emergence of these two approaches can be traced back to the different linguistic meanings of the conjunction ‘*aw*’, which generally means ‘or’ in English and occurs three times in Qur’ān 5: 33. The *tartīb* and *takhyīr* meanings of *aw* are the two alternative meanings inherent in the two different approaches. These two meanings of *aw* in this verse decisively influence the views of exegetes and jurists, splitting them into a majority who adopt the *tartīb* approach and a minority who take the *takhyīr* approach with respect to punishing *muḥāribīn*. It is worth adding that *aw* occurs 280 times in the Qur’ān<sup>180</sup> conveying numerous meanings, which include in addition to *tartīb* and *takhyīr*, other specific meanings such as vagueness<sup>181</sup> and division.<sup>182</sup>

The majority of exegetes adopt the *tartīb* approach as a determining factor in establishing the punishment for *muḥāribīn*. Almost all of them follow their school’s views when they attempt to interpret the meanings of the conjunction *aw*. However, an analysis of the classical interpretations reveals that there are exegetes who limited their discussion to just referring to the two approaches without siding with any of them. As a result, the reader is left unable to determine where exactly an exegete stands and it can

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<sup>179</sup> Abou El Fadl, *Rebellion*, p. 57.

<sup>180</sup> Badawi and Abdel Haleem, *Dictionary of Qur’anic Usage*, pp. 61 f; For the detailed linguistic meanings of the conjunction ‘*aw*’ with special reference to the Qur’ān see, Ibn Manzūr, *Lisān*, Vol. 14, pp. 54 f.

<sup>181</sup> *Ibid.*; Qur’ān 34: 24.

<sup>182</sup> *Ibid.*; Qur’ān 2: 135.

then fairly be assumed that the exegete in question may be grouped with the first or the second approach, depending on his interpretation.

Al-Ṭabarī is a leading exegete who adopts the *tartīb* approach, stating that the punishments for *muḥāribīn* are dependent upon the offences committed by them. He cites a narration to the effect that the Prophet was guided by the Angel Gabriel to follow the *tartīb* approach in the punishment of the people of ʿUraynah previously mentioned when the contexts of revelation of Qurʾān 5: 33-34 were discussed earlier in this chapter.<sup>183</sup> He further argues that, because the conjunction *aw* has various meanings, it is illogical to restrict its meaning to *takhyīr* in this particular verse. However, he limits its meaning to *tartīb* without giving a strong justification, apart from giving a linguistic example.<sup>184</sup> Interestingly, the only narration cited by al-Ṭabarī to support his view cannot be found in the authentic collections of aḥādīth.<sup>185</sup> He does not mention the source of this narration and admits it is questionable.<sup>186</sup>

Moreover, al-Alūsī states that, although the use of *aw* in the verse may imply *takhyīr*, the context demands that the *tartīb* approach is taken as the most correct. This is because the crime of *ḥirābah* carries different punishments that should be attached proportionately to its different categories.<sup>187</sup>

Investigation of al-Ṭabarī's and al-Alūsī's views shows that each adduces different arguments to support his claim. Al-Ṭabarī applies what may be regarded as a

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<sup>183</sup> Al-Ṭabarī, *Jāmiʿ al-Bayān*, Vol. 6, pp. 215 f.

<sup>184</sup> Ibid., Vol. 6, p. 215.

<sup>185</sup> This is according to the exhaustive research of the researcher in *Mawsūʿat al-Ḥadīth al-Sharīf al-Kutub al-Sittah* quoted earlier in this Chapter. Online search ascribes this narration to al-Ṭabarī stating that its authenticity is questionable. See ʿAlī bin ʿAbd al-Qādir al-Saqāf, “Al-Ḍurar al-Saniyyah”, [article online]; available from <http://www.dorar.net/enc/hadith/+/+yj&page=1>; accessed 21 October 2008.

<sup>186</sup> Ibid., Vol. 6, p. 216.

<sup>187</sup> Al-Alūsī, *Rūḥ al-Maʿāī*, Vol. 6, pp. 119 f.

textual evidence whereas al-Alūsī depends on reason. Interestingly, both arguments are open to refutation if they are thoroughly investigated by the proponents of *takhyīr*.

°Abd al-Fattāḥ Qā'id, attempting to explain why the opinion of the majority (i.e. *tartīb*) is preferred, adds that the *takhyīr* approach authorizes the Muslim ruler to execute the punishment he sees fit. This leaves room for error, with the possible execution of a person who did not commit homicide. Qā'id further argues that there is a Prophetic ḥadīth prohibiting this. It states:<sup>188</sup>

“No Muslim person who bears witness that there is no deity other than God and that Muhammad is God’s Messenger may be killed except for one of three reasons: a life for life, a married adulterer and a rebel who renounces his faith and abandons his community.”<sup>189</sup>

According to the above Prophetic ḥadīth, it is not permitted for the Muslim ruler to execute *muḥāribīn* if they have not committed homicide. However, Abū Zahrah and al-Maghrabī take the view that this ḥadīth cannot be taken as evidence in support of the *tartīb* approach because, according to them, it is applicable to personal cases rather than community cases. They consider that *ḥirābah* is equivalent to declaring internal war within the country<sup>190</sup> and so requires exceptional punishment that transcends the literal application of the above ḥadīth. In addition, although al-Ṭabarī, al-Alūsī and Qā'id are clearly staunch proponents of the *tartīb* approach, they do not rule out the *takhyīr* approach in their discussion,<sup>191</sup> an indication that *takhyīr* may have its indirect supporters among its opponents.

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<sup>188</sup> Qā'id, *Al-Ḥirābah*, pp. 97 f.

<sup>189</sup> Al-Bukhārī, *Ṣaḥīḥ al-Bukhārī*, no. 6878, in *Mawsū'at al-Ḥadīth*, p. 573.

<sup>190</sup> Muḥammad Abū Zahrah, *Al-Jarīmah wa al-°Uqūbah fī al-Fiqh al-Islāmī: Al-°Uqūbah* (Cairo: Dār al-Fikr al-°Arabī, n.d.), p. 155; °Abd al-Ḥamīd °Alī al-Maghrabī, *Al-Mushārakah fī al-Ḥirābah wa °Uqūbatuhā fī al-Sharī°ah al-Islāmiyyah* (Cairo: Dār al-Ṭibā°ah al-Muḥammadiyyah, 1983/1404), p. 30.

<sup>191</sup> Al-Ṭabarī, *Jāmi° al-Bayān*, Vol. 6, p. 214; Al-Alūsī, *Rūḥ al-Ma°āi*, Vol. 6, p. 119; Qā'id, *Al-Ḥirābah*, pp. 93-95.

Furthermore, some exegetes are strong supporters of the *takhyīr* approach. Al-Qurṭubī and Ibn al-ʿArabī are very clear examples, with both of them sticking to the Mālikī view. Al-Qurṭubī, whilst referring to the *tarṭīb* approach, declares that he follows imam Mālik’s view [i.e. the *takhyīr* view] because the latter applies *istiḥsān* (equity in Islamic law) as legal support for the adoption of the *takhyīr* view.<sup>192</sup> However, Sābiq argues that the ruler resorts to *takhyīr* out of consideration for *maṣlaḥah* (public interest).<sup>193</sup> The claim that applying the *maṣlaḥah* by adopting *takhyīr* will lead to injustice being committed by the ruler can be easily dismissed. This is because checking the absolute authorities of rulers cannot be done by closing the gate of *maṣlaḥah* itself. Zidan argues that the correction of rulers can be done when the subjects react with measures that are meant to correct the injustice or depose them from the authority with which they are entrusted.<sup>194</sup> Whatever the evidence may be<sup>195</sup>, al-Qurṭubī’s view is unswervingly loyal to the Mālikī school, which has a diverse discourse on *istiḥsān* and *maṣlaḥah* within the context of Islamic law.<sup>196</sup>

Ibn al-ʿArabī is the second main supporter of the *takhyīr* approach. He establishes his position by refuting al-Ṭabarī’s argument that the conjunction *aw* originally means *takhyīr* in the verse. He also rejects the use of the above ḥadīth as

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<sup>192</sup> Al-Qurṭubī, *Al-Jāmiʿ*, Vol, 6, p. 152.

<sup>193</sup> Sābiq, *Fiqh*, Vol. 2, p. 300.

<sup>194</sup> ʿAbd al-Karīm Zidān, *Al-Wajīz fī Uṣūl al-Fiqh* (Beirut: Mu’assasat al-Risālah li al-Ṭibā’ah wa al-Nashr wa al-Tawzīʿ, 1987), p. 240; Al-Maghrabī, *Al-Mushārahah fī al-Ḥirābah*, p. 35.

<sup>195</sup> i.e. whether *istiḥsān* or *maṣlaḥah*.

<sup>196</sup> For a comprehensive discussion of *istiḥsān* and *maṣlaḥah* as two examples of the science of the Principles of Islamic Jurisprudence and the difference between them see, Zidān, *Al-Wajīz*, pp. 230-244; Wahbah al-Zuhaylī, *Al-Wajīz fī ʿIlm Uṣūl al-Fiqh* (Damascus: Dār al-Fikr, 2<sup>nd</sup> ed., 1999/1419), pp. 86-96; Mohammad Hashim Kamali, *Principles of Islamic Jurisprudence* (Cambridge: Islamic Texts Society, 3<sup>rd</sup> rev. & enl. ed., 2006), pp. 323-368; Wā’il ‘Abdul-Mut’āl Shihāb, “Al-Masālih Al-Mursalāh and Their Contemporary Applications: An Analytical Study” (PhD thesis, The English Department, Faculty of Languages & Translation, Al-Azhar University, Egypt, March 2010), pp. 23-47; Izzī Dien, *Islamic Law*, pp. 57-81.

evidence, indicating that it is cited in the context of punishing *murtaddīn* (renegades), not *muḥāribīn*.<sup>197</sup>

Quṭb is the third main supporter of *takhyīr*, although he admits that this goes against the opinion of the majority. He states that he follows the Mālikī view because it provides the Muslim community with the necessary peace and security.<sup>198</sup>

Having discussed the two main approaches to punishment, it is worth mentioning that there are some modern exegetes whose views are difficult to categorize because they seem to support neither *takhyīr* nor *tartīb* and are in a grey area between the two approaches. Al-Sha<sup>c</sup>rāwī and Riḍā are examples of those who sit on the fence between *takhyīr* and *tartīb*.<sup>199</sup> It is surprising that they discuss the two approaches without giving their own views or indicating that they prefer one to the other. Though neither has a clear preference, Riḍā shows the basis for his argument. By weighing both views and summarizing the key elements in the debate, Riḍā puts forward a stronger argument than al-Sha<sup>c</sup>rāwī. Interestingly, there are other exegetes whose interpretations are submerged in this grey area even if they may clearly be considered as *takhyīr*<sup>200</sup> or *tartīb*<sup>201</sup> supporters.

After analysing these three different approaches to the punishment of *muḥāribīn*, it emerges that *takhyīr* is the most applicable approach for the punishment of terrorism. Aside from the classical and modern exegetical justifications for either *takhyīr* or *tartīb*, various other reasons are given by modern researchers who suggest that *takhyīr* is the approach to punishment that should be followed. Consideration of *al-maṣlaḥah* is a

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<sup>197</sup> Ibn al-<sup>c</sup>Arabī, *Aḥkām*, Vol. 2, pp. 98 f.

<sup>198</sup> Quṭb, *Fī Zilāl*, Vol. 2, p. 880; idem, *In the Shade*, Vol. 4, p. 91.

<sup>199</sup> Al-Sha<sup>c</sup>rāwī, *Tafsīr*, Vol. 5, p. 3095; Riḍā, *Tafsīr al-Qur'ān al-Ḥakīm*, Vol. 6, p. 363.

<sup>200</sup> Al-Suyūfī, *Al-Durr al-Manthūr*, Vol. 3, p. 68; Ibn Kathīr, *Tafsīr al-Qur'ān*, Vol. 2, pp. 51 f.

<sup>201</sup> Al-Jaṣṣāṣ, *Aḥkām*, Vol. 4, p. 54.

common element in almost all their arguments.<sup>202</sup> Haytham states that, although the *takhyīr* approach is seemingly harsh, it is the most suitable punishment option capable of stopping terrorists' acts. He argues that *maṣlahah* provides the ruler with the flexibility required to achieve the best interests for Muslims,<sup>203</sup> and not the interest of Muslims only, Haytham argues, but with the general aim of including Muslims and non-Muslims and providing the safety required for the whole community.

Furthermore, the prominent scholar Abū Zahrah adopts the *takhyīr* opinion not on the basis of *maṣlahah*—although it may be indirectly inferred from his view—but by virtue of its being an effective deterrent applied by the ruler within the options laid down by Qur'ān 5: 33.<sup>204</sup>

On the basis of the foregoing discussion, *takhyīr* appears to be the safer approach. This is because modern terrorism has generated and will continue to generate different situations that require flexible handling by the ruler or his deputies, who are responsible for finding suitable punishments in an ever-challenging reality. Thus, the flexibility provided by the *maṣlahah* here is the approach to be followed because it helps the ruler to effectively take pre-emptive measures capable of stopping any attempt to jeopardize the security of his subjects. Nevertheless, this should not necessarily lead

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<sup>202</sup> See, for example, °Abd al-Raḥīm Sidqī, *Al-Jarīmah wa al-°Uqūbah fī al-Sharī°ah al-Islāmiyyah: Dirāsah Taḥlīliyyah li Ahkām al-Qaṣās wa al-Ḥudūd wa al-Ṭa°zīr* (Cairo: Maktabat al-Nahḍah al-Miṣriyyah, 1087/1408), p. 171; Muḥammad bin °Abdullāh al-°Umayrī, *Mawqif al-Islām min al-Irhāb* (Riyadh: Jāmi°at Nāyef al-°Arabiyyah li al-°Ulūm al-Amniyyah, 2004/1425), p. 377; Haytham, *Maḥūm al-Irhāb*, p. 188; ; Al-Maghrabī, *Al-Mushārahah fī al-Ḥirābah*, p. 35.

<sup>203</sup> Haytham, *Maḥūm al-Irhāb*, p. 188

<sup>204</sup> Muḥammad Abū Zahrah, *Al-Jarīmah wa al-°Uqūbah fī al-Fiqh al-Islāmī: Al-Jarīmah* (Cairo: Dār al-Fikr al-°Arabī, 1998), p. 51.

to the dismissal of the *tartīb* approach as a workable system of punishment supported by the majority of scholars.<sup>205</sup>

### 5.6.3 Execution

Execution is the first type of punishment mentioned in Qur’ān 5: 33.<sup>206</sup> However, little attention has been paid to it by classical or modern exegetes. Al-Alūsī states that *muḥāribīn* are to be killed only if they commit homicide.<sup>207</sup> He also raises two important issues that are hardly discussed by other exegetes: whether a pardon by the murder victim’s relatives waives the execution, and the method of execution to be used.<sup>208</sup> He answers himself by saying that *muḥāribīn* are executed because they have committed a *ḥadd* crime. For him, it makes no difference whether or not they are executed with an offensive weapon. He also maintains that forgiveness by the murder victim’s relatives does not waive the execution because the crime of *ḥirābah* is a violation of the rights of the Lawgiver.<sup>209</sup>

However, a study of the four Sunnī schools of Islamic law reveals different views from those of al-Alūsī, especially concerning these two issues. Qā’id argues that the majority of jurists maintain that *muḥāribīn* are executed because they have

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<sup>205</sup> According to Abū Zahrah, the *tartīb* approach is maintained by some of the Prophet’s companions, some of their successors, and the majority of Muslim jurists. See Abū Zahrah, *Al-Jarīmah*, p. 151.

<sup>206</sup> It is worth noting that the Indonesian authorities have applied execution as a punishment for the perpetrators of the 2002 Bali bombings. See BBC News, “Indonesia executes Bali bombers”, [article online]; available from <http://news.bbc.co.uk/2/hi/asia-pacific/7717819.stm>; accessed 11 November 2008.

<sup>207</sup> Al-Alūsī, *Rūḥ al-Ma’ānī*, Vol. 6, p. 119.

<sup>209</sup> *Ibid.*

committed a *ḥadd*-related crime. Thus, the forgiveness of the murder's relatives does not waive the execution.<sup>210</sup>

As for the method of execution, the use of the sword was the commonest in early times, to the extent that Wajis argues that there is a consensus among jurists on this issue.<sup>211</sup> However, the modern reality may dictate that the lives of terrorists be taken by other methods capable of ending life using instruments that minimize their suffering. This is in harmony with the general rulings of the Qur'ān and the Prophetic aḥādīth.<sup>212</sup> Wajis claims that execution by the sword is a preferable method.<sup>213</sup> However, the fifteen years since the writing of his thesis are enough time for other effective methods to have developed.<sup>214</sup>

#### 5.6.4 Crucifixion

This is the second form of punishment referred to in Qur'ān 5: 33. Crucifixion or *ṣalb* is a term used in both the Qur'ān and in Islamic law.<sup>215</sup> The Arabic lexeme *ṣ-l-b* occurs eight times in five different forms in the Qur'ān.<sup>216</sup> *Ṣalb*, according to al-Aṣfahānī, generally refers to hanging someone until death.<sup>217</sup> Riḍā adds that the criminal is tied to

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<sup>210</sup> Indeed Qā'id's discussion of this particular point is worth reading. Qā'id, *Al-Ḥirābah*, pp. 100-111.

<sup>211</sup> Wajis, "The Crime of *Ḥirābah*", p. 85.

<sup>212</sup> For the Qur'ān, see Qur'ān 21: 107. For the Sunnah, the Prophet is reported to have said in a ḥadīth reported by Shaddād bin Aws that, "Indeed, God has ordained goodness to everything. Thus, when you kill, kill well..." Abū Dawūd, *Sunan Abū Dawūd*, no. 2814, in *Mawsū'at al-Hadīth*, p. 1433.

<sup>213</sup> Wajis, "The Crime of *Ḥirābah*", p. 85.

<sup>214</sup> Wajis submitted his PhD thesis to Glasgow Caledonian University in January 1996. For an excellent treatment of execution as a punishment see, Kulliyat al-Sharī'ah wa al-Qanūn bi Jāmi'at al-Imārāt al-ʿArabiyyah al-Muttāhidah, *Waqā'i' Nadwat al-Bayān al-Urubī wa Ḥadd al-Ḥirābah fī al-Fiqh al-Islāmī* (UAE, Ein: Kulliyat al-Sharī'ah wa al-Qanūn, 1997/1418), p. 57.

<sup>215</sup> Abou El Fadl, *Rebellion*, p. 47; Arne A. Ambros, *A Concise Dictionary of Koranic Arabic* (Wiesbaden: Reichert, 2004), p. 162.

<sup>216</sup> Badawi and Abdel Haleem, *Dictionary of Qur'anic Usage*, p. 530.

<sup>217</sup> Al-Aṣfahānī, *Mufradāt Alfāz*, p. 489.

a wooden prop or a similar object with his arms stretched until death.<sup>218</sup> *Muḥāribīn* are crucified when they combine homicide with usurping others' properties. The reason for this, according to Darwazah, is to deter others who may think of committing this crime. He claims that *ṣalb* may refer to death by hanging, arguing that this was practised in earlier times,<sup>219</sup> but this lacks credence because it is divorced from the linguistic origin of the word *ṣalb* (from *ṣalīb* = cross) and has no circumstantial evidence to support it. The fact that death by hanging was practised long ago is not a pretext for saying that it may replace *ṣalb* with no conclusive evidence.

Al-Jaṣṣāṣ cites conflicting views as to whether *ṣalb* is to be carried out before or after execution, but argues that *ṣalb* is meaningless once the criminal is executed because it is forbidden to crucify the dead.<sup>220</sup> This argument is in harmony with the general spirit of Islam, which is against mutilation. Thus, for the *ṣalb* to be carried out, it should be before execution. Al-Jaṣṣāṣ reluctantly cites two views about the duration of *ṣalb*, saying that it can be either three days or one.<sup>221</sup> However, it is meaningless to humiliate the corpse by leaving it for one or three days as this is against the teachings of Islam, which dictate hastening the burial once death occurs.<sup>222</sup> Thus, although *ṣalb* is

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<sup>218</sup> Riḍā, *Tafsīr al-Qur'ān al-Ḥakīm*, Vol. 6, p. 356. Thus, *ṣalb* in Islam has nothing to do with nailing someone to a cross, as can be easily inferred from the word crucifixion itself. See, Abou El Fadl, *Rebellion*, p. 47. For the lexical meaning of the English word 'crucifixion' see, The University of Birmingham, *Collins COBUILD Advanced Learner's English Dictionary* (Glasgow: HarperCollinsPublishers, 4<sup>th</sup> ed., 2003), p. 338.

<sup>219</sup> Darwazah, *Al-Tafsīr al-Ḥadīth*, Vol. 9, p. 108.

<sup>220</sup> Al-Jaṣṣāṣ, *Aḥkām*, Vol. 4, p. 58

<sup>221</sup> Ibid.

<sup>222</sup> Abū Hurayrah quoted the Prophet as saying, "Hasten the burial of the dead. If he/she is a righteous person, then it will be good for him to hasten the burial. If it is the other way, then you will be free from an evil placed on your shoulders." Al-Bukhārī, *Ṣaḥīḥ al-Bukhārī*, no. 1315, in *Mawsū'at al-Ḥadīth*, p. 102.

meant to shame the criminal, there should be no violation of his dignity after his death.<sup>223</sup>

Finally, it can be suggested that in order for *ṣalb* to be inflicted as a punishment, it should be the last option of the Muslim ruler. This is supported by the action of the Prophet, who did not impose this punishment upon the people of ʿUkl and ʿUraynah, according to the various sets of reports cited earlier in this chapter. Moreover, this punishment has rarely been applied by Muslim rulers throughout Islamic history. When asked about *ṣalb*, imam Mālik answers that he “...never heard of anyone who applied *ṣalb* except ʿAbd al-Malik bin Marwān who crucified a man named al-Ḥārith because he claimed to be a prophet.”<sup>224</sup>

### 5.6.5 Amputation

Amputation refers to cutting off an alternate hand and foot, that is, a hand and a foot on opposite sides of the body. Little attention has been paid to explaining this punishment by either classical or modern exegetes. It may simply be that it is self-explanatory. The right hand and left foot are to be cut off if the *muḥārib* robs but does not kill. If he is convicted for the second time, then his left hand and right foot are to be cut off. Al-Alūsī considers that the hands are cut off as a punishment for robbery and the feet are amputated for terrorizing the public.<sup>225</sup> Whatever justification is given, the most important issue is to carry out the punishment in a swift manner, inflicting the least

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<sup>223</sup> “We have honoured the children of Adam and carried them by land and sea; We have provided good sustenance for them and favoured them specially above many of those We have created.” Haleem, *Qur’an*, p. 179.

*Qur’ān* 17: 70.

<sup>224</sup> Mālik, *Al-Mudawwanah*, Vol. 4, p. 553. See also, Wajis, “The Crime of *Ḥirāba*”, p. 88.

<sup>225</sup> Al-Alūsī, *Rūḥ al-Maʿānī*, Vol. 6, p. 119. According to Mawil Izzi Dien, if the *muḥārib* only frightens the victim, then he is subjected to a discretionary punishment and imprisoned. See, Izzi Dien, “Hadd”, in Netton, ed., *Encyclopedia*, p. 235.

pain.<sup>226</sup> This reflects the common concern of all exegetes not to cause humiliation to the bodies of criminals, but secure them an honourable death right until the last minute of their lives.

### 5.6.6 Banishment

This is the last form of punishment specified in Qur’ān 5: 33. *Nafy* (banishment) linguistically means exile.<sup>227</sup> Two interpretations dominate the exegetical discussion. The first argues that it refers to banishing the criminal from his homeland to another land. This is in order to end his criminal acts by placing him in a new environment where he will find it difficult to adapt thus preventing him from committing criminal acts.<sup>228</sup> Ibn al-ʿArabī argues that *nafy* here means imprisonment.<sup>229</sup> For him, the criminal can easily spread corruption in exile, but it is difficult to do that in prison.<sup>230</sup> However, al-Shaʿrāwī vehemently opposes this view arguing that modern prisons may provide a comfortable haven for criminals, so they are no longer a suitable form of punishment for this particular crime.<sup>231</sup> Al-Ṭabarī combines both interpretations by claiming that *nafy* refers to banishing to another country and then having the criminal incarcerated there until he repents.<sup>232</sup>

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<sup>226</sup> Riḍā, *Tafsīr al-Qur’ān al-Ḥakīm*, Vol. 6, p. 360.

<sup>227</sup> Majmaʿ al-Lughah al-ʿArabiyyah, *Al-Muʿjam al-Wajīz* (Cairo: Egyptian Ministry of Education, 1994/1415), p. 629.

<sup>228</sup> Al-Shaʿrāwī, *Tafsīr*, Vol. 15, p. 3096.

<sup>229</sup> According to Schneider, “Imprisonment, a generally accepted form of punishment in modern legal systems, existed also in Islamic law in the pre-classical and classical periods (second-sixth/eighth-thirteen centuries), although Muslims jurists devoted only limited attention to the subject and Islamicists have largely ignored it.” Irene Schneider, “Imprisonment in Pre-Classical and Classical Islamic Law”, *Islamic Law and Society*, Vol. 2, No. 2, 1995, p. 157.

<sup>230</sup> Ibn al-ʿArabī, *Aḥkām*, Vol. 2, p. 99.

<sup>231</sup> Al-Shaʿrāwī, *Tafsīr*, Vol. 15, p. 3102.

<sup>232</sup> Al-Ṭabarī, *Jāmiʿ al-Bayān*, Vol. 6, p. 218.

It can be observed from the above views that the best choice is to enable the ruler to apply the punishment they see fit, taking into consideration the nature of each terrorist act, its repercussions, the best way to deter the criminal, and the benefits and harms to the whole society. This is simply because many terrorists would nowadays consider asylum seeking or living in exile to be a luxury compared with facing oppression in their home countries, due to the existence of basic human rights. This is the case if the countries to which they are exiled have a good human rights record. This may entice terrorists to perpetrate more terrorist acts and shift their crimes to a more fertile environment. On the other hand, imprisonment in one's own country may not fulfill the basic meaning of banishment. This is why it is clearly correct for the ruler to exercise his discretion.

## **5.7 Repentance of *Muḥāribīn***

After discussing the four punishments for *muḥāribīn*, the Qur'ānic discourse continues by opening the way for them to declare sincere repentance. This is stated very clearly in Qur'ān 5: 34. It is worth mentioning that out of the 87 occurrences of derivatives of the word *tawbah* (repentance) in the Qur'ān<sup>233</sup>, only one refers specifically to repentance by *muḥāribīn*. In this context, *tawbah* has one of two meanings: 1) the *muḥāribīn* willingly surrender themselves to the ruler before being apprehended, or 2) they relinquish all their criminal acts in the presence or absence of the ruler.<sup>234</sup> A thorough analysis of the exegetical literature on Qur'ān 5: 34 shows that two issues dominate the discussion. The first refers to the prerequisites for repentance and the second deals with whether

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<sup>233</sup> Badawi and Abdel Haleem, *Dictionary of Qur'anic Usage*, p. 137.

<sup>234</sup> Qā'id, *Al-Ḥirābah*, p. 155.

waiving the punishment for the *muḥāribīn* exempts them from *ḥaqq al-ʿibād* (civil liability).

In order for repentance to be sincere, certain conditions must be fulfilled. Al-Nawawī (d. 676/1277) refers to three conditions for the validity of repentance. First, the criminal must refrain totally from his crime. Second, he must demonstrate remorse for what he has done. Third, he must firmly commit himself not to repeat his action. This is required if the act committed infringes the right of Allah. If it infringes the rights of human beings, al-Nawawī adds a fourth condition, which is to discharge all personal obligations owed to the offended party, whether financial or otherwise.<sup>235</sup> Riḍā addresses the necessity of sincere repentance in interpreting Qurʾān 5: 34. His explanation is in total harmony with the four conditions referred to by al-Nawawī. He further stresses the importance of the *muḥāribīn* declaring sincere repentance while they still have their strength.<sup>236</sup> This is apparently the reason for waiving the punishment as it gives the criminals the chance to re-integrate themselves into their respective societies and become good citizens again.

However, the fourth condition for repentance leads to extensive controversy as to whether the *muḥāribīn* will be exempted from civil liability. Riḍā is in favour of the view that repentance exempts the criminal from all the punishments due to Allah whether in this world or in the Hereafter. However, the rights of wronged human beings are waived only with their approval.<sup>237</sup> Riḍā's view is perfectly harmonious with the main conditions for repentance. However, modern terrorist acts perpetrated against

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<sup>235</sup> Muḥyī al-Dīn ibn Sharaf al-Nawawī, *Riyāḍ al-Ṣāliḥīn* (Cairo: Dār al-Rayyān, n.d.), p. 9. See also, Majdī bin Fathī al-Sayyid, *Al-Tawbah al-Naṣūḥ: Wujūbuhā ʿAlāmātuhā Aqsāmuhā Shurūṭuhā Fawā'iduhā* (Tanta: Maktabat al-Saḥābah, 1406), p. 21.

<sup>236</sup> Riḍā, *Tafsīr al-Qurʾān al-Ḥakīm*, Vol. 6, p. 364. See also, Quṭb, *Fī Zilāl*, Vol. 2, pp. 880 f.; idem, *In the Shade*, Vol. 4, p. 92.

<sup>237</sup> Riḍā, *Tafsīr al-Qurʾān al-Ḥakīm*, Vol. 6, p. 365.

societies that cause collective damage are to be assessed by the ruler, who should champion the rights of the victims or their heirs by executing the perpetrator or requiring compensation for damage. Although the claimant or his heirs can either claim their rights from the offender or forgive him,<sup>238</sup> it is not proper for them to take the matter into their own hands, and this role should be played by the imam or judge.

## 5.8 CONCLUSION

By explaining the Qur'ānic concept of crime and punishment, this chapter has shown that terrorism is a heinous crime against humanity, but it has further discussed which category it is covered within Islamic law. It has been demonstrated, after a discussion of the Sunnī definitions of *ḥirābah*, that it is a complex term within the Islamic criminal law system. Like terrorism, *ḥirābah* is a term that triggers much controversy, not only among classical and modern exegetes, but also among jurists, as seen in the discussion surrounding Qur'ān 5: 33-34. Significantly, however diverse and contradictory the occasions of revelations are, the exegetes are unanimous that these two verses constitute textual evidence for the punishment of *muḥāribīn*.

The punishment for terrorism, although not explicitly referred to by classical or modern exegetes, with the exception of Darwazah, is an issue on which modern Muslim scholars have made remarkable contributions. They have done this by applying *qiyās*, and exploring the common elements between *ḥirābah* as a crime that is textually discussed, and terrorism, which poses a real danger to the international community with no clearly-defined Qur'ānic punishment. This chapter has attempted to read between the lines of these two approaches.

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<sup>238</sup> Muhammad Abdel Haleem, "Compensation for Homicide in Islamic Sharī'a", in Muhammed Abdel Haleem, Adel Omar Sharef and Kate Daniels, eds., *Criminal Justice in Islam: Judicial Procedure in the Sharī'a* (London: I.B. Tauris, 2003), pp. 97 f.

The Qur'ān does not condone terrorism in anyway, and in fact terrorism is the crime for which the Qur'ān prescribes the most severe punishments. The four alternative punishments, ranging from execution to exile, are set as a deterrent for this heinous crime. Although the punishment may seem barbaric at first glance, this falls into perspective when the interest of the whole society is taken into consideration.<sup>239</sup> Furthermore, the discussion is a response to those who claim that the punishments referred to in Qur'ān 5: 33 target "...those who fight against Allah and Muhammad"<sup>240</sup> with no regard to the contextual or even linguistic interpretations given by classical and modern exegetes.

Finally, the four worldly punishments for terrorism put forward by the Qur'ān provide workable mechanisms for those in authority if they want a moral and practical basis to combat terrorism.

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<sup>239</sup> For a study on how the application of legal punishments can bring about positive change in society, see, Muḥammad Husayn al-Dhahabī, *Athar Iqāmat al-Ḥud-d fī Istiqrār al-Mujtama'* (Cairo: Maktabat Wahbah, 1986/1407), pp. 19-65. See also, Zakariyyah Ibrāhīm al-Zamīlī and Kā'ināt Maḥm-d 'Ulwān, "Al-I'jāz al-Tashrī'ī fī Ḥadday al-Sariqah wa al-Ḥirābah", *Majallat al-Jāmi'ah al-Islāmiyyah*, Silsilat al-Dirāsāt al-Islāmiyyah, Vol. 14, No. 1, January 2006, p. 103.

<sup>240</sup> Jack Nelson-Pallmeyer, *Is Religion Killing Us?: Violence in the Bible and the Quran* (London: Continuum, 2005), pp. 84-88.

## CONCLUSION

This thesis has been an attempt to study terrorism from a Qur'ānic perspective. A special focus was given to highlighting the views of selected classical and modern exegetes, as well as modern scholars, in order to understand some of the main constituents of this action in modern times. Selected exegetes consulted in this study draw attention to how important is it to study *tafsīr* in general, and, in particular, *al-tafsīr al-mawḍ-ʿī*, the exegetical genre through which the issue of terrorism has been approached from a Qur'ānic perspective.

One of the main aspects of terrorism is its definition. In this study, attempts have been made to highlight the efforts made by some leading Muslim and non-Muslim organizations to define terrorism. These efforts, however, have shown that any attempt to define terrorism has its own definitional problems prominent among which are 'relativism' and 'dynamism'. These problems emerge from specific convictions, agendas, and understandings about the action internationally. However, reaching a 'semi-collective' definition of the action from a Qur'ānic perspective, as in Chapter One of this research remains a necessary procedure worthy of consideration by terrorism researchers.

The Arabic term '*irhāb*' and the English term 'terrorism' are alien to classical Arabic and English literatures. Lexically, both terms have been adopted and loaded with violent connotations in the last few decades. Long before, the Western usage of the term back to the time of the French Revolution show how this term was used to indicate positive meanings. Similarly, the term *irhāb* has only been used in Arabic in the modern sense of terrorism since the 1980s.

As far as the Qur'ān is concerned, it should be made clear that, neither its verses nor the selected exegeses directly refer to terrorism as it is defined in modern times. It is very clear, however, from the selected exegeses that the Qur'ān and its interpreters have preceded the international community in combating various forms of self-murder, killing others unjustifiably, destroying their property, and other forms of aggression against fauna and flora. This is in addition to the prohibition of other non-physical measures capable of harming others through aggression against their intellect, honour or religion.

The lexical root *r-h-b* and its lexemes in the Qur'ān such as, *istarhaba*, *al-rahab*, *irhab-nī* refer to fearing Allah out of fear of His punishment and out of hope for His reward. The only word around which much controversy arises as a result of being ab(used) by some extremist Muslims and non-Muslims to call for or justify terrorism is *turhib-na* in Qur'ān 8: 60. The extremist interpretations of this particular verse have gone as far as to name the whole verse 'The Verse of Terrorism'. Therefore, this verse has been given special attention and its main themes have been analysed for better understanding. Significantly, the erroneous way it has been named has also been rebutted. The verse, as concluded, is a universal call for Muslims to possess various intellectual, educational, economic and military powers in our world. Originally revealed to refer to the imminent outbreak of war between Muslims and non-Muslims and order Muslims to prepare for unavoidable battle, its modern application, according to most classical and modern exegetes, is to help Muslims attain dominance in various fields for strategic defence purposes. Quṭb, however, interprets *quwwah* in this verse as the force that is intended to subdue non-Muslims to Islam. It is on the basis of his extreme interpretations of *quwwah* that some Muslim terrorist groups and some ill-

informed circles in the West have taken the verse as a pretext to justify acts of terrorism perpetrated by some Muslims, and to try to establish this as a ‘fact’ based on the text of the Qur’ān. Quṭb’s extreme interpretation stands in sharp contrast to that of classical exegetes, especially al-Ṭabarī and al-Rāzī, as well as other modern ones who, while they have broadened the domain of military force, have limited its use to self-defense.

Moreover, it should be borne in mind that exegetes are human beings whose surrounding circumstances leave their impact on their interpretations. In other words, their exegeses do not exist in a vacuum. This is quite noticeable in the wide range of disagreements among classical and modern exegetes concerning the issue of jihād. A clear example of this, as clarified in Chapter Three, is whether peace or war is the underlying principle of relations between Muslims and non-Muslims. Classical exegetes including al-Ṭabarī, al-Qurṭubī, Ibn al-<sup>c</sup>Arabī, al-Suy-ṭī, al-Jaṣṣāṣ, al-Rāzī and al-Al-ṣī maintain that war is the underlying principle that governs external relations between Muslims and non-Muslims. Consequently, they coined the dichotomous division of the world into *dār al-Islam* and *dār al-Ḥarb*. They used the theory of abrogation in the so-called the ‘Verse of the Sword’ as evidence through which all other verses in the Qur’ān calling for peace with non-Muslims are abrogated. In sum, this view of classical exegetes has been critiqued, on the one hand, by explaining that there is no uniform view concerning the theory of abrogation according to which the proponents of all opposing views have to agree. On the other, the differences between classical exegetes concerning the ‘Verse of the Sword’ itself further weakens their argument.

Referring to the objectives of the study as well as the foregoing discussion, it can be further concluded, as far as military jihād-related verses in the Qur’ān are concerned, that the classical exegetes employed an exclusivist rather than inclusivist

attitude towards non-Muslims. As argued in Chapter Three of this study, the binary division of the world they arrived at has proved to be completely *un-Qur'ānic* [emphasis mine] and they have therefore failed to communicate the meanings of the Qur'ān regarding this particular point to a wider audience. In addition, their interpretation remained hostile in its attitude and they were affected by historical circumstances and geographical boundaries, which had a great impact on their exegeses, as confirmed in the biographical information given about most of them at the beginning of this study.

It is no wonder, then, to see the leaders of modern terrorist groups such as Bin Laden selecting from these classical exegeses what suits their terrorist agendas. As mentioned, some classical exegetes, especially al-Qurṭubī, are mentioned by name in Bin Laden's speeches and letters. On the basis of this classical hard-line attitude in the understanding of jihād in the Qur'ān, it is sometimes understood as being equal to terrorism in modern times; a claim this thesis has tried to refute.

As for the modern exegetes, this study has shown that most of them, with the exception of Quṭb, maintain that peace is the underlying principle governing external relations between Muslims and non-Muslims. Riḍā opposed the interpretations of the classical exegetes, especially their interpretation of the 'Verse of the Sword'. Al-Sha'rawī shared Riḍā's view and stated that the historical circumstances in which most of the classical exegetes lived may be an excuse for them to maintain this intolerant interpretation. Darwazah's view stands in total opposition to the classical interpretative theory, because it contradicts *al-aḥkām al-muḥkamah*, which enjoin Muslims to refrain from fighting non-hostile entities.

The only exegete whose view, on the one hand, sharply contrasts with those of modern exegetes and scholars, and, on the other, is quite distinctive from the views of the classical ones, is Quṭb. Although he was influenced by authors of the classical period, such as Ibn Taymiyah, Quṭb introduced his unique interpretation of *al-nuṣ-ṣ al-marḥaliyyah* and *al-nuṣ-ṣ al-nihā'īyyah* arguing that what is applicable nowadays are the latter, whose rulings are definitive. Quṭb severely criticized many of the exegetes of his time especially, Riḍā and Darwazah, calling them 'the defeatists' because they adopted peace as the governing principle upon which Muslim/non-Muslim relations are based. The historical circumstances in Egypt in the 1950s and 1960s, the harsh incarceration conditions Quṭb experienced, and the fact that he wrote most of his revolutionary ideas in his *Zilāl*, are evidence of how an exegete is influenced by his surroundings and further confirms that exegeses do not exist in a vacuum, as earlier explained.

Of all the modern exegetes referred to in this thesis, it is clear that Quṭb is the most influential. This is obvious from the academic writings by modern Muslim and Western authors about Quṭb's exegesis and his other revolutionary works. Quṭb's writings, especially the *Zilāl* and the *Milestones*, have actually inspired a generation of extremists and terrorists since his death until the present time.

In an attempt to highlight this influence, this thesis had critiqued the original violent ideas of the Islamic Group (IG) in Egypt. It has been clarified that embracing extremist interpretations can lead to disastrous consequences that know no geographical boundaries. The violent Egyptian experience led by the IG in Egypt inspired other members in other countries. A few years later, some of the imprisoned members of the IG in Egypt started their ideological revisions, which were welcomed by local

authorities and emulated by other members in other countries. Some other members, mostly outside Egypt belonging to al-Qaeda terrorist organizations, remained adamant and refused to re-think their extremist attitudes towards their fellow Muslims and fellow humans.

As explained in Chapter Three, the leaders of the IG who initiated the violent attitude and approved the killing of innocents did so unilaterally. They initially acted in total defiance of trained Muslim scholars in reputable seminaries such as al-Azhar, whom they described as agents and state-salaried employees. Later, when they started their ideological revisions, they conciliated the authorities, who still until today employ the state-salaried scholars.

One of the laudable contributions that did not yield immediate fruit is the initiative of al-Sha<sup>c</sup>rāwī with the members of the IG in Egypt, discussed in Chapter Three of this study. This initiative is evidence of how al-Sha<sup>c</sup>rāwī tried to refute the extremist views of his time, using wisdom and fair exhortation. Referring to the research questions, this initiative by him also shows that Muslim terrorists are denounced by mainstream scholars in their communities. However, al-Sha<sup>c</sup>rāwī did not record this personal initiative in his exegesis and his initiative also reveals that talking to terrorists was not a systematic approach employed by governments at that time. His personal experience was generally unsuccessful in its time, although the seeds he sowed have actually borne fruit long afterwards.

It is high time that state authorities give priority to the use of wisdom and fair exhortation in their attempts to convince terrorists of the religious violations they commit against their fellow Muslims and fellow human beings. As a start, this approach can be applied at least with those terrorists who are subjected to brainwashing by

international terrorist organizations. A sizable number of terrorists or would-be terrorists would thus be convinced of the truth. In order for this approach to be successful, dedicated teams of Muslim scholars who enjoy independence from state influence, who are well-versed in Islamic knowledge, and who adopt *waṣaṭiyyah* (moderation) should be selected to this important task. This approach could make an enormous contribution to international peace and security and is also one of the effective means of combating terrorism.

Another method of combating terrorism, which this thesis has attempted to discuss in Chapter Five, is the punishment for terrorists set by the Qur'ān. From a comparison of *ḥirābah* and terrorism, it would appear that they are alike, because the similarities that link them together far exceed the dissimilarities that separate them. This is one of the main findings of this study.

Given that the classical and modern exegetes consulted are unanimously on the textual evidence for the punishment for *ḥirābah* in the Qur'ān (i.e. 5: 33-34), this study further concludes that this same punishment should be applied to terrorism. To sum up briefly, four alternate earthly punishments are prescribed by the Qur'ān for terrorists. They are execution, crucifixion, amputation of alternate hand and foot, and banishment. Another very severe unspecified punishment awaits terrorists in the Hereafter. The Qur'ān open the door for terrorists who sincerely repent of what they have perpetrated. This approach, in which the sincere repentance of terrorists is encouraged, complements the suggestion made above concerning the importance of talking to terrorists or young people who have the strong possibility of being inclined to commit terrorist acts. The severity of the punishments for terrorists outlined above shows the extent to which the Qur'ān respects the human soul regardless of its faith, race, and geographical location.

It can also be concluded that of all the modern exegetes, Darwazah is the only one who specifically refers to the punishment for terrorism as set out in the Qur'ān. He points out that it is the same as that prescribed by the Qur'ān for *ḥirābah*. This is one of his outstanding contributions to this study. The fact that other modern exegetes, such as Riḍā, Quṭb, and al-Sha<sup>c</sup>rāwī do not refer to this important point, even indirectly, shows that the approach of some modern exegetes still lacks the ability to respond to world events. They maybe excused for not foreseeing future terrorist events that were not witnessed by some of them in their lifetime, but even so, their approach in interpreting the *ḥirābah* verses takes the traditional line with few new interpretations.

In modern times, it is also noticeable that the attitude of modern scholars concerning the punishment for terrorism in Islam is still at an immature stage. Among the excess of international conferences about terrorism that take place in the Muslim world, which, unfortunately, convene as reactionary procedures to major terrorist acts such as the September 11<sup>th</sup> 2001 attacks, it is hard to find a single one dedicated to specifying the punishment for terrorism in Islam, let alone in the Qur'ān. This is a serious gap which this research has attempted to fill by discussing the permissibility or otherwise of the September 11<sup>th</sup> attacks in light of the Qur'ān.

Moreover, the findings of this study confirm that the September 11<sup>th</sup> attacks were terrorist acts whose perpetrators should be tried and sentenced according to the scale of punishments for terrorism in the Qur'ān referred to above. These atrocious crimes were sheer acts of terrorism perpetrated by members of al-Qaeda on the basis of highly selective interpretations of the Qur'ān, which they use to serve their own agendas. They were committed in total defiance of objective, moderate, and inclusive message of the Qur'ān as they are understood by almost all modern Muslim scholars.

As earlier explained, the extreme interpretations of the proponents of the September 11<sup>th</sup> attacks have been highlighted, critiqued, and refuted by well-versed scholars. It has been proven that Qur'ānic texts referred to by Bin Laden and other terrorists have been quoted out of their original contexts. The same is true of their erroneous attempts to quote from classical exegetical sources to cloak their bloody, irresponsible and prohibited terrorist actions in a false, unbloody, responsible, and permissible robe. This is why the September 11<sup>th</sup> attacks in particular were chosen as one of two main case studies in this thesis.

Given the above, it can be concluded that the US is not at war with the Muslim world. The relations between both worlds deteriorated after the September 11<sup>th</sup> attacks. Recently, relations have improved, especially after US President Obama's exceptionally warmly welcomed keynote addresses to the Muslim world in Turkey and in Cairo. However, the new peaceful chapter in relations between the two worlds after a decade under his predecessor during which relations deteriorated awaits a practical conclusion on the troubled territories of Afghanistan and Iraq.

The other main case study this thesis has tried to discuss, in Chapter Four, is the permissibility or otherwise of 'martyrdom' or 'suicide' attacks in the context of the Palestinian-Israeli conflict. As a necessary step to understanding this complicated issue, the Qur'ānic attitude towards *qatl al-nafs* has been explored. It has been concluded that the classical exegetes, as well as most modern ones, understand *qatl al-nafs*, especially in Qur'ān 2: 195 as referring to 'mutual killing' rather than suicide. The word *intihār* does not occur in the Qur'ān, although some modern exegetes interpret the Qur'ānic reference to *qatl al-nafs* as equivalent to *intihār*. In sum, the Qur'ān decisively prohibits *qatl al-nafs*, so 'martyrdom' or 'suicide' attacks, as a form of *qatl al-nafs*, in the context

of the Palestinian-Israeli conflict should be seen as prohibited actions. Nevertheless, the reality of scholarly discussions and what has been described as a ‘free market’ in *fatāwā* have shown that there is wide controversy among Muslim scholars over the issue. The thesis has identified three main approaches taken by modern scholars: 1) Proponents who are revisiting their staunchly prohibitive stances, such as al-Qaraḏāwī, those whose views are inconsistent, such as Ṭanṭāwī, or selective, such as Takr-rī. 2) Opponents who are proportionately less heard and fewer in number than the proponents. 3) Discreet scholars who present the views of both proponents and opponents but kept their own view undeclared, such as Tamimi. Undoubtedly, the interpretations of the selected exegetes were equally employed in the first two approaches to serve the permitting or otherwise prohibiting stances by modern scholars. The modern exegetes who were undoubtedly familiar with some of these operations, notably al-Sha<sup>c</sup>rāwī, have not attempted to formulate a view regarding the issue.

Because of the very controversial nature of this second case study, the thesis suggests that more Muslim organizational efforts should be exerted at an international, scholarly level to put an end to the current state of controversy regarding this issue. Until this takes place, the researcher adopts a discreet approach. However, this should not rule out the right of the Palestinians to use all constitutional legal means to defend themselves against the aggression, confiscations and gruesome massacres perpetrated against them by the Israelis.

Finally, some other terrorism-related topics can be studied from a Qur’ānic perspective, such as the corrective measures set by the Qur’ān for combating terrorism and Qur’ānic approach of peace and tolerance with people of other faiths. The study of

these and many other topics related to modern Qur'ānic political ethics in light of the rich thematic interpretations of the Qur'ān is more needed today than ever before.

## BIBLIOGRAPHY<sup>1</sup>

Abbas, Tahir. "A Theory of Islamic Political Radicalism in Britain: Sociology, Theology and International Political Economy", *Contemporary Islam*, Vol. 1, No. 2, August 2007, pp. 109-122.

\_\_\_\_\_, ed. *Islamic Political Radicalism: A European Perspective*. Edinburgh: Edinburgh University Press, 2007.

°Abd al-°Azīm, Ḥamdī °Abd al-Raḥmān, Nājiḥ Ibrāhīm and °Alī Muḥammad °Alī al-Sharīf. *Taṣlīḥ al-Aḍwā' °alā mā Waqa' fī al-Jihād min Akḥṭā'*. Cairo: Maktabat al-Turāth al-Islāmī, 2002/1422.

°Abd al-°Azīm, Sa°id. *Taḥṣīl al-Zād li Taḥqīq al-Jihād*. Alexandria: Dār al-°Imān li al-Tab° wa al-Nashr wa al-Tawzī°, 1990.

°Abd al-Bāqī, Muḥammad Fu'ād. *Al-Mu°jam al-Mufahras li Alfāz al-Qur'ān al-Karīm*. Cairo: Dār al-Ḥadīth, 1988.

°Abd al-Fattāḥ, Sayf al-Dīn. "Al-°Amaliyyah al-Iftā'iyah wa Qaḍāyā al-Ummah" [article online]; available from [http://mdarik.islamonline.net/servlet/Satellite?c=ArticleA\\_C&pagename=Zone-Arabic-Mdarik/MDALayout&cid=1173696695942](http://mdarik.islamonline.net/servlet/Satellite?c=ArticleA_C&pagename=Zone-Arabic-Mdarik/MDALayout&cid=1173696695942); accessed 3 December 2009.

\_\_\_\_\_. "Naḥwa Manhajīyyah li-Binā' wa Fahm Fatāwā al-Ummah" [article online]; available from [http://mdarik.islamonline.net/servlet/Satellite?c=ArticleA\\_C&pagename=Zone-Arabic-Mdarik/MDALayout&cid=1173696693711](http://mdarik.islamonline.net/servlet/Satellite?c=ArticleA_C&pagename=Zone-Arabic-Mdarik/MDALayout&cid=1173696693711); accessed 3 December 2009.

°Abd al-Ghanī, Ṣafwat. "Liqā'āt" [article online]; available from <http://www.egyig.com/Public/articles/interview/7/26176518.shtml>; accessed 29 June 2009.

°Abd al-Karīm, Faṭḥī. *Al-Sunnah: Tashrī° Lāzīm wa Dā'im*. Cairo: Maktabat Wahbah, 1985/1405.

°Abd al-Khāliq, Muḥammad °Abd al-Mun°im. *Al-Manz-r al-Dīnī wa al-Qān-nī li Jarā'im al-Irhāb*. Cairo: Dār al-Nahḍah al-°Arabiyyah, 1999.

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<sup>1</sup> References in the bibliography are listed in alphabetical order of author. Arab names are treated in the same way as Western names, i.e. listed by the last name given in the printed work. Authors whose name begins with al- are listed under Al-. When more than one work by the same author/editor is listed, the works appear in the following order, listed alphabetically by title within each category: 1. Authored books. 2. Edited books. 3. Chapters in books. 4. Journal articles. 5. Internet articles. 6. Jointly authored books. 7. Jointly edited books.

- °Abd al-Raḥīm, Ab- Salīm Muḥammad. “Al-Jihād”, *The Truth about Islam in a Changing World*, Researches and Proceedings, Fourteenth General Conference of the Supreme Council for Islamic Affairs. Cairo: Maṭābi° al-Ahrām al-Tujāriyyah, 2003/1424, pp. 749-758.
- °Abd al-Raḥmān, °Umar. “Mawqif al-Qur’ān min Khuṣ- mih kamā Tuṣawwiruhu S- rat al-Tawbah”, PhD thesis, Department of Qur’ān Interpretation, Faculty of Uṣūl al- Dīn, Al-Azhar University, Cairo, 1972.
- Abdel Haleem, M.A.S. *The Qur’an: A New Translation*. Oxford: Oxford University Press, 2005.
- \_\_\_\_\_. *The ‘Sword Verse’ Myth*. London: Centre of Islamic Studies, SOAS, 2007.
- \_\_\_\_\_. *Understanding the Qur’an: Themes and Style*. London: Tauris, 1999.
- Abdel-Khalek, Ahmed M. “Neither Altruistic Suicide, nor Terrorism but Martyrdom: A Muslim Perspective”, *Archives of Suicide Research*, Vol. 8, No. 1, January 2004, pp. 99-113.
- °Abdullāh, Nājiḥ Ibrāhīm. *Taṭbīq al-Aḥkām min Ikhtiṣāṣ al-Ḥukkām: Al-Ḥūdūd, I°lān al-Ḥarb, al-Jizyah - Naẓarāt fī Fiqh al-Taṭbīq*. Rev. & ed. Karam Muḥammad Zuhdī, °Alī Muḥammad °Alī al-Sharīf, Osāmah Ibrāhīm Ḥāfiẓ, Ḥamdī °Abd al- Raḥmān °Abd al-°Azīm and Fu’ād Maḥmūd al-Dawālībī. Cairo: Maktabat al- °Ubaykān, 2004/1425.
- Abdul-Raof, Hussein. *Schools of Qur’ānic Exegesis: Genesis and Development*. London: Routledge, 2010.
- Abel, A. “Dār al-Ḥarb”, *Encyclopaedia of Islam*, new ed., Vol. 2, p. 126.
- Abou El Fadl, Khaled. *The Great Theft: Wrestling Islam from the Extremists*. New York: HarperCollins, 2005.
- \_\_\_\_\_. *Rebellion and Violence in Islamic Law*. Cambridge: Cambridge University Press, 2001.
- \_\_\_\_\_. “Islam and Violence: Our Forgotten Legacy”, in John J. Donohue and John L. Esposito, eds, *Islam in Transition: Muslim Perspectives*. 2<sup>nd</sup> ed. Oxford: Oxford University Press, 2007. pp. 460-464.
- \_\_\_\_\_. “Islamic Law and Muslim Minorities: The Juristic Discourse on Muslim Minorities from the Second/Eighth to the Eleventh/Seventh Centuries”, *Islamic Law and Society*, Vol. 1, No. 2, 1994, pp. 141-187.
- \_\_\_\_\_. “Political Crime in Islamic Jurisprudence and Western Legal History”, *U.C. Davis Journal of International Law and Policy*, Vol. 4, No. 1, Winter 1998, pp. 1-28.

- Aboul-Enein, Youssef H. and Sherifa Zuhur. *Islamic Rulings on Warfare*. Carlisle Barracks, PA: Strategic Studies Institute, U.S. Army War College, 2004.
- Abū al-Barakāt, Aḥmad bin Muḥammad al-°Adawī al-Dardīr. *Al-Sharḥ al-Kabīr*. Ed. Muḥammad °Allīsh. 4 Vols. Beirut: Dār al-Fikr, n.d.
- Ab- Fāris, Muḥammad °Abd al-Qādir. *Al-Fiqh al-Siyāsī °ind al-Imām al-Shahīd Ḥasan al-Bannā*. Tantā, Egypt: Dār al-Bashīr li al-Thaqāfah wa al-°Ul- m, 1999/1419.
- Abū Ghaḍḍah, Zakī °Ali al-Sayyid. *Al-Irhāb fī al-Yahūdiyyah wa al-Masīḥiyyah wa al-Islām wa al-Siyāsāt al-Mu°āṣirah*. Al-Mansūrah: Dār al-Wafā’, 2002.
- Ab- Ḥalīwah, Ibrāhīm. *Al-°Amaliyyāt al-Istishhādiyyah khilāl Intifāḍat al-Aqsā 2000-2007*. Beirut: Bāḥith li al-Dirāsāt, 2007.
- Ab- °Īd, °Ārif Khalīl. *Al-°Alāqāt al-Dawliyyah fī al-Fiqh al-Islāmī*. Amman: Dār al-Nafā’is, 2007/1427.
- Abu-Munshar, Maher Y. *Islamic Jerusalem and Its Christians: A History of Tolerance and Tensions*. London: Tauris Academic Studies, 2007.
- Abu-Nimmer, Mohammed. “Framework for Nonviolence and Peacebuilding in Islam”, in Abdul Aziz Said, Mohammed Abu-Nimer and Meena Sharify-Funk, eds, *Contemporary Islam: Dynamic, Not Static*. London: Routledge, 2006. pp. 131-172.
- Abu-Rabi’, Ibrahim M. *Intellectual Origins of Islamic Resurgence in the Modern Arab World*. Albany: State University of New York Press, 1996.
- \_\_\_\_\_, ed. *The Blackwell Companion to Contemporary Islamic Thought*. Malden, MA: Blackwell, 2006.
- Ab- Sulaymān, °Abd al-Ḥamīd Aḥmad. *Al-°Unf wa Idārat al-°Shirā° al-Siyāsī bayna al-Mabda’ wa al-Khiyār: Ru’yah Islāmiyyah*, Silsilat al-Ḥiwār. Rabat: Mansh-rāt al-Furqān, 2002.
- Ab- al-Su°- d, Ṣalāḥ. *Al-Ras- l Ṣallā Allāhu °alayhi wa-Sallam wa al-Sayf: Dirāsah li- al-Nazariyyah al-Qur’āniyyah fī al-Jihād wa-al-Ḥarb wa Taṭbīqātuhā fī al-Da°wah al-Muḥammadiyyah*. Giza: Maktabat al-Nāfīzah, 2006.
- Ab- Ṭālib, Ṣ- fī Ḥasan. “Al-Kifāḥ al-Mashr- ° li-al-Shu°- b”, *The Truth about Islam in a Changing World*, Researches and Proceedings, Fourteenth General Conference of the Supreme Council for Islamic Affairs. Cairo: Maṭābi° al-Ahrām al-Tujāriyyah, 2003/1424. pp. 665-692.
- Abū Zahrah, Muḥammad. *Al-°Alāqāt al-Dawliyyah fī al-Islām*. Cairo: Dār al-Fikr al-°Arabī, 1995/1415.

- \_\_\_\_\_. *Concept of War in Islam*. Trans. Muhammad al-Hady and Taha Omar. Rev. & ed. Shawki Sukkary. Cairo: Ministry of Waqfs, Supreme Council for Islamic Affairs, 1987.
- \_\_\_\_\_. *The Four Imams: The Lives and Teaching of Their Founders*. London: Dār al-Taqwā, 2001.
- \_\_\_\_\_. *Al-Jarīmah wa al-‘Uqūbah fī al-Fiqh al-Islāmī: Al-‘Uqūbah*. Cairo: Dār al-Fikr al-‘Arabī, n.d.
- \_\_\_\_\_. *Al-Jarīmah wa al-‘Uqūbah fī al-Fiqh al-Islāmī: Al-Jarīmah*. Cairo: Dār al-Fikr al-‘Arabī, 1998.
- \_\_\_\_\_. *Al-Mujtama‘ al-Insānī fī Zill al-Islām*. 2<sup>nd</sup> ed. Jeddah: Al-Dār al-Su‘-diyyah li al-Nashr wa al-Tawzī‘, 1981/1401.
- \_\_\_\_\_. “Al-Jihād”, *Kitāb al-Mu’tamar al-Rābi‘ li-Majma‘ al-Buḥ- th al-Islāmiyyah*. Cairo: Majma‘ al-Buḥ- th al-Islāmiyyah, 1968/1388. pp. 67-120.
- Adams, Charles J. “Kufr”, *The Oxford Encyclopedia of the Modern Islamic World*. Ed. John L. Esposito. 4 Vols. New York: Oxford University Press, 1995. pp. 439-443.
- ‘Afīfī, Muḥammad al-Ṣādiq. *Al-Mujtama‘ al-Islāmī wa al-‘Alāqāt al-Dawliyyah*. Cairo: Mu’assasat al-Khānjī, 1980.
- Afsaruddin, Asma. “Views of Jihad throughout History”, *Religion Compass*, Vol. 1, No. 1, 2007, pp. 165-169.
- Agilinko, Stephen Akpiok-bisa. “A Comparative Study of the Just War and Islamic Jihad Traditions: An Analytical Approach”, MA diss., Department of Religious Studies, University of Lancaster, 2002.
- Ahmad, Khursid. “The World Situation after September 11, 2001”, in Ibrahim M. Abu-Rabi’, ed. *The Blackwell Companion to Contemporary Islamic Thought*. Malden, MA: Blackwell, 2006. pp. 408-422.
- Aḥmad, Rif‘at Sayyid. *Al-Nabī al-Musallaḥ (1): Al-Rāfiḍ- n*. London: Riad El-Rayyes Books, 1991.
- \_\_\_\_\_. *Al-Nabī al-Musallaḥ (2): Al-Thā’irūn*. London: Riad El-Rayyes Books, 1991.
- Ahmed, Gulzar. *The Prophet’s Concept of War*. Lahore: Islamic Book Foundation, 1986.
- Ahmed, Parvez. “Terror in the Name of Islam: Unholy War, Not Jihad”, *Case Western Reserve Journal of International Law*, Vol. 39, No. 3, 2007/2008. pp. 759-788.

- Akhavi, Shahrough. “Quṭb, Sayyid”, *The Oxford Encyclopedia of the Modern Islamic World*. Ed. John L. Esposito. 4 Vols. New York: Oxford University Press, 1995. pp. 400-404.
- Al-<sup>c</sup>Adawī, Ibrāhīm Aḥmad. *Rashīd Riḍā: Al-Imām al-Mujāhid*. Cairo: Al-Mu’assasah al-Miṣriyyah al-<sup>c</sup>Āmmah li al-Ta’līf wa al-Anbā’ wa al-Nashr, n.d.
- Al-Aḥmad, Suhayl Muḥammad Ṭāhir. “Al-Mukhāṭarah bi al-Nafs fī al-Qitāl wa Hukmuhā fī al-Sharī’ah al-Islāmiyyah”, MA diss., University of Jordan, 2003.
- Al-Akhras, Riyāḍ. *Al-Mujrayāt al-Ijtimā’iyyah wa al-Tawajjuh nahwa al-Tafsīr al-Mawḍ-’ī*. Beirut: Dār al-Hādī li al-Ṭibā’ah wa al-Nashr wa al-Tawzī’, 2006/1427.
- Āl al-Shaykh, Ṣāliḥ bin <sup>c</sup>Abd al-<sup>c</sup>Azīz, ed. *Mawsū’at al-Ḥadīth al-Sharīf: Al-Kutub al-Sittah*. Riyadh: Dār al-Salām li al-Nashr wa al-Tawzī’, 1999.
- Al-Alūsī, Al-Sayyid Maḥm- d. *Rūḥ al-Ma’ānī fī Tafsīr al-Qur’ān al-<sup>c</sup>Azīm wa al-Sab’ al-Mathānī*, 30 Vols. Beirut: Dār Iḥyā’ al-Turāth al-<sup>c</sup>Arabī, n.d.
- Al-<sup>c</sup>Alyānī, <sup>c</sup>Alī Bin Nafī<sup>c</sup>. *Ahammiyyat al-Jihād: Fī Nashr al-Da’wah al-Islāmiyyah wa al-Radd <sup>c</sup>alā al-Ṭawā’if al-Dāllah fih*. Riyadh: Dār Ṭibah, 1985/1405.
- Al-Amīn, Al-Amīn <sup>c</sup>Uthmān. “Mawqif al-Islām min Zāhirat al-Irhāb”, *Islam and the 21<sup>st</sup> Century*, Researches and Facts, Tenth General Conference of the Supreme Council for Islamic Affairs. Cairo: Maṭābi’ al-Ahrām al-Tujāriyyah, 1998/1419. pp. 307-321.
- Al-<sup>c</sup>Aqqād, <sup>c</sup>Abbās Maḥm- d. *Ḥaqā’iq al-Islām wa Abāṭil Khuṣ- mih*. Special ed. Cairo: Dār Nahḍat Miṣr li al-Ṭibā’ah wa al-Nashr wa al-Tawzī’, n.d.
- Al-Armanāzī, Najīb. *Al-Shar’ al-Dawlī fī al-Islām*. 2<sup>nd</sup> ed. Damascus: 1930; London: Riad El-Rayyes Books Ltd, 1990.
- Al-Aṣfahānī, Al-Rāghib. *Mufradāt Alfāz al-Qur’ān*. Ed. Ṣafwān <sup>c</sup>Adnān Dawūdī. 2<sup>nd</sup> ed. Damascus: Dār al-Qalam, 2002.
- Al-<sup>c</sup>Ashmāwī, Muḥammad Sa’īd. *Usūl al-Sharī’ah*, 4<sup>th</sup> ed. Cairo: Madbūlī al-Sāghīr, 1996/1416.
- Al-Atawneh, Muhammad. “Shahda [sic] Versus Terror in Contemporary Islamic Legal Thought: The Problem of Suicide Bombers”, *Journal of Islamic Law and Culture*, Vol. 10, No. 1, April 2008, pp. 18-29.
- Al-<sup>c</sup>Awwā, Salwā Muḥammad. *Al-Jamā’ah al-Islāmiyyah al-Musallahah fī Misr 1974-2004*. Cairo: Maktabat al-Shurūq al-Dawliyyah, 2006.

- Al-Azhar House of Fatwā. “Imtilāk al-Ummah li al-Asliḥah al-Nawawiyyah” [article online]; available from [http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-Arabic-Ask\\_Scholar/FatwaA/FatwaA&cid=1122528620106](http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-Arabic-Ask_Scholar/FatwaA/FatwaA&cid=1122528620106); accessed 29 August, 2007.
- Al-Baghdādī, Abi Maṣ- r ° Abd al-Qāhir bin Ṭāhir bin Muḥammad. *Al-Nāsikh wa al-Mans- kh*. Ed. Ḥilmī Kāmil As° ad ° Abd al-Hādī. Amman: Dār al-° Adawī, n.d.
- Al-Bahnasāwī, Sālim. *Al-Taṭarruf wa al-Irhāb fī al-Manzūr al-Islāmī wa al-Dawlī*. Dār al-Wafā’ li al-Ṭibā° ah wa al-Nashr wa al-Tawzī°, 2004.
- Al-Bannā, Ḥasan. *Majm- ° at Rasā’ il al-Imām al-Shahīd Ḥasan al-Bannā*. Cairo: Dār al-Tawzī° wa al-Nashr al-Islāmiyyah, 1992/1412.
- \_\_\_\_\_. *Six Tracts of Ḥasan al-Bannā: A Selection from the Majm- ° at Rasā’ il al-Imām al-Shahīd Ḥasan al-Bannā*. Kuwait: International Islamic Federation of Student Organizations, n.d.
- Al-Bāsh, Ḥasan. *Al-° Amaliyyat al-Istishhādiyyah: Asbābuhā Ahdāfuhā Ghāyātuhā*. Damascus: Dār Qutaybah li al-Ṭab° wa al-Nashr wa al-Tawzī°, 2003/1423.
- Al-Bayy- mī, Muḥammad Rajab. “Al-Al- sī al-Mufassir”, *Maws- ° at A° lām al-Fikr al-Islāmī*. Ed. Maḥm- d Ḥamdī Zaqq- q. Cairo: Al-Majlis al-A° lā li al-Shu’ūn al-Islāmiyyah, 2007/1428. pp. 13-18.
- \_\_\_\_\_. “Muḥammad Mutawallī al-Sha° rāwī”, *Maws- ° at A° lām al-Fikr al-Islāmī*. Ed. Maḥm- d Ḥamdī Zaqq- q. Cairo: Al-Majlis al-A° lā li al-Shu’ūn al-Islāmiyyah, 2007/1428. pp. 1003-1006.
- Al-Bilīlī, Al-Ṭāhir Maḥdī. *Maḥm- m al-Irhāb fī al-Fikr al-Insānī wa al-Sharī° ah al-Islāmiyyah: Dirāsah Muqāranah wa Ta° rīf*. Al-Mans- rah, Egypt: Dār al-Kalimah, 2006/1427.
- Al-Biqā° ī, Ibrāhīm bin ° Umar bin Ḥasan al-Rabbāṭ. *Al-Istishhād bi Āyāt al-Jihād*. Ed. Marzūq ° Alī Ibrāhīm. Cairo: Dār al-Risālah, 2002/1423.
- Al-Buhūtī, Maṣūr ibn Yūnus ibn Idrīs. *Kashshāf al-Qinā° ° an Matn al-Iqnā°*. Ed. Hilāl Muṣilḥī Muṣṭafā Hilāl. 6 Vols. Beirut: Dār al-Fikr, 1981-2/1402.
- Al-B- ṭī, Muḥammad Sa° id Ramaḍān. *Al-Jihād fī al-Islām: Kayf Naḥmuh? Wa Kayf Numārisuh? 2<sup>nd</sup>*. abridged ed. Damascus: Dār al-Fikr, 2003/1424.
- Al-Daghāmīn, Ziyād Khalīl Muḥammad. *Manḥajīyyat al-Baḥṭh fī al-Tafsīr al-Mawḍ- ° ī li al-Qur’ān al-Karīm*. Amman: Dār al-Bashīr, 1995/1416.
- Al-Daqs, Kāmil Salāmah. *Āyāt al-Jihād fī al-Qur’ān al-Karīm: Dirāsah Mawḍū° iyyah wa Tārīkhiyyah wa Bayāniyyah*. Kuwait: Dār al-Bayān, 1972/1392.

- Al-Dawoody, Ahmed Mohsen. “War in Islamic Law: Justifications and Regulations”, PhD thesis, University of Birmingham, Department of Theology and Religion, School of Philosophy, Theology and Religion, College of Arts and Law, August 2009.
- Al-Dhahabī, Muḥammad Husayn. *Athar Iqāmat al-Ḥud-d fī Istiqrār al-Mujtamaʿ*. Cairo: Maktabat Wahbah, 1986/1407.
- \_\_\_\_\_. *ʿIlm al-Tafsīr*. Cairo: Dār al-Maʿārif, n.d.
- \_\_\_\_\_. *Al-Tafsīr wa al-Mufasssir-n: Baḥth Tafṣīlī ʿan Nashʿat al-Tafsīr wa Taṭawwuruh wa Alwānuh wa Madhāhibuh maʿa ʿArḍ Shāmil li Ashhar al-Mufasssirīn wa Taḥlīl Kāmil li Aḥamm Kutub al-Tafsīr min ʿAṣr al-Nabiyy Ṣallā Allāhu ʿalayhi wa Sallam ilā ʿAṣrinā al-Ḥāḍir*, 3 Vols. Cairo: Dār al-Ḥadīth, 2005/1426.
- Al-Dimyātī. Aḥmad bin Ibrāhīm ibn al-Naḥḥās al-Dimashqī. *Tahdhīb Kitāb Mashārīʿ al-Ashwāq ilā Maṣāriʿ al-ʿUshshāq fī Faḍāʿil al-Jihād*. Ed. Ṣalāh ʿAbd al-Fattāḥ al-Khālīdī. Amman: Dār al-ʿUlūm li al-Nashr wa al-Tawzīʿ, 2003.
- Al-Disuqī, Rasha. *Unveiling Jihad*. Giza: Halā li al-Nashr wa al-Tawzīʿ, 2006/1425.
- Al-Fahdāwī, Khālīd Sulaymān Ḥamm-d. *Al-Fiḥ al-Siyāsī al-Islāmī*. 2<sup>nd</sup>. ed. Damascus: Al-Awāʿil li al-Nashr wa al-Tawzīʿ, 2005.
- Al-Faramāwī ʿAbd al-Ḥayy. *Al-Bidāyah fī al-Tafsīr al-Mawḍ-ʿī: Dirāsah Manhajīyyah*. 2<sup>nd</sup> ed. Cairo: n.p., 1977/1397.
- \_\_\_\_\_. “Al-Fakhr al-Rāzī”, *Maws-ʿat Aʿlām al-Fikr al-Islāmī*. Ed. Maḥm-d Ḥamdī Zaqq-q. Cairo: Al-Majlis al-Aʿlā li al-Shuʿūn al-Islāmiyyah, 2007/1428. pp. 793-795.
- \_\_\_\_\_. “Al-Qurṭubī”, *Maws-ʿat Aʿlām al-Fikr al-Islāmī*. Ed. Maḥm-d Ḥamdī Zaqq-q. Cairo: Al-Majlis al-Aʿlā li al-Shuʿūn al-Islāmiyyah, 2007/1428. pp. 831-832.
- \_\_\_\_\_. “Al-Ṭabarī”, *Maws-ʿat Aʿlām al-Fikr al-Islāmī*. Ed. Maḥm-d Ḥamdī Zaqq-q. Cairo: Al-Majlis al-Aʿlā li al-Shuʿūn al-Islāmiyyah, 2007/1428. pp. 551-553.
- Al-Faruqī, Ismail R. “Islam and Other Faiths: The World’s Need for Humane Universalism”, in Altaf Gauhar, ed., *The Challenge of Islam*. London: Islamic Council of Europe, 1978. pp. 82-111.
- Al-Fayrūz Ābādī, Muḥammad ibn Yaʿqūb. *Al-Qāmūs al-Muḥīṭ*. Beirut: Muʿassasat al-Risālah, n.d.

- Al-Ghazālī, Muḥammad. *Naḥwa Tafsīr Mawḍ- ʿī li Suwar al-Qurʾān al-Karīm*. 3<sup>rd</sup> ed. Cairo: Dār al-Shur-q, 1997.
- \_\_\_\_\_. *Thematic Commentary on the Qurʾān*. Trans. Ashur A. Shamis. Rev. Zaynab Alawiye. Herndon, VA: International Institute of Islamic Thought, 2000/1421.
- Al-Ghunaymī, Muḥammad Ṭalʿaṭ. *Qānūn al-Salām fī al-Islām*. Alexandria, Egypt: Munshaʿat al-Maʿārif, 2007.
- Al-Ḥalabī, ʿAlī ibn Burhān al-Dīn. *Insān al-ʿUy-n: Al-Sīrah al-Ḥalabiyyah fī Sīrat al-Amīn al-Maʿm-n*. 3 Vols. Beirut: Dār al-Maʿrifah, 1400.
- Al-Ḥalawānī, ʿAlī As-Sayyid Ḥasan. “Some Aspects of Semantic Change and Religious Terminology”, MA diss., Department of English, Faculty of Alsun, Minya University, Egypt, 2003.
- Al-Ḥamawī, Shihāb al-Dīn Abu ʿAbdullāh Yāqūt ʿAbdullāh. *Muʿjam al-Buldān*. 5 Vols. Beirut: Dār Ṣādir, 1977/1397.
- Al-Ḥaqīl, Sulaymān ʿAbd al-Raḥmān. *Ḥaqīqat Mawqif al-Islām min al-Taṭarruf wa al-Irhāb*. Riyadh: N.p., 2001/1422.
- Al-Hāshimī, ʿAlī bin al-Sayyid ʿAbd al-Raḥmān. “Al-Jihād: Maqāsiduh wa Dawābiṭuh”, *The Truth about Islam in a Changing World*, Researches and Proceedings, Fourteenth General Conference of the Supreme Council for Islamic Affairs. Cairo: Maṭābiʿ al-Ahrām al-Tujāriyyah, 2003/1424, pp. 739-748.
- Al-Ḥifnī, ʿAbd al-Munʿim. *Maws- ʿat al-Qurʾān al-ʿAẓīm*. 2 Vols. Cairo: Maktabat Madb- lī, 2004.
- Al-Hūfī, Aḥmad Muḥammad. *Al-Ṭabarī*. Cairo: Al-Muʿassasah al-Miṣriyyah al-ʿĀmmah li al-Taʿlīf wa al-Tarjamah wa al-Ṭibāʿah wa al-Nashr, 1963/1382.
- Al-Ḥūrī, ʿAbd al-Ilāh Ḥūrī. “Asbāb Ikhtilāf al-Mufasssīrīn fī Tafsīr Āyāt al-Aḥkam”, MA diss., Department of Islamic Sharīʿah, Faculty of Dār al-ʿUlūm, Cairo University, 2001/1422.
- Al-Imām, Aḥmad ʿAlī. *Nazarāt Muʿāṣirah fī Fiqh al-Jihād*. Beirut: Al-Maktab al-Islāmī, 2000/1420.
- \_\_\_\_\_. “Ruʾyah Taʿshīyyah li-mafh- m al-Irhāb”, *Scientific Review of the European Council for Fatwa and Research*, No. 6, January 2005, pp. 24-35.
- Al-Jahni, Ali bin Faiz. *Al-Irhāb: Al-Fahm al-Mafrūḍ li al-Irhāb al-Marfūḍ*. Riyadh: Naif Arab University for Security Sciences, Centre for Studies and Researches, 2001/1421.

- \_\_\_\_\_. *Terrorism: Concept and Reality*. Trans. Zubair Ahmad. Riyadh: Naif Arab Academy for Security Sciences, 2002/1422.
- Al-Jarārī, °Abbās. “Mu°ādalāt al-Silm wa al-Ḥarb fī Manz-r al-Islām”, *Tolerance in the Islamic Civilization*, Researches and Facts, Sixteenth General Conference of the Supreme Council for Islamic Affairs. Cairo: Maṭābi° al-Ahrām al-Tujāriyyah, 2004/1425. pp. 1187-1198.
- Al-Jaṣṣāṣ, Aḥmad ibn °Ali al-Rāzī. *Aḥkām al-Qur’ān*. 5 Vols. Ed. Muḥammad al-Ṣādiq Qamḥāwī. Beirut: Dār Iḥyā’ al-Turāth al-°Arabī, 1984-5/1405.
- Al Jazeera English. “Obama: ‘US is not at war with Islam’” [article online]; available from <http://english.aljazeera.net/news/europe/2009/04/20094611538303268.html>; accessed 22 July 2009.
- Al-Jazzār, Muḥammad Bahjat Muṣṭafā. “Al-Jarā’im al-Irhābiyyah: Bayna al-Qān-n al-Waḍ°ī wa al-Sharī°ah al-Islāmiyyah fī Ḍaw’ Aḥkām al-Qaḍā’”, PhD thesis, Faculty of Law, Zagazig University, Egypt, 2002.
- Al-Kāsānī, Alā’ al-Dīn, *Badā’i° al-Sanā’i° fī Tartīb al-Sharā’i°*. 7 Vols. Dār al-Kitāb al-°Arabī, 1982.
- Al-Khalafī, °Abd al-°Azīm Badawī. “Al-Ḥarb wa al-Salām fī al-Islām fī Ḍaw’ Sūrat Muḥammad °alayhi al-Salām”, MA diss., Department of *Da°wah* and Islamic Culture, Faculty of Uṣūl al-Dīn, Al-Azhar University, Cairo, 1994/1415.
- Al-Khattar, Aref M. *Religion and Terrorism: An Interfaith Perspective*. Westport, CT.: Praeger, 2003.
- Al-Khuḍarī, Muḥammad. *Uṣūl al-Fiqh*. 6<sup>th</sup> ed. Cairo: Al-Maktabah al-Tujāriyyah al-Kubrā, 1969/1389.
- Al-K- mī, Aḥmad As-Sayyid and Muḥammad Aḥmad Y-suf al-Qāsim. *Al-Tafsīr al-Mawḍ- °ī li al-Qur’ān al-Karīm*. Cairo: N.p., 1982/1402.
- Al-Maghrabī, °Abd al-Ḥamīd °Alī. *Al-Mushārahah fī al-Ḥirābah wa °Uqūbatuhā fī al-Sharī°ah al-Islāmiyyah*. Cairo: Dār al-Ṭibā°ah al-Muḥammadiyyah, 1983/1404.
- Al-Majālī, °Abd al-Ḥamīd Ibrāhīm. *Al-Taṭbīqāt al-Mu°āṣirah li Jarīmat al-Ḥirābah*. Amman: Dār Jarīr, 2005.
- Al-Majd-b, °Abd al-°Azīz. *Al-Imām al-Ḥākīm Fakhr al-Dīn al-Rāzī min Khilāl Tafsīrih*. 2<sup>nd</sup> ed. Tunisia: Al-Dār al-°Arabiyyah li al-Kutub, 1980/1400.
- Al-Majd-b, Aḥmad. *Al-Mu°ālahjah al-Qur’āniyyah li al-Jarīmah*. Cairo: Al-Dār al-Miṣriyyah al-Lubnāniyyah, 1998.

- Al-Malki, Abdulhafiz bin Abdullah. “Naḥwa Binā’ Istirātījiyyah Waṭaniyyah” [article online]; available from <http://www.nauss.edu.sa/NAUSS/Arabic/Menu/ELibrary/ScLetterResearch/Doctorate/year1/part1/dps12006.htm>; accessed 2 March 2008.
- Al-Mardāwī, °Alī ibn Sulaymān, *Al-Inṣāf fī Ma°rifat al-Rājiḥ min al-Khilāf °alā Madhhab al-Imām Aḥmad Ibn Ḥanbal*. Ed. Muḥammad Ḥāmid al-Fiḳī. 12 Vols. Beirut: Dār Iḥyā’ al-Turāth al-°Arabī, n.d.
- Al-Maṭr-dī, °Abd al-Raḥmān bin Ibrāhīm. *Al-Naskh fī al-Qur’ān al-°Aẓīm*. Riyadh: Maṭābi° Jāmi° at al-Malik Su°-d, 1994/1414.
- Al-Maṭrūdī, °Abd al-Raḥmān Sulaymān. *Naẓrah fī Maḥm al-Irhāb wa al-Mawqif Minhu fī al-Islām*. Dirāsāt Mu°āṣirah 17. Riyadh: King Faisal Center for Research and Islamic Studies, 2004/1425.
- \_\_\_\_\_. “Al-Irhāb wa Ra’y al-Qur’ān Fīh”, *Journal of Qur’anic Studies*, Vol. 6, No. 1, 2004, pp. 159-197.
- \_\_\_\_\_. “Naẓrah fī Maḥm al-Irhāb wa al-Mawqif minhu fī al-Islām” [article online]; available from <http://alminbar.al-islam.com/images/books/367.pdf>; accessed 31 December 2007.
- Al-Mawardī, °Alī bin Muḥammad Ḥabīb al-Baṣrī. *Al-Aḥkām al-Sulṭāniyyah wa al-Wilāyāt al-Dīniyyah*. Cairo: Dār al-Fikr li al-Ṭibā°ah wa al-Nashr wa al-Tawzī°, 1983.
- \_\_\_\_\_. *Al-Ahkam As-Sultaniyyah: The Laws of Islamic Governance*. Trans. Asadullah Yate. London: Ta-Ha Publishers, 1966/1416, repr. 2005.
- Al-Mawdūdī, Sayyid Abul A°lā. *Al-Jihād fī Sabīl Allāh*. Beirut: Dār al-Fikr, n.d.
- \_\_\_\_\_. *Sharī°at al-Islām fī al-Jihād wa al-°Alāqāt al-Dawliyyah*. Trans. Samīr °Abd al-Ḥamīd Ibrāhīm. Rev. °Abd al-Ḥalīm °Uways and Ibrāhīm Y-nus. Cairo: Dār al-Ṣaḥwah li al-Nashr, 1985/1406.
- \_\_\_\_\_. *Towards Understanding the Qur’ān*. Trans. & ed. Zafar Ishaq Ansari. Leicester: Islamic Foundation. 9 Vols. by 2010.
- \_\_\_\_\_. Ḥasan al-Bannā and Sayyid Quṭb. *Thalāth Rasā’il fī al-Jihād*. Amman: Dār °Ammār li al-Nashr, 1992.
- Al-Misbahī, °Ādel Jāsim Ṣāliḥ. *Al-Shahīd fī al-Sunnah al-Nabawiyyah: Min Wāqi° al-Kutub al-Sittah*. Rev. & ed. Muḥammad bin Ḥamad al-Ḥamūd al-Najdī. Ḥiwallī, Kuwait: Maktabat al-Imām al-Dhahabī li al-Nashr wa al-Tawzī°, 2008/1429.

- Al-Miṣrī, Aḥmad bin Sālīm. *Fatāwā al-‘Ulamā’ al-Kibār: Fī al-Irhāb wa al-Tadmīr wa Dawābiṭ al-Jihād wa al-Takfīr wa Mu‘āmalat al-Kuffār*. Riyadh: Dār al-Kayān, 2005/1426.
- Al-Miṣrī, Ḥusayn Mujīb. *Ghazawāt al-Ras-l bayn Shu‘arā’ al-Shu‘b al-Islāmiyyah: Dirāsah fī al-Adab al-Islāmī al-Muqāran*. Cairo: Al-Dār al-Thaqāfiyyah li al-Nashr, 2000/1420.
- Al-Muhayrī, Sa‘īd ‘Abdullāh Ḥārib. *Al-‘Alāqāt al-Khārijiyyah li al-Dawlah al-Islāmiyyah: Dirāsah Muqāranah*. Beirut: Mu‘assasat al-Risālah, 1995/1416.
- Al-Mumnī, Aḥmad Muḥammad Khalaf. *Al-Ta‘bi‘ah al-Jihādiyyah fī al-Islām*. Amman: Dār al-Arqam li al-Nashr wa al-Tawzī‘, 1986/1406.
- Al-Nabarāwī, Khadijah. *Maws-‘at Huq- q al-Insān fī al-Islām*. Cairo: Dār al-Salām, 2004.
- Al Nafisah, Abdur Rahman Hassan. “Al-I‘tidā’ ‘alā al-Āminīn wa mā Yatarattab ‘alayh”, *Contemporary Jurisprudence Research Journal*, Vol. 16, No. 64, Sep-Oct-Nov 2004, pp. 288-294.
- Al-Najjār, ‘Abdullāh Mabruk. “Taḥdīd al-Mafāhīm fī Majāl al-Ṣirā‘ al-Basharī: Al-Jihād, al-Qitāl, al-‘Unf, al-Irhāb”, *The Truth about Islam in a Changing World*, Researches and Proceedings, Fourteenth General Conference of the Supreme Council for Islamic Affairs. Cairo: Maṭābi‘ al-Ahrām al-Tujāriyyah, 2003/1424, pp. 777-830.
- Al-Nawawī, Muḥyī al-Dīn ibn Sharaf. *Al-Majm-‘: Sharḥ al-Muhadhdhab*. Ed. Maḥmūd Maṭrajī. 22 Vols. Beirut: Dār al-Fikr, 2000.
- \_\_\_\_\_. *Riyāḍ al-Ṣāliḥīn*. Cairo: Dār al-Rayyān, n.d.
- Al-Nimr, ‘Abd al-Mun‘im. *‘Ilm al-Tafsīr: Kayfa Nasha’ wa-Taṭawwara ḥattā Intahā ilā ‘Aṣrinā al-Ḥāḍir*. Cairo: Dār al-Kitāb al-Miṣrī, 1985/1405.
- Al-Nīsāb-rī, Ab- al-Ḥasan ‘Alī bin Aḥmad. *Asbāb al-Nuz-l*. Ed. Sharīf Muḥammad ‘Abd al-Raḥmān. N.p.: Dār al-Taqwā, 2005.
- Al-Qaḥṭānī, Māhir bin Zāfir. *Rasā’il ‘Ilmiyyah fī Fiqh al-Jihād wa al-‘Amaliyyāt al-Intihāriyyah*. N.p.: Maktabat al-Tawḥīd, 2006/1427.
- Al-Qaraḍāwī, Yūsuf. *Al-Dīn wa al-Siyāsah: Ta’ṣīl Warad Shubuhāt*. Cairo: Dār al-Shur- q, 2007/1428.
- \_\_\_\_\_. *Fiqh al-Jihād: Dirāsah Muqāranah li Aḥkāmihī wa Falsafatihi fī Daw’ al-Qur’ān wa al-Sunnah*. 2 Vols. Cairo: Maktabat Wahbah, 2009/1430.
- \_\_\_\_\_. *Al-Islām wa al-‘Unf: Naẓarāt Ta’ṣīliyyah*. Cairo: Dār al-Shurūq, 2005.

- \_\_\_\_\_. *Khitābunā al-Islāmī fī ʿAṣr al-ʿAwlamah*. Cairo: Dār al-Shurūq, 2004/1424.
- \_\_\_\_\_. “Mafhūm al-Jihād: Taʿṣīl wa Tarshīd” [article online]; available from [http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-Arabic-Ask\\_Scholar/FatwaA/FatwaA&cid=1122528621352](http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-Arabic-Ask_Scholar/FatwaA/FatwaA&cid=1122528621352); accessed 6 April 2009.
- \_\_\_\_\_. “Muzakkirāt al-Qaraḏāwī: Waqfah maʿa Sayyid Quṭb” [article online]; available from <http://www.almotamar.net/news/10244.htm>; accessed 28 July 2009.
- \_\_\_\_\_. “Al-Qaraḏāwī: Kalimah Akhīrah ḥawla Sayyid Quṭb” [article online]; available from [http://www.islamonline.net/servlet/Satellite?c=ArticleA\\_C&pagename=Zone-Arabic-Shariah%2FSTRALayout&cid=1173694966860](http://www.islamonline.net/servlet/Satellite?c=ArticleA_C&pagename=Zone-Arabic-Shariah%2FSTRALayout&cid=1173694966860); accessed 3 June 2009.
- Al-Qarālah, ʿAlī ʿAbd al-Qādir. *Al-Muqāwamah wa al-Irhāb min Manẓ-r Islāmī*. Amman: Dār ʿĀlam al-Thaqāfah li al-Nashr wa al-Tawzīʿ, 2005.
- Al-Qāsimī, Zāfir. *Al-Jihād wa al-Ḥuqūq al-Dawliyyah al-ʿĀmmah fī al-Islām*. Beirut: Dār al-ʿIlm li al-Malayyīn, 1982.
- Al-Qaṭṭān, Mannāʿ. *Mabāḥith fī ʿUl-m al-Qurʿān*. 11<sup>th</sup> ed. Cairo: Maktabat Wahbah, 2000.
- Al-Qaysī, Ibrāhīm ibn Ibrāhīm Ṭaha. “Al-Jihād fī al-Sunnah”, MA diss., Al-Imam Muhammad Ibn Saud Islamic University, Riyadh, Saudi Arabia, 1979.
- Al-Qurṭubī, Muḥammad ibn Aḥmad al-Anṣārī. *Al-Jāmiʿ li Aḥkām al-Qurʿān*. 20 Vols. Cairo: Dār al-Shaʿb, n.d.
- Al-Qusṭanṭīnī, Muṣṭafā bin ʿAbdullāh. *Kashf al-Zun-n ʿan Asāmī al-Kutub wa al-Fun-n*. 2 Vols. Beirut: Dār al-Kutub al-ʿIlmiyyah, 1992/1413.
- Al-Raḥm-nī, Muḥammad. *Al-Dīn wa al-Ayduyul-jyā: Jadaliyyat al-Dīnī wa al-Siyāsī fī al-Islām wa fī al-Markisiyyah*. Beirut: Dār al-Ṭalīʿah li al-Ṭibāʿah wa al-Nashr, 2005.
- Al-Rasheed, Madawi. “The Quest to Understand Global Jihad: The Terrorism Industry and Its Discontents”, *Middle Eastern Studies*, Vol. 45, No. 2, March 2009, pp. 329-338.
- Al-Rāzī, Fakhr al-Dīn Muḥammad ibn ʿUmar al-Tamīmī. *Al-Tafsīr al-Kabīr aw Maḥāṭib al-Ghayb*. 32 Vols. Beirut: Dār al-Kutub al-ʿIlmiyyah, 2000.
- Al-Rāzī, Muḥammad ibn Abī Bakr ibn ʿAbd al-Qādir. *Mukhtār al-Ṣaḥḥāḥ*. Ed. Maḥmūd Khāṭir. Beirut: Maktabat Lubnān Nashirūn, 1995.

- Al-Rikābī, Al-Shaykh. *Al-Jihād fī al-Islām: Dirāsah Mawḍ-‘iyyah Taḥlīliyyah Tabḥath bi al-Dalīl al-‘ilmī al-Fiḥī ‘an al-Jihād wa ‘Anāṣiruh fī al-Tanzīl wa al-Sunnah*. Damascus: Dār al-Fikr, 1997/1418.
- Al-Rubaysh, Aḥmad bin Sulaymān Ṣālīḥ. *Jarā’im al-Irhāb wa Taṭbīqātuhā al-Fiḥiyyah al-Mu‘āṣirah*. Riyadh: Maṭābi‘ Akādimiyyat Nāyef al-‘Arabiyyah li al-‘Ulūm al-Amniyyah, 2003.
- Al-Salafī, Muḥammad Luqmān. *Al-Sunnah: Ḥujjiyyatuhā wa Makānatuhā fī al-Islām*. Medina: Maktabat al-Īmān, 1989/1409.
- Al-Ṣalāḥāt, Sāmī. *Al-‘Amaliyyāt al-Istishhādiyyah fī Manẓ- r al-Siyāsah al-Shar‘iyyah*. Giza: Markaz al-‘Ilām al-‘Arabī, 2006.
- Al-Samarqandī, ‘Alā’ al-Dīn. *Tuḥfat al-Fuqahā’*. 3 Vols. Beirut: Dār al-Kutub al-‘Ilmiyyah, 1405/1984.
- Al-Sammān, Muḥammad ‘Abdullāh. *Al-Islām wa al-Dimā’*. Cairo: Al-Maktab al-Fannī li al-Nashr, n.d.
- Al-Saqāf, ‘Alī bin ‘Abd al-Qādir. “Al-Ḍurar al-Saniyyah” [article online]; available from <http://www.dorar.net/enc/hadith/+/+yj&page=1>; accessed 21 October 2008.
- Al-Sarakhsī, Muḥammad ibn Aḥmad ibn Abī Sahl. *Kitāb al-Mabs-ṭ*. 30 Vols. Beirut: Dār al-Ma‘rifah, n.d.
- Al-Sarḥān, Muḥyi Hilāl and Aḥmad Ḥassūnī Jāsīm. *Al-Shaḥīd fī al-Islām*. Baghdad: Munazzamat al-Mu’tamar al-Islāmī al-Sha‘bī, n.d.
- Al-Ṣāwī, Ṣalāḥ. “Al-Ishtirāk fī Qitāl al-Muslimīn taḥta Rāyat al-Amrīkān: Ijtihād Ākhar” [article online]; available from [http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-Arabic-Ask\\_Scholar/FatwaA/FatwaA&cid=1122528600884](http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-Arabic-Ask_Scholar/FatwaA/FatwaA&cid=1122528600884); accessed 27 August 2008.
- Al-Sayyid, Majdī bin Faṭḥī. *Al-Tawbah al-Naṣūḥ: Wujūbuhā ‘Alāmātuhā Aqsāmuhā Shurūṭuhā Fawā’iduhā*. Tanta: Maktabat al-Saḥābah, 1406.
- Al-Shabīb, Muḥammad and Muḥammad al-Shamlāwī. *Al-Madāris al-Tafsīriyyah: ‘Arḍ M-jaz li Ashhar al-Mufasssīrīn wa Manāḥijihim fī al-Tafsīr, Mu‘jam Yaḍumm Akthar min 100 Tafsīr wa Mufasssīr*. Beirut: Mu’assasat al-‘Ārif li al-Maṭb-‘āt, 2006/1427.
- Al-Shāfi‘ī, Muḥammad ibn Idrīs. *Al-Umm*. Ed. Maḥm- d Maṭrajī. Beirut: Dār al-Kutub al-‘Ilmiyyah, 1993/1413.

Al-Sharabāṣī, Aḥmad. *Rashīd Riḍā: Al-Ṣaḥafī, al-Mufasssir, al-Shā'ir, al-Lughawī*. Cairo: Al-Majlis al-A'ālā li al-Shu'ūn al-Islāmiyyah, 1977.

Al-Sha'arāwī, Muḥammad Mutawallī. *Al-Jihād fi al-Islām*. Rev. & ed. Markaz al-Turāth li Khidmat al-Kitāb wa al-Sunnah. Cairo: Maktabat al-Turāth al-Islāmī, 1998/1419.

\_\_\_\_\_. *Tafsīr al-Sha'arāwī*, 20 Vols. Cairo: Akhbār al-Yawm, 1991.

Al-Sharīf, 'Alī Muḥammad 'Alī and Osāmah Ibrāhīm Ḥāfiẓ. *Al-Nuṣḥ wa al-Tabyīn fi Taṣḥīḥ Maḥāhīm al-Muḥtasibīn*. Ed. Karam Muḥammad Zuhdī, Muḥammad 'Iṣām al-Dīn Dirbālah, Nājīḥ Ibrāhīm 'Abdullāh, Fu'ād Maḥmūd al-Dawālībī, Ḥamdī 'Abd al-Raḥmān 'Abd al-'Azīm and 'Āṣim 'Abd al-Mājid. Cairo: Maktabat al-Turāth al-Islāmī, 2002/1422.

Al-Sharīf, Sayyid Imām. “Al-Ḥalaqah al-Tāsi'ah min Wathīqat Tarshīd al-'Amal al-Jihādī: Ḍawābiṭ al-Takfīr” [article online]; available from [http://www.islamonline.net/servlet/Satellite?c=ArticleA\\_C&cid=1195032611220&pagename=Zone-Arabic-Daawa%2FDWALayout](http://www.islamonline.net/servlet/Satellite?c=ArticleA_C&cid=1195032611220&pagename=Zone-Arabic-Daawa%2FDWALayout); accessed 6 December 2007.

\_\_\_\_\_. “Al-Irhāb min al-Islām wa Man Ankara Dhālika Faqad Kafara” [article online]; available from <http://archive.muslimuzbekistan.com/arb/arnews/2004/03/marsad31032004.html>; accessed 8 March 2010.

Al-Shawkānī, Muḥammad bin 'Alī bin Muḥammad. *Nayl al-Awṭār: Sharḥ Muntaqā al-Akhbār min Aḥādīth Sayyid al-Akhyār*. Last ed., 8 Vols. Cairo: Sharikat Maktabat wa Maṭba'at Muṣṭafā al-Bābī al-Ḥalābī wa Awlādūh, n.d.

Al-Shirbīnī, Shams al-Dīn Muḥammad bin al-Khātīb. *Mughnī al-Muḥtāj ilā Ma'rīfat Alfāẓ al-Minhāj*. Ed. Muḥammad Khalīl 'Aytānī. 4 Vols. Beirut: Dār al-Ma'rīfah li al-Ṭibā'ah wa al-Nashr wa al-Tawzī', 1997/1418.

Al-Suy-ṭī, 'Abd al-Raḥmān bin Abī Bakr. *Lubāb al-Nuq-l fi Asbāb al-Nuz-l*. Ed. Muḥammad Tāmir. N.p.: Dār al-Taqwā, 2004.

Al-Suyūṭī, 'Abd al-Raḥmān ibn al-Kamāl Jalāl al-Dīn. *Al-Durr al-Manthūr fi al-Tafsīr bi al-Ma'thūr*. 8 Vols. Beirut: Dār al-Fikr, 1993.

Al-Ṭabarī, Muhammad ibn Jarīr ibn Yazīd ibn Khālīd. *Jāmi' al-Bayān 'an Ta'wīl Āy al-Qur'ān*, 30 Vols. Beirut: Dār al-Fikr, 1984-5/1405.

Al-Tartūrī, Muhammad 'Awaḍ and Aghādīr 'Arafāt Guwayḥān. *'Ilm Al-Irhāb: Al-Usus al-Fikriyyah wa al-Nafsiyyah wa al-Ijtīmā'iyyah wa al-Tarbawīyyah li Dirāsāt al-Irhāb*. Amman: Dār al-Ḥāmid li al-Nashr wa al-Tawzī', 2006.

- Al-Ṭībī, °Ukāshah °Abd al-Mannān. *Al-Shahādah wa al-Istishhād: Fī Zilāl al-Qur’ān li al-Shaykh Sayyid Quṭb*. Cairo: Maktabat al-Turāth al-Islāmī, 1994.
- Al-°Ulamā’, Muḥammad °Abd al-Raḥīm Sulṭān. “Mawqif al-Islām min al-Irhāb”, *Tolerance in the Islamic Civilization*, Researches and Facts, Sixteenth General Conference of the Supreme Council for Islamic Affairs. Cairo: Maṭābi° al-Ahrām al-Tujāriyyah, 2004/1425. pp. 1157-1186.
- Al-°Umayrī, Muḥammad bin °Abdullāh. *Mawqif al-Islām min al-Irhāb*. Riyadh: Jāmi°at Nāyef al-°Arabiyyah li al-°Ulūm al-Amniyyah, 2004/1425.
- \_\_\_\_\_. *Musqitāt Hadd al-Ḥirābah wa Taṭbīqātihā fī al-Mamlakah al-°Arabiyyah al-Su°ūdiyyah*. Riyadh: Akādimiyyat Nāyef al-°Arabiyyah li al-°Ulūm al-Amniyyah, 1999.
- Al-Zāḥim, °Abdullāh bin Ibrāhīm. *Al-Jihād fī al-Islām: Maḥm-muh wa Ahdāfuh wa Anwā°uh wa Ḍawābi°uh: Dirāsah Ta’šiliyyah*. Beirut: Mu’assasat al-Rayyān li al-Ṭibā°ah wa al-Nashr wa al-Tawzi°, 2007/1428.
- Al-Zāḥim, Muḥammad bin °Abdullāh. *Āthār Taṭbīq al-Sharī°ah fī Man° al-Jarīmah*. Cairo: Dār al-Manār li al-Ṭab° wa al-Nashr wa al-Tawzi°, 1992/1412.
- Al-Zamīlī, Zakariyyah Ibrāhīm and Kā’ināt Maḥm-d °Ulwān. “Al-I°jāz al-Tashrī°ī fī Ḥadday al-Sariqah wa al-Ḥirābah”, *Majallat al-Jāmi°ah al-Islāmiyyah*, Silsilat al-Dirāsāt al-Islāmiyyah, Vol. 14, No. 1, January 2006, pp. 75-121.
- Al-Zarqānī, Muḥammad °Abd al-°Azīm. *Manāhil al-°Irfān fī °Ul-m al-Qur’ān*. 2 Vols. Beirut: Dār al-Fikr, 1996/1416.
- Al-Zayla°ī, Fakhr al-Dīn °Uthmān bin °Alī. *Tabayīn al-Ḥaqā’iq: Sharḥ Kanz al-Daqā’iq*. 6 Vols. Cairo: Dār al-Kutub al-Islāmī, 1895-6/1313.
- Al-Zayn, Muḥammad Bassām Rushdī. *Al-Mu°jam al-Mufahras li Ma°ānī al-Qur’ān al-°Azīm*. 2 Vols. 2<sup>nd</sup> ed. Damascus: Dār al-Fikr, 1996/1417.
- Al-Zuhaylī, Wahbah. *Al-°Alāqāt al-Dawliyyah fī al-Islām: Muqāranah bi al-Qān-n al-Dawlī al-Ḥadīth*. Beirut: Mu’assasat al-Risālah, 1981/1401.
- \_\_\_\_\_. *Āthār al-Ḥarb fī al-Fiqh al-Islāmī: Dirāsah Muqāranah*. 3<sup>rd</sup> ed. Damascus: Dār al-Fikr, 1998/1419.
- \_\_\_\_\_. *Al-Wajīz fī al-Fiqh al-Islāmī*. 3 Vols. Damascus: Dār al-Fikr, 2005/1426.
- Alexander, Scott C. “Fear”, *The Encyclopaedia of the Qur’ān*. Ed. Jane Dammen McAuliffe. 6 Vols. Leiden: Brill, 2002. pp. 194-198.

- Ali, Farhana and Jerrold Post. "The History and Evolution of Martyrdom in the Service of Defensive Jihad: An Analysis of Suicide Bombers in Current Conflicts", *Social Research*, Vol 75, No. 2, Summer 2008, pp. 615-654.
- Ali, Shaheen Sardar and Javaid Rehman. "The Concept of Jihad in Islamic International Law", *Journal of Conflict and Security Law*, Vol. 10, No. 3, Winter 2005, pp. 321-343.
- °Alīq, Nāṣir Ḥasan. *Falsafat al-Istishhād: Allāh wa al-Waṭan fī Khitāb al-Muqāwamah al-Islāmiyyah*. Beirut: Dār al-Mawāsīm li al-Ṭibā<sup>°</sup>ah wa al-Nashr wa al-Tawzī<sup>°</sup>, 2004/1425.
- Alshech, Eli. "Egoistic Martyrdom and Ḥamās' Success in the 2005 Municipal Elections: A Study of Ḥamās Martyrs' Ethical Wills, Biographies, and Eulogies", *Die Welt des Islams*, Vol. 48, No. 1, 2008, pp. 23-49.
- Alsumaih, Abdulrahman Muhammad. "The Sunni Concept of Jihad in Classical Fiqh and Modern Islamic Thought", PhD thesis, Department of Politics, University of Newcastle Upon Tyne, 1998.
- Ambros, Arne A. *A Concise Dictionary of Koranic Arabic*. Wiesbaden: Reichert, 2004.
- Anees, Munawar A. "Salvation and Suicide: What Does Islamic Theology Say?", *Dialog*, Vol. 45, No. 3, Fall 2006, pp. 275-279.
- An-Na'im, Abdullahi Ahmed. "Islamic Ambivalence to Political Violence: Islamic Law and International Terrorism", *German Yearbook of International Law*, Vol. 31, 1988, pp. 307-336.
- \_\_\_\_\_. "Why Should Muslims Abandon Jihad? Human Rights and the Future of International Law", *Third World Quarterly*, Vol. 27, No. 5, 2006, pp. 785-797.
- Armstrong, Karen. *The Battle for God*. New York: Alfred A. Knopf, 2000.
- Arneson, Richard J. "Just Warfare Theory and Noncombatant Immunity", *Cornell International Law Journal*, Vol. 39, No. 3, 2006, pp. 663-688.
- Asad, Talal. *On Suicide Bombing*. New York: Columbia University Press, 2007.
- °Aṣar, Ṣubḥī °Abd al-Ra'ūf. *Al-Mu°jam al-Mawḏū°i li Āyāt al-Qur'ān al-Karīm*. Cairo: Dār al-Faḍīlah li al-Nashr wa al-Tawzī° wa al-Taṣḍīr, 1990.
- Ashour, Omar. *The De-Radicalization of Jihadists: Transforming Armed Islamist Movements*. London; New York: Routledge, 2009.
- \_\_\_\_\_. "A World without Jihad?: The Causes of De-Radicalization of Armed Islamist Movements", PhD thesis, Department of Political Science, McGill University, Montreal, Canada, May 2008.

- As-Sawi [sic], Salah. “Refutation of a Fatwa Issued Concerning the Permissibility of Muslims Participating in Military Operations against the Muslims in Afghanistan” [article online]; available from [http://www.robert-fisk.com/refutation\\_of\\_fatwa\\_november2001.htm](http://www.robert-fisk.com/refutation_of_fatwa_november2001.htm); accessed 13 June 2008.
- °Atrīs, Muḥammad. *Al-Muʿjam al-Wāfi li Kalimāt al-Qurʾān al-Karīm*. Cairo: Maktabat al-Ādāb, 2006/1427.
- Avalos, Hector. *Fighting Words: The Origins of Religious Violence*. Amherst, NY: Prometheus Books, 2005.
- °Awaḍ, Bakr Zakī Ibrāhīm. “Mabda’ al-Salām fī al-Risālāt al-Samāwiyyah wa kayfa Yumkin Taṭbīquh fī al-Mujtamaʿ al-Muʿāṣir”, PhD thesis, Department of *Daʿwah* and Islamic Culture, Faculty of Usūl al-Dīn, Al-Azhar University, Cairo, 1984/1404.
- °Awaḍ, Ibrāhīm. *Min al-Ṭabarī ilā Sayyid Quṭb: Dirāsāt fī Manāhij al-Tafsīr wa Madhāhibuh*. Cairo: Dār al-Fikr al-ʿArabī, 2000/1421.
- Ayoob, Mohammed. “Political Islam: Image and Reality”, *World Policy Journal*, Vol. 21, No. 3, Fall 2004, pp. 1-14.
- Ayubi, Nazih N. “State Islam and Communal Plurality”, *Annals of the American Academy of Political and Social Science*, Vol. 524, Political Islam, November 1992, pp. 79-91.
- Ayy-b, Ḥassan. *Al-Jihād wa al-Fidāʿiyyah fī al-Islām*. 2<sup>nd</sup> enl. ed. Beirut: Dār al-Nadwah al-Jadīdah, 1983/1403.
- Badawi, Elsaïd M. and Muhammad Abdel Haleem. *Arabic-English Dictionary of Qurʾanic Usage*. Leiden: Brill, 2008.
- Badawi, Jamal. “Muslim/Non-Muslim Relations: Reflections on Some Qurʾanic Texts”, *Scientific Review of the European Council for Fatwa and Research*, No. 6, January 2005, pp. 258-284.
- Baderin, Mashood A., ed. *International Law and Islamic Law*. Aldershot: Ashgate, 2008.
- Baljon, J.M.S. *Modern Muslim Koran Interpretation (1880-1960)*. Leiden: Brill, 1968.
- Bambale, Yahaya Yunusa. *Crimes and Punishments under Islamic Law*. 2nd ed. Lagos: Malthouse Press Limited, 2003.
- Bar, Shmuel. *Warrant for Terror: Fatwās of Radical Islam and the Duty of Jihad*. Lanham, MD: Rowman & Littlefield Publishers, 2006.

- \_\_\_\_\_. "The Religious Sources of Islamic Terrorism", in Marvin Perry and Howard E. Negrin, eds, *The Theory and Practice of Islamic Terrorism: An Anthology*. New York: Palgrave Macmillan, 2008. pp. 11-20.
- Barlas, Asma. "Jihad, Holy War, and Terrorism: The Politics of Conflation and Denial", *American Journal of Islamic Social Sciences*, Vol. 20, No. 1, Winter 2003, pp. 46-62.
- Bassiouni, M. Cherif. "Evolving Approaches to Jihad: from Self-defense to Revolutionary and Regime Change Political Violence", *Journal of Islamic Law and Culture*, Vol. 10, No. 1, April 2008, pp. 61-83.
- \_\_\_\_\_. "Legal Control of International Terrorism: A Policy-Oriented Assessment", *Harvard International Law Journal*, Vol. 43, No. 1, Winter 2002, pp. 83-103.
- Bayān Makkah al-Mukarramah Bisha'n al-Irhāb. "Ta'rif al-Irhāb", *Majallat al-Majma' al-Fiqhī al-Islāmī*, Vol 13, No. 15, 2002, pp. 485-499.
- BBC Arabic Website. "Fuqahā' Muslim-n: Qirā'āt Fatwā Ibn Taymiyah li al-Jihād 'Khāṭī'ah'" [article online]; available from [http://www.bbc.co.uk/arabic/worldnews/2010/03/100331\\_mardin\\_fatwa\\_jihad\\_tc2.shtml](http://www.bbc.co.uk/arabic/worldnews/2010/03/100331_mardin_fatwa_jihad_tc2.shtml); accessed 12 April 2010.
- \_\_\_\_\_. "Jun-d Isrā'iliyy-n: Umirnā bi 'Adam al-Tamyīz bayn al-Madaniyyīn wa al-Musallaḥīn fī Ghazzah" [article online]; available from [http://www.bbc.co.uk/arabic/middleeast/2009/07/090715\\_dh\\_gaza\\_israel\\_tc2.shtml](http://www.bbc.co.uk/arabic/middleeast/2009/07/090715_dh_gaza_israel_tc2.shtml); accessed 18 December 2009.
- BBC News. "Indonesia executes Bali bombers" [article online]; available from <http://news.bbc.co.uk/2/hi/asia-pacific/7717819.stm>; accessed 11 November 2008.
- Bell, Bethany. "Counting Casualties of Gaza's war" [article online]; available from [http://news.bbc.co.uk/1/hi/world/middle\\_east/7855070.stm](http://news.bbc.co.uk/1/hi/world/middle_east/7855070.stm); accessed 18 December 2009.
- Bennoune, Karima. "Terror/Torture", *Berkeley Journal of International Law*, Vol. 26, No. 1, 2008, pp. 605-643.
- Bin Bayyah, 'Abdullāh. "Ṣinā'at al-Fatwā" [article online]; available from <http://www.aljazeera.net/NR/exeres/C4A769DB-3B5F-49BF-A0F0-9C5E9EA76F60.htm>; accessed 3 December 2009.
- Bin Ḥammād, 'Umar Bin Ḥammād. "Qirā'ah Taḥlīliyyah li al-Āyāt al-Wāridah fī al-Film: Al-Suq-ṭ fī al-Fitnah" [article online]; available from [http://www.islamonline.net/servlet/Satellite?c=ArticleA\\_C&cid=1203758714624&pagename=Zone-Arabic-Tazkia%2FTZALayout](http://www.islamonline.net/servlet/Satellite?c=ArticleA_C&cid=1203758714624&pagename=Zone-Arabic-Tazkia%2FTZALayout); accessed 9 March 2010.

- Bin Jani, Mohd Shah. "Sayyid Qutb's View of Jihād: An Analytical Study of His Major Works", PhD thesis, Department of Theology, Islamic Studies, Faculty of Arts, University of Birmingham, United Kingdom, 1998.
- Bin Jubayr, Hānī Bin °Abdullah Bin Muḥammad. *Al-°Amaliyyāt al-Istishhādiyyah: Ṣuwaruhā wa Aḥkāmuhā*. Riyadh: Dār al-Faḍīlah li al-Nashr wa al-Tawzī°, 2002/1423.
- Bin al-Mubārak, °Abdullāh. *Kitāb al-Jihād*. Ed. Nazīh Ḥammād. Beirut: Dār al-Nūr, 1971.
- Bin Laden, Osama. *Messages to the World: The Statements of Osama Bin Laden*. Ed. & intro. Bruce Lawrence. Trans. James Howarth. London: Verso, 2005.
- \_\_\_\_\_. "Declaration of Jihad against Jews and Crusaders", in Marvin Perry and Howard E. Negrin, eds, *The Theory and Practice of Islamic Terrorism: An Anthology*. New York: Palgrave Macmillan, 2008. pp. 41-47.
- \_\_\_\_\_. "Declaration of War against the Americans Occupying the Land of the Two Holy Places", in David C. Rapoport, ed., *Terrorism: Critical Concepts in Political Science*. 4 Vols. London: Routledge, 2006. pp. 271-294.
- \_\_\_\_\_. "Jihad against Jews and Crusaders", in David C. Rapoport, ed., *Terrorism: Critical Concepts in Political Science*, 4 Vols. London: Routledge, 2006. pp. 295-297.
- Bin Laden, Osama bin Muhammad, Ayman al-Zawahiri, Mir Hamzah, Fazlur Rahman Khalil, Abd al-Salam Muhammad Khan and Ab- Yasir Rifa°i Ahmad Taha. "World Islamic Front Statement Urging Jihad against Jews and Crusaders", in Gilles Kepel and Jean-Pierre Milelli, eds, *Al-Qaeda in Its Own Words*. Trans. Pascale Ghazaleh. Cambridge, MA: Belknap Press of Harvard University Press, 2008. pp. 53-56.
- Bin Zakariyyā, Abū al-Ḥusayn Aḥmad bin Fāris. *Mu°jam Maqāyīs al-Lughah*, Ed. °Abd al-Salām Muḥammad Hārūn. 2<sup>nd</sup> ed. 6 Vols. Beirut: Dār al-Jīl, 1999/1420. vol. 3.
- Blaydes, Lisa and Lawrence Rubin. "Ideological Reorientation and Counterterrorism: Confronting Militant Islam in Egypt", *Terrorism and Political Violence*, Vol. 20, No. 4, October 2008, pp. 461-479.
- Bloom, Mia M. "Palestinian Suicide Bombing: Public Support, Market Share and Outbidding", *Political Science Quarterly*, Vol. 119, No. 1, Spring 2004, pp. 61-88.
- Boisard, Marcel A. "The Conduct of Hostilities and the Protection of the Victims of Armed Conflict in Islam", *Hamdard Islamicus*, Vol. 1, No. 2, Autumn 1978, pp. 3-17.

- Bonner, Michael. *Jihad in Islamic History: Doctrines and Practice*. Princeton NJ: Princeton University Press, 2006.
- Bonney, Richard. *Jihād: From the Qur'ān to bin Laden*. Basingstoke: Palgrave Macmillan, 2004.
- Bordenkircher, Eric. "An Analysis of Jihād in the Context of the Islamic Resistance Movement of Palestine", MA diss., Faculty of Graduate Studies and Research, Institute of Islamic Studies, McGill University, Montreal, 2001.
- Bouzentia, Anke Iman. "The *Siyar*: An Islamic Law of Nations?", *Asian Journal of Social Sciences*, Vol. 35, 2007, pp. 19-46.
- Boyarin, Daniel. *Dying for God: Martyrdom and the Making of Christianity and Judaism*. Stanford CA: Stanford University Press, 1999.
- Brooke, Steven. "Jihadist Strategic Debates before 9/11", *Studies in Conflict and Terrorism*, Vol. 31, No. 3, March 2008, pp. 201-226.
- Brunner, Claudia. "Female Suicide Bombers – Male Suicide Bombing? Looking for Gender in Reporting the Suicide Bombings of the Israeli-Palestinian Conflict", *Global Society*, Vol. 19, No. 1, January 2005, pp. 29-48.
- Bsoul, Labeeb Ahmed. "International Treaties (Mu'ahadat) in Islam: Theory and Practice in the Light of Siyar (Islamic International Law)", PhD thesis, Institute of Islamic Studies, McGill University, Montreal, August 2003.
- Buaben, Jabal Muḥammad. *Image of the Prophet Muḥammad in the West: A Study of Muir, Margoliouth and Watt*. Leicester: Islamic Foundation, 1996/1417.
- \_\_\_\_\_. "The Life of Muḥammad (S.A.W.) in British Scholarship: A Critique of Three Key Modern Biographies of the Prophet Muḥammad (S.A.W.)", PhD thesis, Department of Theology and Religion, University of Birmingham, May 1995.
- Bucaille, Laetitia. "The Impossible Palestinian Martyrs Strategy: Victimization and Suicide Attacks", \_\_\_\_\_, Laetitia Bucaille and Luis Martinez, eds, *The Enigma of Islamist Violence*. Trans. John Atherton, Ros Schwartz and William Snow. London: Hurst & Co., 2007. pp. 47-70.
- Bukay, David. "The Religious Foundations of Suicide Bombings: Islamist Ideology", *Middle East Quarterly*, Vol. 13, No. 4, Fall 2006, pp. 27-36.
- \_\_\_\_\_. "What Is to Be Done?", in David Bukay, ed., *Muhammad's Monsters: A Comprehensive Guide to Radical Islam for Western Audiences*. Green Forest AR: Balfour Books, 2004. pp. 317-323.
- Bunt, Gary R. *iMuslims: Rewiring the House of Islam*. Chapel Hill: University of North Carolina Press, 2009.

- \_\_\_\_\_. *Islam in the Digital Age: E-jihad, Online Fatwas and Cyber Islamic Environments*. London: Pluto Press, 2003.
- Burgat, François. *Islamism in the Shadow of al-Qaeda*. Trans. Patrick Hutchinson. Austin: University of Texas Press, 2008.
- Burton, John. "Abrogation", *The Encyclopaedia of the Qur'ān*. Ed. Jane Dammen McAuliffe. 6 Vols. Leiden: Brill, 2002. pp. 11-19.
- \_\_\_\_\_. *The Collection of the Qur'ān*. Cambridge: Cambridge University Press, 1977.
- \_\_\_\_\_. "Naskh", *Encyclopaedia of Islam*, new ed., Vol. 7, pp. 1009-1012.
- Calhoun, Lindsay R. "Islamic Martyrdom in the Postcolonial Condition", *Text and Performance Quarterly*, Vol. 24, No. 3/4, July/October 2004, pp. 327-347.
- Chehab, Zaki. *Inside Hamas: The Untold Story of the Militant Islamic Movement*. New York: Nation Books, 2007.
- Chertoff, Michael. "The Ideology of Terrorism: Radicalism Revisited", *Brown Journal of World Affairs*, Vol. 15, No. 1, Fall/Winter 2008, pp. 11-20.
- China Daily. "Obama: US not at war with Islam" [article online]; available from [http://www.chinadaily.com.cn/cndy/2009-04/07/content\\_7652587.htm](http://www.chinadaily.com.cn/cndy/2009-04/07/content_7652587.htm); accessed 22 July 2009.
- Cohn, Majorie. "Distinguishing Terrorism", *Guild Practitioner*, Vol. 60, No. 1, Winter 2003, pp. 74-79.
- Cohn-Sherbok, Dan. *The Blackwell Dictionary of Judaica*. Oxford: Blackwell, 1992.
- Cook, David. *Martyrdom in Islam*. Cambridge: Cambridge University Press, 2007.
- \_\_\_\_\_. *Understanding Jihad*. Berkeley: University of California Press, 2005.
- \_\_\_\_\_, ed. *Jihad and Martyrdom*. 4 Vols. London: Routledge, 2010.
- \_\_\_\_\_. "The Implications of 'Martyrdom Operations' for Contemporary Islam", *Journal of Religious Ethics*, Vol. 32, No. 1, March 2004, pp. 129-152.
- \_\_\_\_\_. "Suicide Attacks or 'Martyrdom Operations' in Contemporary Jihad Literature", in David C. Rapoport, ed., *Terrorism: Critical Concepts in Political Science*. 4 Vols. London: Routledge, 2006. pp. 115-142.

- \_\_\_\_\_. and Olivia Allison. *Understanding and Addressing Suicide Attacks: The Faith and Politics of Martyrdom Operations*. Westport CT: Praeger Security International, 2007.
- Copinger-Symes, T.R. "Is Osama bin Laden's 'Fatwa Urging Jihad against Americans' dated 23 February 1998 Justified by Islamic Law?", in Mashood A. Baderin, ed., *International Law and Islamic Law*. Aldershot: Ashgate, 2008. pp. 213-234.
- Cox, Graham M. "Legal Aspects of International Terrorism", LIM thesis, University of Birmingham, 1997.
- Cozzens, Jeffrey B. "Al-Takfir wa'l Hijra: Unpacking an Enigma", *Studies in Conflict and Terrorism*, Vol. 32, No. 6, June 2009, pp. 489-510.
- Cragg, Kenneth. "Abduh, Muḥammad", *The Oxford Encyclopedia of the Modern Islamic World*. Ed. John L. Esposito. 4. Vols. New York: Oxford University Press, 1995. pp. 11-12.
- Crane, Robert D. "Hirabah versus Jihad" [article online]; available from [http://www.theamericanmuslim.org/tam.php/features/articles/terrorism\\_hirabah\\_versus\\_jihad/](http://www.theamericanmuslim.org/tam.php/features/articles/terrorism_hirabah_versus_jihad/); accessed 27 April 2009.
- Cryan, Philip. "Defining Terrorism", in Aftab Ahmad Malik, ed., *With God on Our Side: Politics and Theology of the War on Terrorism*. Bristol: Amal Press, 2005. pp. 97-106.
- Daftary, Farhad. *The Assassin Legends: Myths of the Isma'ilis*. London: Tauris, 1994.
- \_\_\_\_\_. "The 'Order of the Assassins': J. von Hammer and the Orientalist Misrepresentations of the Nizari Ismailis (Review article)", *Iranian Studies*, Vol. 39, No. 1, March 2006, pp. 71-81.
- Dakake, David. "The Myth of a Militant Islam", in Aftab Ahmad Malik, ed., *The State We Are in: Identity, Terror and the Law of Jihad*. Bristol: Amal Press, 2006. pp. 55-92.
- Dalacoura, Katerina. "Violence, September 11 and the Interpretations of Islam", in Mashood A. Baderin, ed., *International Law and Islamic Law*. Aldershot: Ashgate, 2008. pp. 235-239.
- Darwazah, Muḥammad °Azzah. *Al-Jihād fī Sabīl Allāh fī al-Qur'ān wa al-Ḥadīth*. 2<sup>nd</sup> ed. Beirut: Dār al-Nāshir li al-Ṭibā'ah wa al-Nashr wa al-Tawzī' wa al-I'ān, 1990/1410.
- \_\_\_\_\_. *Al-Tafsīr al-Ḥadīth: Tartīb al-Suwar Ḥasab al-Nuzūl*, 12 Vols. 2<sup>nd</sup> ed. Beirut: Dār al-Gharb al-Islāmī, 2000.

- David, Aaron. *In Their Own Words: Voices of Jihad: Compilation and Commentary*. Santa Monica CA: RAND Corporation, 2008.
- Ḍayf, Shawqī, Sha<sup>°</sup>bān <sup>°</sup>Abd al-<sup>°</sup>Āṭī <sup>°</sup>Aṭīyyah, Aḥmad Ḥāmid Husayn, Jamāl Murād Ḥilmī and <sup>°</sup>Abd al-<sup>°</sup>Āzīz al-Najjār. *Al-Mu<sup>°</sup>jam al-Wasīṭ*. 4<sup>th</sup> ed. Cairo: Maktabat al-Shurūq al-Dawliyyah, 2004.
- De la Roche, Roberta Senechal. "Toward a Scientific Theory of Terrorism", *Sociological Theory*, Theories of Terrorism: A Symposium, Vol. 22, No. 1, March 2004, pp. 1-4.
- Delcambre, Anne-Marie. *Inside Islam*. Milwaukee WI: Marquette University Press, 2005.
- Denny, Frederick Mathewson. "Corruption", *The Encyclopaedia of the Qur'ān*. Ed. Jane Dammen McAuliffe. 6 Vols. Leiden: Brill, 2001. pp. 439-440.
- Department of Defense Dictionary of Military and Associated Terms. Available from: <http://www.dtic.mil/doctrine/jel/doddict/data/t/05482.html>; accessed 13 March 2008.
- Devine, Philip E. and Robert J. Rafalko. "On Terror", *Annals of the American Academy of Political and Social Science*, Vol. 463, No. 1, September 1982, pp.39-53.
- Dickinson, Laura A. "Using Legal Process to Fight Terrorism: Detentions, Military Commissions, International Tribunals, and the Rule of Law", *Southern California Law Review*, Vol. 75, 2002, pp. 1407-1492.
- Dirāz, Muḥammad <sup>°</sup>Abdullāh. *Al-Nabā' al-<sup>°</sup>Azīm*. 2<sup>nd</sup> ed. Kuwait: Dār al-Qalam, 1970.
- \_\_\_\_\_. *The Qur'ān: An Eternal Challenge, Al-Nabā' al-<sup>°</sup>Azīm*. Trans. & ed. Adil Salahi. Leicester: The Islamic Foundation, 2001/1421.
- Dirks, Jerald F. *Understanding Islam: A Guide for the Judaeo-Christian Reader*. Beltsville MA: Amana Publications, 2003/1424.
- Durkheim, Emile. *Suicide: A Study in Sociology*. Trans. John A. Spaulding and George Simpson. Ed. George Simpson. New York: Free Press, 1951.
- Easterby-Smith, Mark. Richard Thorpe and Andy Lowe, *Management Research: An Introduction*. 2<sup>nd</sup> ed. London: Sage Publications, 2002.
- El-Affendi, Abdelwahab. "The Terror of Belief and the Belief in Terror: On Violently Serving God and Nation", in Madawi Al-Rasheed and Marat Shterin, eds, *Dying for Faith: Religiously Motivated Violence in the Contemporary World*. London: I.B. Tauris, 2009. pp. 59-75.

- El-Awa, Mohamed S. *Punishment in Islamic Law: A Comparative Study*. Plainfield IN: American Trust Publications, 1993.
- El-Awaisi, Abd Al-Fattah. "The Conceptual Approach of the Egyptian Muslim Brothers towards Jihad", *Scottish Journal of Religious Studies*, Vol. 17, 1996, pp. 123-137.
- \_\_\_\_\_. "The Conceptual Approach of the Egyptian Muslim Brothers towards the Palestine Question, 1928-1949", *Journal of Islamic Studies*, Vol. 2, No. 2, 1991, pp. 225-244.
- El-Mesawi, Mohamed El-Tahir. "The Methodology of al-Tafsīr al-Mawḍ-ʿī: A Comparative Analysis", *Intellectual Discourse*, Vol. 13, No. 1, 2005, pp. 1-30.
- \_\_\_\_\_ and Tesnim Khriji, "Islam and Terrorism: Beyond the Wisdom of the Secularist Paradigm", *Intellectual Discourse*, Vol. 14, No. 1, 2006, pp. 47-70.
- Elzain, Carol. "Modern Islamic Terrorism, Jihad and the Perceptions of Melbourne's Muslim Leaders", MA diss., School of Global Studies, Social Science and Planning, RMIT University, 2008.
- Emon, Anver M. "Huquq Allah and Huquq Al-'Ibad: A Legal Heuristic for a Natural Rights Regime", *Islamic Law and Society*, Vol. 13, No. 3, 2006, pp. 325-391.
- Erlanger, Steven. "In Most Cases, Israel Thwarts Suicide Attacks without a Shot" [article online]; available from <http://www.nytimes.com/2005/07/25/international/middleeast/25occupy.html>; accessed 13 December 2009.
- Esack, Farid. *The Qur'an: A User's Guide*. Oxford: Oneworld, 2007.
- Esposito, John L. *Unholy War: Terror in the Name of Islam*. Oxford: Oxford University Press, 2002.
- \_\_\_\_\_. *What Everyone Needs to Know about Islam* (Oxford: Oxford University Press, 2002).
- \_\_\_\_\_ and Dalia Mogahed. *Who Speaks for Islam?: What a Billion Muslims Really Think*. New York: Gallup Press, 2007.
- \_\_\_\_\_ and Dalia Mogahed. "Who Will Speak for Islam?", *World Policy Journal*, Vol. 25, No. 3, Fall 2008, pp. 47-57.
- Evans, Suzanne. "An Analysis of the Significance of 'Mothers of Martyrs' in Palestinian Society", MA diss., Department of Religion, Carleton University, Ottawa, Ontario, 1997.

- Fadzil, Ammar. "Asbāb An-Nuz-1: A Critical Study of the Criteria of Their Acceptability", *Islamic Quarterly*, Vol. 52, No. 3, Third Quarter 2008/1429, pp. 185-206.
- Fahmī, Muḥammad ʿĀrif Muṣṭafā. *Al-Hudūd wa al-Qiṣāṣ bayna al-Sharīʿah wa al-Qānūn: Dirāsah Muqāranah*. 2<sup>nd</sup> ed. Cairo: Maktabat al-Anglū al-Miṣriyyah, 1979/1399.
- Fatoohi, Louay. *Jihad in the Qur'an: The Truth from the Source*. Kuala Lumpur: A.S. Noordeen, 2002/1423.
- Firestone, Reuven. *Jihād: The Origin of Holy War in Islam*. Oxford: Oxford University Press, 1999.
- \_\_\_\_\_. "Disparity and Resolution in the Quranic Teachings on War: A Reevaluation of a Traditional Problem", *Journal of Near Eastern Studies*, Vol. 56, No. 1, January 1997, pp. 1-19.
- \_\_\_\_\_. "Holy War Idea in the Biblical Tradition", in Gabriel Palmer-Fernandez, ed., *Encyclopedia of Religion and War*. New York: Routledge, 2004. pp. 180-184.
- \_\_\_\_\_. "Jihad", in Gabriel Palmer-Fernandez, ed., *Encyclopedia of Religion and War*. New York: Routledge, 2004. pp. 234-237.
- \_\_\_\_\_. "Jihād", in Andrew Rippin, ed., *The Blackwell Companion to the Qur'ān*. Oxford: Blackwell, 2006. pp. 308-320.
- \_\_\_\_\_. "Martyrdom", in Gabriel Palmer-Fernandez, ed., *Encyclopedia of Religion and War*. New York: Routledge, 2004. pp. 290-292.
- Freamon, Bernard K. "Martyrdom, Suicide, and the Islamic Law of War: A Short Legal History", *Fordham International Law Journal*, Vol. 27, No. 1, December 2003, pp. 299-369.
- Friedrichs, Jörg. "Defining the International Public Enemy: The Political Struggle behind the Legal Debate on International Terrorism", *Leiden Journal of International Law*, Vol. 19, 2006, pp. 69-91.
- Fudge, Bruce. "Qur'ānic Exegesis in Medieval Islam and Modern Orientalism", *Die Welt des Islams*, Vol. 46, No. 2, 2006, pp. 115-147.
- Fuller, Graham E. *The Future of Political Islam*. New York: Palgrave Macmillan, 2003.
- Gabriel, Mark A. *Islam and Terrorism: What the Quran Really Teaches about Christianity, Violence and the Goals of the Islamic Jihad*. Lake Mary FL: FrontLine, 2002.

- Galicki, Zdzislaw. "International Law and Terrorism", *American Behavioral Scientist*, Vol. 48, No. 6, February 2005, pp. 743-757.
- Ganor, Boaz. "An International Objective Definition of Terrorism as a Crucial Tool for New International Framework" [article online]; available from <http://www.ewi.info/pdf/Attachments171.pdf>; accessed 29 February 2008.
- \_\_\_\_\_. "The Rationality of the Islamic Radical Suicide Attack Phenomenon" [article online]; available from <http://www.ict.org.il/Articles/tabid/66/Articlsid/243/currentpage/7/Default.aspx>; accessed 5 December 2009.
- Garrison, Arthur H. "Terrorism: The Nature of its History", *Criminal Justice System*, Vol. 16, Issue 1, 2003, pp. 39-52.
- Gätje, Helmut. *The Qur'ān and Its Exegesis: Selected Texts with Classical and Modern Muslim Interpretations*. Oxford: Oneworld, 1996.
- Gatliff, Jason R. "Terrorism and Just War Tradition: Issues of Compatibility", PhD thesis, Graduate College of Bowling Green State University, Bowling Green OH, August 2006.
- Gerges, Fawaz A. *The Far Enemy: Why Jihad Went Global*. Cambridge: Cambridge University Press, 2005.
- Ghaybah, Muḥammad Sa'īd. *Al-ʿAmaliyyāt al-Istishhādiyyah wa Ārā' al-Fuḡhā' fihā*. 2<sup>nd</sup> ed. Rev. ʿAbdul Qādir al-Arnā'ūṭ. Damascus: Dār al-Maktabī li al-Ṭibāʿah wa al-Nashr wa al-Tawzīʿ, 2001/1421.
- Ghunaym, Aḥmad. *Al-Jihād al-Islāmī: Dirāsah ʿIlmiyyah fī Nuṣ-ṣ al-Qur'ān wa Ṣiḥāḥ al-Ḥadīth wa Wathā'iq al-Tārīkh*. Cairo: Dār al-Ḥamāmī li al-Ṭibāʿah, 1975/1394.
- Gilliot, Claude. "Exegesis of the Qur'ān: Classical and Medieval", *The Encyclopaedia of the Qur'ān*. Ed. Jane Dammen McAuliffe. 6 Vols. Leiden: Brill, 2002. pp. 99-124.
- Golder, Ben and George Williams. "What is 'Terrorism'? Problems of Legal Definition", *University of New South Wales Law Journal*, Vol. 27, No. 2, 2004, pp. 270-287.
- Goldstone, Richard and Janine Simpson. "Evaluating the Role of the International Criminal Court as a Legal Response to Terrorism", *Harvard Human Rights Journal*, Vol. 16, 2003, pp. 13-26.
- Goldziher, Ignaz. *Muslim Studies*. Trans. S.M Stern & CR Barber. Ed. S.M Stern. 2 Vols. London: Allen & Unwin, 1967.

- Goyal, D.R. "International Terrorism: Challenge and Response", in Mahavir Singh, ed., *International Terrorism and Religious Extremism: Challenges to Central and South Asia*. New Delhi: Published for Maulana Abul Kalam Azad Institute of Asian Studies, Kolkata [by] Anamika Publishers & Distributors, 2004. pp. 1-9.
- Grob-Fitzgibbon, Benjamin. "What is Terrorism? Redefining a Phenomenon in Time of War", *Peace and Change*, Vol. 30, No. 2, April 2005, pp. 231-246.
- Group of Muftis. "Sept 11 Attacks: Islamic Views" [article online]; available from [http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-EnglishAsk\\_Scholar/FatwaE/FatwaE&cid=1119503544428](http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-EnglishAsk_Scholar/FatwaE/FatwaE&cid=1119503544428); accessed 15 July 2009.
- Gunaratna, Rohan and Mohamed Bin Ali. "De-Radicalization Initiatives in Egypt: A Preliminary Insight", *Studies in Conflict and Terrorism*, Vol. 32, No. 4, April 2009, pp. 277-291.
- Gupta, Dipak K and Kusum Mundra. "Suicide Bombing as a Strategic Weapon: An Empirical Investigation of Hamas and Islamic Jihad", *Terrorism and Political Violence*, Vol. 17, No. 4, January 2005, pp. 573-598.
- Güss, C. Dominik, Ma. Teresa Tuason and Vanessa B. Teixeira. "A Cultural-Psychological Theory of Contemporary Islamic Martyrdom", *Journal for the Theory of Social Behaviour*, Vol. 37, No. 4, 2007, pp. 415-445.
- Gwynne, Rosalind W. "Usama bin Laden, the Qur'an and Jihad", *Religion*, Vol. 36, 2006, pp. 61-90.
- Habeck, Mary R. *Knowing the Enemy: Jihadist Ideology and the War on Terror*. New Haven CT: Yale University Press, 2006.
- Haddad, Simon. "A Comparative Study of Lebanese and Palestinian Perceptions of Suicide Bombings: The Role of Militant Islam and Socio-Economic Status", *International Journal of Comparative Sociology*, Vol. 45, No. 5, 2004, pp. 337-363.
- Ḥāfīz, Osāmah Ibrāhīm and °Āṣim °Abd al-Mājid. *Ḥurmat al-Ghuluww fī al-Dīn wa Takfīr al-Muslimīn*. Ed. Karam Muḥammad Zuhdī, °Alī Muḥammad al-Sharīf, Nājiḥ Ibrāhīm °Abdullāh, Muḥammad °Iṣām al-Dīn Dirbālah, Fu'ād Maḥmūd al-Dawālībī and Ḥamdī °Abd al-Raḥmān °Abd al-°Aẓīm. Cairo: Maktabat al-°Ubaykān, 2004/1425.
- \_\_\_\_\_. *Mubādarat Waqf al-°Unf: Ru'yah Wāqi°iyyah wa Nazrah Shar°iyyah*. Ed. Karam Muḥammad Zuhdī, °Alī Muḥammad al-Sharīf, Nājiḥ Ibrāhīm °Abdullāh, Muḥammad °Iṣām al-Dīn Dirbālah, Fu'ād Maḥmūd al-Dawālībī and Ḥamdī °Abd al-Raḥmān °Abd al-°Aẓīm. Cairo: Maktabat al-°Ubaykān, 2004/1425.
- Hallaq, Wael B. "Was the Gate of Ijtihād Closed?", *International Journal of Middle Eastern Studies*, Vol. 16, No. 1, March 1984, pp. 3-41.

- Hamidullah, Muhammad. *The Battlefields of the Prophet Muhammad, with Maps, Illustrations and Sketches: A Contribution to Muslim Military History*. New Delhi: Kitab Bhavan, 2003.
- \_\_\_\_\_. *The Emergence of Islam: Lectures on the Development of Islamic World-View, Intellectual Tradition and Polity*. Trans. & ed. Afzal Iqbal. Islamabad: Islamic Research Institute, 1993.
- Ḥamm-dah, Muntaṣir Sa'īd. *Al-Irhāb: Dirāsah Fiqhiyyah fī al-Tashrīc al-Jinā'ī al-Islāmī*. Alexandria, Egypt: Dār al-Jāmi'ah al-Jadīdah li al-Nashr, 2008.
- Hanafi, Hassan. "Method of Thematic Interpretation of the Qur'an", in Stefan Wild, ed., *The Qur'an as Text*. Leiden: Brill, 1996. pp. 195-211.
- Ḥārib, Sa'īd 'Abdullāh. *Al-Ta'aṣṣub wa al-ʿUnf: Fikran wa Sulūkan*. Kuwait: Al-Markaz al-ʿĀlamī li al-Wasaṭiyyah, 2006/1427.
- Harnden, Toby. "Barack Obama in Turkey: US 'Will never be at war with Islam'" [article online]; available from <http://www.telegraph.co.uk/news/worldnews/northamerica/usa/barackobama/5115044/Barack-Obama-in-Turkey-US-will-never-be-at-war-with-Islam.html>; accessed 22 July 2009
- Hashem, Mohamed El-Arabawy. "The Concept of Human Being in the Qur'an with Special Reference to the Interpretations of 'Abduh (1226/1849-1323/1905), Quṭb (1323/1906-1385/1966), Al-Sha'rāwī (1329/1911-1419/1998) and Al-Azhar Magazine (*Majallat al-Azhar*) (1384/1965-)", PhD thesis, Department of Theology and Religion, School of Philosophy, Theology and Religion, College of Arts and Law, University of Birmingham, March 2009.
- Hashmi, Sohail H. "Saving and Taking Life in War: Three Modern Muslim Views", *Muslim World*, Vol. 89, No. 2, April 1999, pp. 158-180.
- Hathout, Hassan. *Reading the Muslim Mind*. Plainfield IN: American Trust Publications, 2005.
- Hathout, Maher. *Jihad vs. Terrorism*. Ed. Samer Hathout. Los Angeles CA: Multimedia Vera International, 2002.
- \_\_\_\_\_, Uzma Jamil, Gasser Hathout and Nayyer Ali. *In Pursuit of Justice: The Jurisprudence of Human Rights in Islam*. Los Angeles CA: Muslim Public Affairs Council, 2006.
- Haykal, Muḥammad Kheir. *Al-Jihād wa al-Qitāl fī al-Siyāsah al-Shar'īyyah*. 3 Vols. 3<sup>rd</sup>. ed. Beirut: Dār al-Bayāriq, 1996/1417.

- Hellmich, Christina. "Al-Qaeda: Terrorists, Hypocrites, Fundamentalists? The View from Within", *Third World Quarterly*, Vol. 26, No. 1, 2005, pp. 39-54.
- \_\_\_\_\_. "Creating the Ideology of Al Qaeda: From Hypocrites to Salafi-Jihadists", *Studies in Conflict and Terrorism*, Vol. 31, No. 2, February 2008, pp. 111-124.
- Heneghan, Tom. "Muslim Scholars Recast Jihadists' Favourite Fatwa" [article online]; available from <http://www.reuters.com/article/idUSLDE62T2AC>; accessed 12 April 2010.
- Henten, Jan Willem van and Friedrich Avemarie. *Martyrdom and Noble Death: Selected Texts from Graeco-Roman, Jewish and Christian Antiquity*. New York: Routledge, 2002.
- Hoffman, Bruce. *Inside Terrorism*. 2<sup>nd</sup> ed. New York: Columbia University Press, 2006.
- Hornby, A.S. *Oxford Advanced Learner's Dictionary of Current English*. 5<sup>th</sup> ed. Ed. Jonathan Crowther. Oxford: Oxford University Press, 1995.
- Huntington, Samuel P. *The Clash of Civilizations and the Remaking of World Order*. New York: Simon & Schuster, 1996.
- \_\_\_\_\_. "If Not Civilizations, What? Paradigms of the Post-Cold War World", *Foreign Affairs*, Vol. 72, No. 5, Fall 1993, pp. 186-194.
- Hussain, Aamer Liaquat. *Islam and Terrorism: An Historical and Theological Enquiry*. Karachi: Ahmed Publishers, 2002.
- Ibn °Abd al-Bārr, Abū °Umar Yūsuf bin °Abdullāh bin Muḥammad al-Namirī. *Al-Kāfi fī Fiqh Ahl al-Madīnah*. 2<sup>nd</sup> ed. Beirut: Dār al-Kutub al-°Ilmiyyah, 1992/1413.
- Ibn °Ābidīn, Muḥammad Amīn ibn °Umar. *Hāshiyat Radd al-Muḥtār °alā al-Durr al-Mukhtār: Sharḥ Tanwīr al-Abṣār*. 8 Vols. Beirut: Dār al-Fikr, 2000/1421.
- Ibn al-°Arabī, Muḥammad ibn °Abdullah. *Aḥkām al-Qur'ān*. Ed. Muḥammad °Abd al-Qādir °Aṭā. 4 Vols. Beirut: Dār al-Kutub al-°Ilmiyyah, 1996.
- Ibn al-Khūjah, Muḥammad al-Ḥabīb. *Al-Jihād fī al-Islām*. Tunis: Al-Dār al-Tūnisiyyah li al-Nashr, 1968/1386.
- Ibn Anas, Mālik. *Al-Mudawwanah al-Kubrā*. Ed. Aḥmad °Abd al-Salām. 16 Vols. Beirut: Dār al-Kutub al-°Ilmiyyah, 1994/1415.
- Ibn Baṭṭāl, Abū al-Ḥusayn °Alī bin Khalaf bin °Abd al-Malik. *Sharḥ Ṣaḥīḥ al-Bukhārī*. Ed. Abū Tamīm Yāsir bin Ibrāhīm. 10 Vols. Riyadh: Maktabat al-Rushd, n.d.
- Ibn Ḥazm, Muḥammad °Ali ibn Aḥmad. *Al-Fiṣal fī al-Mīlāl wa al-Ahwā' wa al-Niḥāl*. 2<sup>nd</sup> ed. 3 Vols. Beirut: Dār al-Kutub al-°Ilmiyyah, 1999.

- Ibn Kathīr, Ismā'īl ibn 'Umar. *Tafsīr al-Qur'ān al-'Azīm*. 4 Vols. Beirut: Dār al-Fikr, 1980-1/1401.
- Ibn Manzūr, Jamāl al-Dīn Muḥammad bin Makram. *Lisān al-'Arab*. 15 Vols. Beirut: Dār Ṣādir, 1997/1417.
- Ibn Mufliḥ, Ibrāhīm bin Muḥammad bin 'Abdullāh bin Muḥammad. *Al-Mubdi' Sharḥ al-Muqni'*. Ed. Muḥammad Ḥasan Muḥammad Ḥasan Ismā'īl al-Shafi'i. 10 Vols. Beirut: Dār al-Kutub al-'Ilmiyyah, 1997/1418.
- Ibn Qayyim al-Jawziyyah, Muḥammad ibn Abī Bakr. *Kitāb al-Jihād fī Sabīl Allāh*. Cairo: Markaz al-Kitāb li al-Nashr, 1991.
- \_\_\_\_\_. *Zād al-Ma'ād fī Hady Khayr al-'Ibād*. 15<sup>th</sup> ed. Rev. & ed. Shu'ayb al-Arna'ūt and 'Abd al-Qādir al-Arna'ūt. 6 Vols. Beirut: Mu'assasat al-Risālah, 1987/1407.
- Ibn Qudāmah, Muwaffaq al-Dīn 'Abdallāh ibn Aḥmad, *Al-Mughnī: fī Fiqh al-Imām Aḥmad ibn Ḥanbal al-Shaybānī*. 10 Vols. Beirut: Dār al-Fikr, 1984-5/1405.
- Ibn Rushd, Abū al-Walīd Muḥammad bin Aḥmad bin Muḥammad bin Aḥmad. *Bidāyat al-Mujtahid wa Nihāyat al-Muqtaṣid*. Ed. 'Alī Muḥammad 'Awaḍ and 'Ādil Aḥmad 'Abd al-Mawj-ḍ. 2<sup>nd</sup> ed. 6 Vols. Beirut: Dār al-Kutub al-'Ilmiyyah, 2003/1424.
- \_\_\_\_\_. *The Distinguished Jurist's Primer: A Translation of Bidāyat al-Mujtahid*. Trans. Imanan Ahsan Khan Nyazee, Rev. Muhammad Abdul Rauf. Reading: Garnet Publishing, 1996.
- Ibn Taymiyah, Aḥmad ibn 'Abd al-Ḥalīm. *Fiqh al-Jihād li-Shaykh al-Islām al-Imām Ibn Taymiyah*. Ed. Zuhayr Shafīq al-Kabbī. Beirut: Dār al-Fikr al-'Arabī li al-Ṭibā'ah wa al-Nashr, 1992/1412.
- \_\_\_\_\_. *Al-Khilāfah wa al-Mulk*. Min Rasā'il Shaykh al-Islām Ibn Taymiyah 4. Ed. Ḥammād Salāmah and Muḥammad 'Īwīd al-Ḥāsh. 2<sup>nd</sup> ed. Al-Zarqā', Jordan: Maktabat al-Manār, 1994/1414.
- \_\_\_\_\_. *Al-Siyāsah al-Shar'īyyah fī Iṣlāḥ al-Rā'ī wa al-Ra'īyyah*. Ed. Ab- 'Abdullāh 'Alī bin Muḥammad al-Maghrabī. Kuwait: Dār al-Arḡam, 1986/1406.
- Ibrāhīm, Nājiḥ Muḥammad. *Al-Ḥākimiyyah: Naẓrah Shari'īyyah wa Ru'yah Waqi'īyyah*. Ed. Karam Muḥammad Zuhdī, 'Alī Muḥammad 'Alī al-Sharīf, Osāmah Ibrāhīm Ḥāfiẓ, Ḥamdī 'Abd al-Raḥmān 'Abd al-'Azīm and Fu'ād Maḥm- d al-Dawālībī. Cairo: Maktabat al-'Ubaykān, 2004/1425.
- \_\_\_\_\_. *Taṭbīq al-Aḥkām min Ikhtisās al-Ḥukkām: Al-Ḥūdūd, I'lān al-Ḥarb, al-Jizyah - Naẓarāt fī Fiqh al-Taṭbīq*. Ed. Karam Muḥammad Zuhdī, 'Alī

Muḥammad °Alī al-Sharīf, Osāmah Ibrāhīm Ḥāfiẓ, Ḥamdī °Abd al-Raḥmān °Abd al-°Azīm and Fu’ād Maḥmūd al-Dawālībī Cairo: Maktabat al-°Ubaykān, 2004/1425.

°Id, Muḥammad Fathī. *Wāqi° al-Irhāb fī al-Waṭan al-°Arabī*. Riyadh: Akādimiyyat Nāyef al-°Arabiyyah li al-°Ulūm al-Amniyyah, 1999/1420.

Idrīs, °Abd al-Fattāh. “Manhaj al-Islām fī Muḥārabat al-Fasād” [article online]; available from [http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-Arabic-Ask\\_Scholar/FatwaA/FatwaA&cid=1122528612952](http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-Arabic-Ask_Scholar/FatwaA/FatwaA&cid=1122528612952); accessed 29 April 2008.

°Imārah, Muḥammad. *Al-Farīdah al-Ghā’ibah: °Arḍ wa Ḥiwār wa Taqyīm*. Cairo: Dār Thābit, 1982/1402.

\_\_\_\_\_. *Hal al-Islām Huwa al-Ḥall: Limādhā wa Kayf?*. Cairo: Dār al-Shur-q, 1995/1415.

\_\_\_\_\_. *Al-Samāḥah al-Islāmiyyah: Haqīqat al-Jihād wa al-Qitāl wa al-Irhāb*. Cairo: Maktabat al-Shur-q al-Dawliyyah, 2005/1426.

\_\_\_\_\_. “Muḥammad °Abduh (al-Imām)”, *Maws- °at A°lām al-Fikr al-Islāmī*. Ed. Maḥm-d Ḥamdī Zaqq-q. Cairo: Al-Majlis al-A°lā li al-Shu’ūn al-Islāmiyyah, 2007/1428. pp. 969-971.

\_\_\_\_\_. “Muḥammad Rashīd Riḍā”, *Maws- °at A°lām al-Fikr al-Islāmī*. Ed. Maḥm-d Ḥamdī Zaqq-q. Cairo: Al-Majlis al-A°lā li al-Shu’ūn al-Islāmiyyah, 2007/1428. pp. 946-947.

International Union for Muslim Scholars. *Al-Mīthāq al-Islāmī*. n.p.: International Union for Muslim Scholars, n.d.

Iqbal, Zafar and Mervyn K. Lewis. “Governance and Corruption: Can Islamic Societies and the West Learn from Each Other?”, *American Journal of Islamic Social Sciences*, Vol. 19, No. 2, Spring 2002, pp. 1-33.

Işicik, Yusuf. “Two Fundamental Concepts in the Qur’ān: Ta’wīl and Mutashābih”, *Islamic Quarterly*, Vol. 53, No. 1, 1430/2009, pp. 81-100.

Islamic Fiqh Council. “Martyrdom Operations or Terrorism” [article online]; available from [http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-English-Ask\\_Scholar/FatwaE/FatwaE&cid=1119503546498](http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-English-Ask_Scholar/FatwaE/FatwaE&cid=1119503546498); accessed 7 December 2009.

Israeli, Raphael. *Islamikaze: Manifestations of Islamic Martyrology*. London: Frank Cass, 2003.

- \_\_\_\_\_. "Islamikaze and Their Significance", *Terrorism and Political Violence*, Vol. 9, No. 3, Autumn 1997, pp. 96-121.
- \_\_\_\_\_. "A Manual of Islamic Fundamentalist Terrorism", *Terrorism and Political Violence*, Vol. 14, No. 4, Winter 2002, pp. 23-40.
- °Isāwī, Aḥmad. "Maḥūm al-Irhāb fī al-Qur'ān: Muqārabah li Dirāsāt Dilālat al-Muṣṭalaḥ al-Qur'ānī", *Al-Wa'cy al-Islāmī*, Rabī° al-Awwal 1426-April/May 2005, pp. 44-48.
- Izzi Dien, Mawil. "Hadd", *Encyclopedia of Islamic Civilisation and Religion*. Ed. Ian Richard Netton. Abingdon, Oxon: Routledge, 2008. pp. 202-203.
- \_\_\_\_\_. "Hiraba (Highway Robbery)", *Encyclopedia of Islamic Civilisation and Religion*. Ed. Ian Richard Netton. Abingdon, Oxon: Routledge, 2008. p. 235.
- \_\_\_\_\_. *Islamic Law: From Historical Foundations to Contemporary Practice*. Edinburgh: Edinburgh University Press, 2004.
- \_\_\_\_\_. *The Environmental Dimensions of Islam*. Cambridge: The Lutterworth Press, 2000.
- Jackson, Richard. "Constructing Enemies: 'Islamic Terrorism' in Political and Academic Discourse", *Government and Opposition*, Vol. 42, No. 3, 2007, pp. 394-426.
- Jackson, Sherman A. "Domestic Terrorism in the Islamic Legal Tradition", *Muslim World*, Vol. 91, No. 3-4, September 2001, pp. 293-310.
- \_\_\_\_\_. "Jihad and the Modern World", *Journal of Islamic Law and Culture*, Vol. 7, No. 1, 2002, pp. 1-26.
- Jād al-Ḥaqq, Jād al-Ḥaqq °Alī. *Bayān li al-Nās min al-Azhar al-Sharīf*. 2 Vols. Cairo: Maṭābi° Wazārat al-Awqāf, n.d.
- \_\_\_\_\_ and °Atiyyah Saqr. "*Naqḍ al-Farīdah al-Ghā'ibah: Fatwā wa Munāqashah*", Supplementary book to *Majallat al-Azhar*, Vol. 66, Muḥarram 1414/July 1993.
- Ja°far, Hishām Aḥmad °Awaḍ, *Al-Ab°ād al-Siyāsiyyah li Maḥ-m al-Ḥākimiyyah: Ru'yah Ma°rifiyyah*. Herndon VA: International Institute of Islamic Thought, 1995/1416.
- Jansen, Johannes J.G. *The Dual Nature of Islamic Fundamentalism*. London: Hurst & Company, 1997.
- \_\_\_\_\_. *The Interpretation of the Koran in Modern Egypt*. Leiden, Holland: Brill, 1974.

- \_\_\_\_\_. *The Neglected Duty: The Creed of Sadat's Assassins and Islamic Resurgence in the Middle East*. New York: Macmillan, 1986.
- \_\_\_\_\_. "The Creed of Sadat's Assassins: The Contents of 'The Forgotten Duty' Analysed", *Die Welt des Islams*, New Series, Vol. 25, No. 1/4, 1985, pp. 1-30.
- Johnson, James Turner. *The Holy War Idea in Western and Islamic Traditions*. University Park: Pennsylvania State University Press, 1997.
- \_\_\_\_\_. "Maintaining the Protection of Non-Combatants", *Journal of Peace Research*, Vol. 37, No. 4, July 2004, pp. 421-448.
- \_\_\_\_\_. "The Meaning of the Non-Combatant Immunity in the Just War/Limited War Tradition", *Journal of the American Academy of Religion*, Vol. 39, No. 2, June 1971, pp. 151-170.
- Jum'ah, 'Alī. *Al-Jihād fī al-Islām*. Cairo: Nahḍat Misr li al-Ṭibā'ah wa al-Nashr wa al-Tawzī', 2005.
- Juyboll, G.H.A. *Encyclopedia of Canonical Ḥadīth*. Leiden: Brill, 2007.
- Kafrawi, Shalahudin. "Fakhr al-Dīn al-Rāzī's Methodology in Interpreting the Qur'ān", MA diss., Faculty of Graduate Studies and Research, Institute of Islamic Studies, McGill University, Montreal, Canada, 1998.
- Kamali, Mohammad Hashim. *Principles of Islamic Jurisprudence*. 3<sup>rd</sup> rev. & enl. ed. Cambridge: Islamic Texts Society, 2006.
- \_\_\_\_\_. *Punishment in Islamic Law: An Inquiry into the Hudud Bill of Kelantan*. Kuala Lumpur: Institute Kajian Dasar, 1995. Repr. Ilmiah Publishers, 2000.
- \_\_\_\_\_. *Shari'ah Law: An Introduction*. Oxford: Oneworld, 2008.
- \_\_\_\_\_. "Issues in the Understanding of *Jihād* and *Ijtihād*", *Islamic Studies*, Vol. 41, No. 4, Winter 1423/2002, pp. 617-634.
- \_\_\_\_\_. "Punishment in Islamic Law: A Critique of the Hudud Bill of Kelantan, Malaysia", *Arab Law Quarterly*, Vol. 13, No. 3, 1998, pp. 203-234.
- Karīmah, Aḥmad Maḥmūd. *Al-Jihād fī al-Islām: Dirāsah Fiqhiyyah Muqāranah*. Cairo: Maṭābi' al-Dār al-Handasiyyah, 2003/1424.
- Kelly, Terrence K. "The Just Conduct of War against Radical Islamic Terror and Insurgencies", in Charles Reed and David Ryall, eds, *The Price of Peace: Just War in the Twenty-First Century*. Cambridge: Cambridge University Press, 2007.
- Kelsay, John. *Arguing the Just War in Islam*. Cambridge MA: Harvard University Press, 2007.

- \_\_\_\_\_. *Islam and War: A Study in Comparative Ethics* (Louisville KY: Westminster/John Knox, 1993).
- Kence, Sermin. “President Obama: US is not and never will be at war with Islam” [article online]; available from <http://www.turkishweekly.net/news/71108/president-obama-u-s-is-not-and-never-will-be-at-war-with-islam.html>; accessed 22 July 2009.
- Kenney, Jeffrey T. *Muslim Rebels: Kharijites and the Politics of Extremism in Egypt*. Oxford: Oxford University Press, 2006.
- Kepel, Gilles. *Beyond Terror and Martyrdom: The Future of the Middle East*. Trans. Pascale Ghazaleh. Cambridge MA: Belknap Press of Harvard University Press, 2008.
- \_\_\_\_\_. *Jihad: The Trial of Political Islam*. Trans. Anthony F. Roberts. Cambridge MA: Belknap Press of Harvard University Press, 2002.
- \_\_\_\_\_. *The Roots of Radical Islam*. Trans. Jon Rothschild. London: Saqi, 2005.
- \_\_\_\_\_. *The War for Muslim Minds: Islam and the West*. Trans. Pascale Ghazaleh. Cambridge MA: Belknap Press of Harvard University Press, 2004.
- Khadduri, Majid, trans. *The Islamic Law of Nations: Shaybānī’s Siyar*. Baltimore MD.: Johns Hopkins Press, 1966.
- \_\_\_\_\_. “Islam and the Modern Law of Nations”, *American Journal of International Law*, Vol. 50, No. 2, pp. 358-372.
- \_\_\_\_\_. “The Islamic System: Its Competition and Co-existence with Western Systems”, *American Society of International Law Proceedings*, Vol. 53, 1959, 49-52.
- \_\_\_\_\_. “Nature and Sources of Islamic Law”, *George Washington Law Review*, Vol. 22, 1953-1954, pp. 3-23.
- Khālid, Ḥasan. *Al-Shahīd fī al-Islām*. 3<sup>rd</sup> ed. Beirut: Dār al-‘Ilm li al-Malayīn, 1985.
- Khalīf, Faḥallāh. *Fakhr al-Dīn al-Rāzī*. Alexandria, Egypt: Dār al-Jāmi‘ah al-Miṣriyyah, 1976.
- Khallāf, ‘Abd al-Wahhāb. *Al-Siyāsah al-Shar‘iyyah aw Niẓām al-Dawlah al-Islāmiyyah fī al-Shu‘ūn al-Dust-riyyah wa al-Khārijiyyah wa al-Māliyyah*. Beirut: Mu’assasat al-Risālah, n.d.
- Khān, Iqbāl Aḥmad. “Mawqif al-Adyān tijāh al-Irhāb wa al-Taḥarruf”, *Islam and the Future Dialogue Between Civilizations*, Researches and Facts, Eighth General

- Conference of the Supreme Council for Islamic Affairs. Cairo: Supreme Council of the Islamic Affairs, 1998/1418, pp. 321-329.
- Khan, L. Ali. *A Theory of International Terrorism: Understanding Islamic Militancy, Developments in International Law*, 56. Leiden: Martinus Nijhoff and VSP, 2006.
- Khashan, Hilal. "Collective Palestinian Frustration and Suicide Bombings", *Third World Quarterly*, Vol. 24, No. 6, December 2003, pp. 855-877.
- Khatab, S. "Hakimiyyah and Jahiliyyah in the Thought of Sayyid Qutb", *Middle Eastern Studies*, Vol. 38, No. 3, July 2002, pp. 145-170.
- Khair, Bustami. *The Concept of Sovereignty in Modern Islamic Political Thought*. Leeds: Leeds Institute for Middle Eastern Studies, 1996.
- Khosrokhavar, Farhad. *Suicide Bombers: Allah's New Martyrs*. Trans. David Macey. London: Pluto Press, 2005.
- Kimhi, Shaul and Shemuel Even. "Who are the Palestinian Suicide Bombers?", *Terrorism and Political Violence*, Vol. 16, No. 4, Winter 2004, pp. 815-840.
- Kinberg, Leah. "Contemporary Ethical Issues", in Andrew Rippin, ed., *The Blackwell Companion to the Qur'ān*. Oxford: Wiley-Blackwell, 2009. pp. 450-466.
- Kingshott, Brian. "Terrorism: The 'New' Religious War", *Criminal Justice Studies*, Vol. 16, No. 1, 2003, pp. 15-27.
- Kohlberg, E. "Medieval Muslim Views on Martyrdom", *Koninklijke Nederlandse Akademie Van Wetenschappen (Amsterdam)*, Vol. 60, No. 7, 1997, 279-307.
- Kolocotronis, Jamilah. *Islamic Jihad: An Historical Perspective*. Indianapolis IN: American Trust Publications, 1990.
- Kowalski, Jeremy D. "The Geographical and Spatial Imaginings of Islamist Extremism/Terrorism", MA diss., University of Waterloo, Ontario, Canada, 2005.
- Kulliyyat al-Sharī'ah wa al-Qānūn bi Jāmi'at al-Imārāt al-°Arabiyyah al-Muttāhidah. *Waqā'i' Nadwat al-Bayān al-Urubī wa Ḥadd al-Ḥirābah fī al-Fiqh al-Islāmī*. UAE, Ein: Kulliyyat al-Sharī'ah wa al-Qānūn, 1997/1418.
- Küng, Hans. "Religion, Violence and 'Holy Wars'", *International Review of the Red Cross*, Vol. 87, No. 858, June 2005, pp. 253-268.
- Küntzel, Matthias. "Suicide Terrorism and Islam", *American Foreign Policy Interests*, Vol. 30, No. 4, July/August 2008, pp. 227-232.

- Lacroix, Stéphane. "Ayman al-Zawahiri, Veteran of Jihad", in Gilles Kepel and Jean-Pierre Milelli, eds, *Al-Qaeda in Its Own Words*. Trans. Pascale Ghazaleh. Cambridge MA: Belknap Press of Harvard University Press, 2008. pp. 147-170.
- Lane, Edward William. *An Arabic-English Lexicon*. 8 Vols. Beirut: Librairie Du Liban, 1968.
- Laqueur, Walter. "Reflections on Terrorism", *Foreign Affairs*, Vol. 65, No. 1, Fall 1986, pp. 86-100.
- Larsson, J.P. *Understanding Religious Violence: Thinking outside the Box on Terrorism*. Aldershot: Ashgate, 2004.
- Lawrence, Bruce B. *Defenders of God: The Fundamentalist Revolt against the Modern Age*. San Francisco CA: Harper & Row, 1989.
- \_\_\_\_\_. "Reconsidering 'Holy War' (Jihād) in Islam", *Islam and Christian-Muslim Relations*, Vol. 1, No. 2, Dec. 1990, pp. 261-268.
- Lawson, B. Todd. "Martyrdom", *The Oxford Encyclopedia of the Modern Islamic World*. Ed. John L. Esposito. 4 Vols. New York: Oxford University Press, 1995. pp. 54-59.
- Leemhuis, Frederik. "Readings of the Qur'ān", *The Encyclopaedia of the Qur'ān*. Ed. Jane Dammen McAuliffe. 6 Vols. Leiden: Brill, 2004. pp. 353-363.
- \_\_\_\_\_. "Origins and Early Development of the Tafsīr Tradition", in Andrew Rippin, ed., *Approaches to the History of the Interpretation of the Qur'ān*. Oxford: Clarendon Press, 1988. pp. 13-31.
- Lesch, Ann M. "Osama Bin Laden: Embedded in the Middle East Crises", *Middle East Policy*, Vol. 9, No. 2, June 2002, pp. 82-91.
- Lester, David. "Suicide and Islam", *Archives of Suicide Research*, Vol. 10, No. 1, January 2006, pp. 77-97.
- Levitt, Geoffrey. "Is 'Terrorism' Worth Defining?", *Ohio Northern University Law Review*, Vol. 13, 1986, pp. 97-115.
- Lewinstein, Keith, "The Revaluation of Martyrdom in Early Islam", in Margaret Cormack, ed., *Sacrificing the Self: Perspectives on Martyrdom and Religion*. Oxford, New York: Oxford University Press, 2001. pp. 78-91.
- Lewis, Bernard. *The Assassins: A Radical Sect in Islam*. London: Phoenix, Orion Books, 2003.

- \_\_\_\_\_. *The Crisis of Islam: Holy War and Unholy Terror*. New York: Modern Library, 2003.
- \_\_\_\_\_. *The Political Language of Islam*. Chicago: University of Chicago Press, 1988.
- \_\_\_\_\_. “License to Kill: Usama bin Ladin’s Declaration of Jihad”, *Foreign Affairs*, November/December 1998, pp. 14-19.
- Lewis, Jeffry W. “Precision Terror: Suicide Bombing as Control Technology”, *Terrorism and Political Violence*, Vol. 19, No. 2, June 2007, pp. 223-245.
- Lo, Mbaye. “Seeking the Roots of Terrorism: An Islamic Traditional Perspective”, *Journal of Religion and Popular Culture*, Vol. 10, Summer 2005 [article online]; available from <http://www.usask.ca/relst/jrpc/art10-rootsofterrorism-print.html>; accessed 26 January 2010.
- MacEoin, Denis. “Suicide Bombing as Worship: Dimensions of Jihad”, *Middle East Quarterly*, Vol. 16, No. 4, Fall 2009, pp. 15-24.
- Madk-r, Ibrāhīm and °Adnān al-Khaṭīb. *Huq- q al-Insān fī al-Islām: Awwal Taqnīn li Mabādi’ al-Sharī°ah al-Islāmiyyah fīmā Yata°allaq bi Huq- q al-Insān*. Damascus: Dār Ṭalās li al-Dirāsāt wa al-Tarjamah wa al-Nashr, 1992/1412.
- Mahdī, Maḥm- d. *Al-Sha°rāwī Mufakkiran*. Cairo: Dār al-Bayān li al-Ṭab° wa al-Nashr wa al-Tawzī°, 2003.
- Mahmassani, Sobhi. “The Principles of International Law in the Light of Islamic Doctrine”, *Recueil des Cours*, Vol. 117, 1966, pp. 201-328.
- Mahmoudi, Said. “The Islamic Perception of the Use of Force in the Contemporary World”, in Mashood A. Baderin, ed., *International Law and Islamic Law*. Aldershot: Ashgate, 2008. pp. 103-116.
- Maḥm- d, °Abd al-Ḥalīm. *Al-Jihād fī al-Islām*. 2<sup>nd</sup> ed. Cairo: Dār al-Ma°ārif, 1988.
- Maḥm- d, °Alī °Abd al-Ḥalīm. *Rukn al-Jihād: Aw al-Rukn alladhī lā Taḥyā al-Ummatu illā bihi*. Cairo: Dār al-Tawzī° wa al-Nashr al-Islāmiyyah, 1995/1415.
- Maḥm- d, Jamāl al-Dīn “Al-Jihād wa Akhlāqiyyāt al-Ḥarb fī al-Islām”, in *Tolerance in the Islamic Civilization*, Researches and Facts, Sixteenth General Conference of the Supreme Council for Islamic Affairs. Cairo: Maṭābi° al-Ahrām al-Tujāriyyah, 2004/1425, pp. 837-878.
- Majma° al-Buḥ- th al-Islāmiyyah. “Mā Yaḥduth fī Afghanistan °Udwān Mutajabbir”, *Majallat al-Azhar*, Vol. 74, Ramadan 1422/December 2001, p. 1645.

Majma<sup>ʿ</sup> al-Lughah al-<sup>ʿ</sup>Arabiyyah. *Al-Mu<sup>ʿ</sup>jam al-Wajīz*. Cairo: Egyptian Ministry of Education, 1994/1415.

Majmū<sup>ʿ</sup>ah min al-Bāḥithīn. “Qitāl al-Muslim fī al-Jaysh al-Amrīkī: Ijtihādāt Muta<sup>ʿ</sup>addidah” [article online]; available from [http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-Arabic-Ask\\_Scholar/FatwaA/FatwaA&cid=1122528615630](http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-Arabic-Ask_Scholar/FatwaA/FatwaA&cid=1122528615630); accessed 26 August 2008.

Malik, Aftab Ahmad, ed. *The State We Are in: Identity, Terror and the Law of Jihad*. Bristol: Amal Press, 2006.

\_\_\_\_\_, ed. *With God on Our Side: Politics and Theology of the War on Terrorism*. Bristol: Amal Press, 2005.

Malik, S.K. *The Quranic Concept of War*. Lahore: Wajidalis, 1979.

Malka, Haim. “Must Innocents Die? The Islamic Debate over Suicide Attacks”, *Middle East Quarterly*, Vol. 10, No. 2, Spring 2003, pp. 19-28.

March, Andrew F. “Sources of Moral Obligation to non-Muslims in the ‘Jurisprudence of Muslim Minorities’ (*Fiqh al-aqalliyyāt*) Discourse”, *Islamic Law and Society*, Vol. 16, No. 1, 2009, pp. 34-94.

Marshall, David. *God, Muhammad and the Unbelievers: A Qur’ānic Study*. Richmond: Curzon, 1999.

Martin, Gus. *Understanding Terrorism: Challenges, Perspectives, and Issues*. Thousand Oaks CA; London: Sage Publications, 2003.

Ma<sup>ʿ</sup>rūf, Nāyif Maḥmūd. *Al-Khawārij fī al-<sup>ʿ</sup>Aṣr al-Umawī: Nash’atuhum Tārīkhuhum <sup>ʿ</sup>Aqā’iduhum Adabuhum*. 2<sup>nd</sup> ed. Beirut: Dār al-Ṭalī<sup>ʿ</sup>ah li al-Ṭibā<sup>ʿ</sup>ah wa al-Nashr wa al-Tawzī<sup>ʿ</sup>, 1981.

Marz-q, <sup>ʿ</sup>Abd al-Ṣab-r. *Mu<sup>ʿ</sup>jam al-A<sup>ʿ</sup>lām wa al-Mawḍ-<sup>ʿ</sup>āt fī al-Qur’ān al-Karīm*. Cairo: Dār al-Shur-q, 1995/1415.

Masmoudi, Radwan A. “Struggles behind Words: Shariah, Sunnism, and Jihad”, *SAIS Review*, Vol. 21, No. 2, Summer-Fall 2001, pp. 19-24.

Mawlawī, Faysal. “Al-<sup>ʿ</sup>Amaliyyāt al-Istishhādiyyah” [article online]; available from <http://www.mawlawi.net/Fatwa.asp?fid=593&mask=>; accessed 18 December 2009.

\_\_\_\_\_. “Qatl al-Yah- d al-Madaniyyīn fī al-<sup>ʿ</sup>Amaliyyāt al-Istishhādiyyah fī Filasṭīn” [article online]; available from [http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-Arabic-Ask\\_Scholar/FatwaA/FatwaA&cid=1122528609048](http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-Arabic-Ask_Scholar/FatwaA/FatwaA&cid=1122528609048); accessed 18 December 2009

- \_\_\_\_\_. “Al-Radd ‘alā Man Yaq-l bi anna al-‘Amaliyyāt al-Istishhādiyyah Intihār” [article online]; available from <http://www.mawlawi.net/Fatwa.asp?fid=204&mask=>; accessed 18 December 2009.
- \_\_\_\_\_. “Al-Tafjīrāt fī Amrikā lā Tabluḡ Darajat al-Shahādah” [article online]; available from [http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-Arabic-Ask\\_Scholar/FatwaA/FatwaA&cid=1122528615454](http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-Arabic-Ask_Scholar/FatwaA/FatwaA&cid=1122528615454); accessed 13 July 2009.
- McAuliffe, Jane Dammen. *Qur’ānic Christians: An Analysis of Classical and Modern Exegesis*. Cambridge: Cambridge University Press, 1991.
- \_\_\_\_\_. “Preface”, *The Encyclopaedia of the Qur’ān*. Ed. Jane Dammen McAuliffe. 6 Vols. Leiden: Brill, 2001. vol. 1, pp. 1-13.
- \_\_\_\_\_. “The Tasks and Traditions of Interpretation”, in Jane Dammen McAuliffe, ed., *The Cambridge Companion to the Qur’ān*. Cambridge: Cambridge University Press, 2006, pp. 181-209.
- McTernan, Oliver. *Violence in God’s Name: Religion in an Age of Conflict*. Maryknoll NY: Orbis Books, 2003.
- \_\_\_\_\_, Zidane. *Islam’s Fateful Path: The Critical Choices Facing Modern Muslims*. Trans. John King. London: I.B. Tauris, 2009.
- Metchell, Margaret M. “Christian Martyrdom and the ‘Dialect of the Holy Scriptures’: The Literal, the Allegorical, the Martyrological”, *Biblical Interpretation*, Vol. 17, No. 1-2, 2009, pp. 177-206.
- Miliora, Maria T. “The Psychology and Ideology of an Islamic Terrorist Leader: Usama bin Laden”, *International Journal of Applied Psychoanalytic Studies*, Vol. 1, No. 2, 2004, pp. 121-139.
- Mir, Mustansir. *Dictionary of Qur’ānic Terms and Concepts*. New York: Garland, 1987.
- \_\_\_\_\_. “Jihād in Islam”, in Hadia Dajani-Shakeel and Ronald A. Messier, eds, *The Jihād and Its Times*. Ann Arbor: Center for Near Eastern and North African Studies, University of Michigan, 1991.
- Moghadam, Assaf. *The Globalization of Martyrdom: Al Qaeda, Salafi Jihad, and the Diffusion of Suicide Attacks*. Baltimore MD: Johns Hopkins University Press, 2008.
- \_\_\_\_\_. “Mayhem, Myths, and Martyrdom: The Shi’a Conception of Jihad”, *Terrorism and Political Violence*, Vol. 19, No. 1, March 2007, pp. 125-143.

- \_\_\_\_\_. "Motives for Martyrdom: Al-Qaida, Salafi Jihad, and the Spread of Suicide Attacks", *International Security*, Vol. 33, No. 3, Winter 2008/09, pp. 46-78.
- Mohamad, Mahathir. *Terrorism and the Real Issues: Selected Speeches of Dr Mahathir Mohamad*. Ed. Hashim Makaruddin. Subang Jaya: Pelanduk Publications, 2003.
- Mohamed, Mahfodz. "The Concept of Qisās in Islamic Law", *Islamic Studies*, Vol. 21, No. 2, Summer 1982, pp. 77-88.
- Mohammad, Noor. "The Doctrine of Jihad: An Introduction", *Journal of Law and Religion*, Vol. 3, No. 2, 1985, pp. 381-397.
- Mostafa, Nadia Mahmoud. "The Missing Logic in Discourses of Violence and Peace in Islam: The Necessities of a Middle View after the 11<sup>th</sup> of September 2001", in Abdul Aziz Said, Mohammed Abu-Nimer and Meena Sharify-Funk, eds, *Contemporary Islam: Dynamic, Not Static*. London: Routledge, 2006. pp. 173-188.
- Mozaffari, Mehdi. "What is Islamism? History and Definition of a Concept", *Totalitarian Movements and Political Religions*, Vol. 8, No. 1, March 2007, pp. 17-33.
- Much, Christian. "The International Criminal Court (ICC) and Terrorism as an International Crime", *Michigan State Journal of International Law*, Vol. 14, No. 1, 2006, pp. 121-138.
- Muḥammad, Haytham °Abd al-Salām. *Maḥmūm al-Irhāb fī al-Sharī°ah al-Islāmiyyah*. Beirut: Dār al-Kutub al-°Ilmiyyah, 2005.
- Muḥammad, Khālīd Ramaḍān. *Mu°jam Uṣūl al-Fiqh*. Beni Suef, Egypt: Dār al-Rawḍah li al-Nashr wa al-Tawzī°, 1998.
- Muḥammad, Muḥammad Muṣṭafā. *Al-Fihris al-Mawḍū°ī li Āyāt al-Qur°ān al-Karīm*. 4<sup>th</sup> ed. Beirut: Dār al-Jīl, 1989/1409.
- Mullins, Sam. "Parallels between Crime and Terrorism: A Social Psychological Perspective", *Studies in Conflict and Terrorism*, Vol. 32, No. 9, September 2009, pp. 811-830.
- Munīr, Ibrāhīm and Tawfīq al-Wā°ī. *Sayyid Quṭb: Ṣāhib al-Zīlāl*. Kuwait: Maktabat al-Manār al-Islāmiyyah, 2005/1426.
- Munir, Muhammad. "Suicide Attacks and Islamic Law", *International Review of the Red Cross*, Vol. 90, No. 869, March 2008, pp. 71-89.
- Murad, Abdal Hakim. "Bombing without Moonlight: The Origins of Suicidal Terrorism", *Encounters*, Vol. 10, No. 1-2, 2004, pp. 85-118.

- Musallam, Adnan A. *From Secularism to Jihad: Sayyid Qutb and the Foundations of Radical Islamism*. Westport CT: Praeger, 2005.
- Muṣṭafā, Nī' Ḥannān. "Madā Iltizām Abī Amr bin al-ʿAlā' wa al-Kisā'ī bi-Madrasatayhimā al-Naḥwiyyatayn: Dirāsah Taḥlīliyyah fī Daw' Qirā'āt al-Qur'ān", *Journal of Qur'anic Studies*, Vol. 10, No. 1, April 2008, pp. 202-218.
- Nadwi, Abdullah Abbas. *Vocabulary of the Holy Qur'an*. 4<sup>th</sup> ed. Chicago IL: Iqra International Educational Foundation, 1996.
- Nafi, Basheer M. "Fatwā and War: On the Allegiance of the American Muslim Soldiers in the Aftermath of September 11", *Islamic Law and Society*, Vol. 11, No. 1, 2004, pp. 78-116.
- Naguib, Shuruq Abdul Qader. "The Meaning of Purity in Classical Exegesis of the Qur'ān", PhD thesis, Department of Middle Eastern Studies, University of Manchester, 2003.
- Napoleoni, Loretta. *Modern Jihad: Tracing the Dollars behind the Terror Networks*. London: Pluto Press, 2003.
- \_\_\_\_\_. "Modern Jihad: The Islamist Crusade", *SAIS Review*, Vol. 23, No. 2, Summer-Fall, 2003, pp. 53-69.
- Naqvi, Ali Raza. "Laws of War in Islam", *Islamic Studies*, Vol. 13, No. 1, March 1974, pp. 25-43.
- Nār, Aḥmad. *Al-Qitāl fī al-Islām*. 2<sup>nd</sup> ed. Ḥumṣ: Al-Maktabah al-Islāmiyyah, 1968.
- Nasr, Seyyed Hossein. "Islam and the Question of Violence", in Aftab Ahmad Malik, ed., *With God on Our Side: Politics and Theology of the War on Terrorism*. Bristol: Amal Press, 2005. pp. 273-276.
- Nayed, Aref Ali. "The Radical Qur'ānic Hermeneutics of Sayyid Qutb", *Islamic Studies*, Vol. 31, No. 3, Autumn 1413/1992, pp. 355-363.
- Nedoroscik, J.A. "Extremist Groups in Egypt", *Terrorism and Political Violence*, Vol. 14, No. 2, Summer 2002, pp. 47-76.
- Nelson-Pallmeyer, Jack. *Is Religion Killing Us?: Violence in the Bible and the Quran*. London: Continuum, 2005.
- Nettler, Ronald L. "Guidelines for the Islamic Community: Sayyid Qutb's Political Interpretation of the Qur'ān", *Journal of Political Ideologies*, Vol. 1, No. 2, 1996, pp. 183-196.
- Neusner, Jacob and William Scott Green, eds. *Dictionary of Judaism in the Biblical Period*. Peabody MA: Hendrickson, 1999.

- Nielsen, Jørgen S. "The Discourse of 'Terrorism' between Violence, Justice and International Order", in Tahir Abbas, ed., *Islamic Political Radicalism: A European Perspective*. Edinburgh: Edinburgh University Press, 2007. pp. 15-24.
- Noorani, A.G. *Islam and Jihad: Prejudice versus Reality*. London: Zed Books, 2002.
- Norris, Pippa and Ronald Inglehart. "Islam and the West: Testing the 'Clash of Civilization' Thesis", *Harvard University, John F. Kennedy School of Government, Faculty Research Working Paper*, No. RW: P02-015, April 2002 [article online]; available from <http://ksgnotes1.harvard.edu/Research/wpaper.nsf>; accessed 21 January 2010.
- Norton, Augustus Richard. "Terrorism", *The Oxford Encyclopedia of the Modern Islamic World*. Ed. John L. Esposito. 4 Vols. New York: Oxford University Press, 1995. pp. 205-209.
- Nurick, Lester. "The Distinction between Combatants and Noncombatants in the Law of War", *American Journal of International Law*, Vol. 39, No. 4, October 1945, pp. 680-697.
- Obama, Barack. "Remarks of President Barack Obama – As Prepared for Delivery Address to Turkish Parliament, Ankara, Turkey, April 6, 2009" [article online]; available from [http://news.bbc.co.uk/1/shared/bsp/hi/pdfs/06\\_04\\_09\\_obamaspeech.pdf](http://news.bbc.co.uk/1/shared/bsp/hi/pdfs/06_04_09_obamaspeech.pdf); accessed 22 July 2009.
- \_\_\_\_\_. "Remarks by the President on a New Beginning" [article online]; available from [http://www.whitehouse.gov/the\\_press\\_office/Remarks-by-the-President-at-Cairo-University-6-04-09/](http://www.whitehouse.gov/the_press_office/Remarks-by-the-President-at-Cairo-University-6-04-09/); accessed 22 July 2009.
- Omar, A. Rashied. "Conflict and Violence", in Richard C. Martin, ed., *Encyclopedia of Islam and the Muslim World*. 2 Vols. New York: Macmillan Preference USA, 2004, pp. 157-160.
- Orbach, Israel. "Terror Suicide: How Is It Possible?", *Archives of Suicide Research*, Vol. 8, No. 1, January 2004, pp.115-130.
- Osman, Muhammad Fathi. "Islam, Terrorism, and Western Misapprehensions", in Ibrahim M. Abu-Rabi', ed., *The Blackwell Companion to Contemporary Islamic Thought*. Malden MA: Blackwell, 2006. pp. 377-386.
- Pape, Robert A. *Dying to Win: The Strategic Logic of Suicide Terrorism*. New York: Random House Trade Paperbacks, 2006.
- \_\_\_\_\_. *Dying to Win: Why Suicide Terrorists Do It*. London: Gibson Square Books, 2006.

- \_\_\_\_\_. "The Strategic Logic of Suicide Terrorism", in David C. Rapoport, ed., *Terrorism: Critical Concepts in Political Science*. 4 Vols. London: Routledge, 2006. pp. 143-182.
- \_\_\_\_\_. "The Strategic Logic of Suicide Terrorism", *American Political Science Review*, Vol. 97, No. 3, August 2003, pp. 343-361.
- Parsons, Christi and Laura King. "In Turkey, Obama says US is not at war with Islam" [article online]; available from <http://www.latimes.com/news/nationworld/world/la-fg-obama-turkey7-2009apr07,0,641778.story>; accessed 22 July 2009.
- Parvin, Manoucher and Maurie Sommer. "Dar al-Islam: The Evolution of Muslim Territoriality and Its Implications for Conflict Resolution in the Middle East", *International Journal of Middle East Studies*, Vol. 11, No. 1, February 1980, pp. 1-21.
- Payne, James L. "What Do the Terrorists Want?", *Independent Review*, Vol. 13, No. 1, Summer 2008, pp. 29-39.
- Payne, Kenneth. "Winning the Battle of Ideas: Propaganda, Ideology, and Terror", *Studies in Conflict and Terrorism*, Vol. 32, No. 2, February 2009, pp. 109-128.
- Paz, Reuven. "The Islamic Legitimacy of Palestinian Suicide Terrorism" [article online]; available from <http://www.ict.org.il/Portals/0/51563-Countering%20Suicide%20Terrorism.pdf>; accessed 5 December 2009.
- Pedahzur, Ami. *Suicide Terrorism*. Cambridge: Polity Press, 2005.
- \_\_\_\_\_, Arie Perliger and Alexander Bialsky. "Explaining Suicide Terrorism", in Christopher Ankersen and Michael O'Leary, eds, *Understanding Global Terror*. Cambridge: Polity Press, 2007. pp. 37-56.
- Perlmutter, Dawn. *Investigating Religious Terrorism and Ritualistic Crime*. New York: CRC Press LLC, 2004.
- Peters, Rudolph. *Crime and Punishment in Islamic Law: Theory and Practice from the Sixteenth to the Twenty-first Century*. Cambridge: Cambridge University Press, 2005.
- \_\_\_\_\_. *Islam and Colonialism: The Doctrine of Jihad in Modern History*. The Hague: Mouton, 1979.
- \_\_\_\_\_. *Al-Islām wa al-Isti'mār: 'Aqīdat al-Jihād fī al-Tārīkh al-Ḥadīth*. Cairo: Dār Shāhdī li al-Nashr bi al-Ta'āwun ma'a al-Ma'had al-H-landī li al-Āthār al-Miṣriyyah wa al-Buḥ- th al-ʿArabiyyah, 1985.

- \_\_\_\_\_. *Jihad in Classical and Modern Islam: A Reader*. 2<sup>nd</sup> rev. & enl. ed. Princeton NJ: Markus Wiener, 2005.
- \_\_\_\_\_. *Jihad in Mediaeval and Modern Islam: The Chapter on Jihad from Averroes' Legal Handbook 'Bidayat al-Mujtahid' and the Treatise 'Koran and Fighting' by the late Shaykh al-Azhar, Mahmud Shaltut*. Leiden: Brill, 1977.
- \_\_\_\_\_. "The Islamization of Criminal Law: A Comparative Analysis", *Die Welt des Islams*, Vol. 34, No. 2, Nov., 1994, pp. 246-274.
- PoKempner, Dinah. "The 'New' Non-State Actors in International Humanitarian Law", *George Washington International Law Review*, Vol. 38, No. 3, 2006, pp. 551-560.
- Poonawala, Ismail K. "Muḥammad 'Izzat Darwaza's Principles of Modern Exegesis: A Contribution towards Quranic Hermeneutics", in G.R. Hawting and Abdul-Kader A. Shareef, eds, *Approaches to the Qur'ān*. London: Routledge, 1993. pp. 225-246.
- Porter, J.M.B. "Osama Bin-Laden, Jihād, and the Sources of International Terrorism", *Indiana International and Comparative Law Review*, Vol. 13, No. 3, 2002-2003, pp. 871-885.
- Post, Jerrold M. "Reframing of Martyrdom and Jihad and the Socialization of Suicide Terrorists", *Political Psychology*, Vol. 30, No. 3, June 2009, pp. 381-385.
- Powers, David S. "The Exegetical Genre Nāsikh al-Qur'ān wa Mans-khuhu", in Andrew Rippin, ed., *Approaches to the History of the Interpretation of the Qur'ān*. Oxford: Clarendon, 1988. pp.,117-138.
- Qā'id, 'Abd al-Fattāḥ Muḥammad. *Al-Ḥirābah fī al-Fiḥ al-Islāmī: Dirāsah Muqāranah*. Cairo: Dār al-Ṭibā'ah al-Muḥammadiyah, 1987/1407.
- Qutb, Sayyid. *Fī Zilāl al-Qur'ān*. 12<sup>th</sup> ed. 6 Vols. Cairo: Dār al-Shurūq, 1986/1406.
- \_\_\_\_\_. *In the Shade of the Qur'ān*. Trans. and ed. Adil Salahi. Leicester: Islamic Foundation, 18 Vols. by 2004.
- \_\_\_\_\_. *Ma'ālim fī al-Ṭarīq*. Beirut: Holy Koran Publishing House, n.d.
- \_\_\_\_\_. *Milestones*. New Delhi: Islamic Book Service, n.d.
- Rabb, Intisar A. "Non-Canonical Readings of the Qur'an: Recognition and Authenticity (The Ḥimṣī Reading)", *Journal of Qur'anic Studies* 8, No. 2, October 2006, pp. 84-127.
- Rādī, Ab- Zayd 'Abd al-Raḥmān 'Alī. "Al-Jihād fī Ḍaw' al-Sunnah: Asbābuh wa Kayfiyyatuh wa Natā'ijuh", PhD thesis, Department of Ḥadīth, Faculty of Uṣūl al-Dīn, Al-Azhar University, Cairo, 1976.

- Randall, Albert B. *Holy Scriptures as Justifications for War: Fundamentalist Interpretations of the Torah, the New Testament, and the Qur'an*. Lewiston NY: Edwin Mellen Press, 2007.
- Rane, Halim. "Jihad, Competing Norms and the Israel-Palestine Impasse", *Australian Journal of International Affairs*, Vol. 63, No. 1, March 2009, pp. 41-63.
- \_\_\_\_\_. "Reformulating Jihad in the Context of the Israeli-Palestinian Conflict: A Theoretical Framework", *Global Change, Peace and Security*, Vol. 19, No. 2, June 2007, pp. 127-147.
- Rehman, Javaid. *Islamic State Practices, International Law and the Threat from Terrorism: A Critique of the 'Clash of Civilizations' in the New World Order*. Oxford: Hart, 2005.
- Riḍā, Muḥammad Rashīd. *Tafsīr al-Qur'ān al-Ḥakīm: Al-Mushtahir bi ism Tafsīr al-Manār*. 2<sup>nd</sup> ed. 12 Vols. Cairo: Dār al-Manār, 1947/1366.
- Rippin, A. "Asbab al-Nuzul", *Encyclopedia of Islamic Civilisation and Religion*. Ed. Ian Richard Netton. Abingdon, Oxon: Routledge, 2008. pp. 66-67.
- \_\_\_\_\_. "The Exegetical Genre of 'Asbab al-Nuzul': A Bibliographical and Terminological Survey", *Bulletin of the School of Oriental and African Studies*, Vol. 48, No. 1, 1985, pp. 1-15.
- \_\_\_\_\_. "Witness to Faith", *The Encyclopaedia of the Qur'ān*. Ed. Jane Dammen McAuliffe. 6 Vols. Leiden: Brill, 2006. pp. 488-491.
- Rosenthal, Franz. "On Suicide in Islam", *Journal of the American Oriental Society*, Vol. 66, No. 3, July/Sept. 1946, pp. 239-259.
- Roshandel, Jalil and Sharon Chadha. *Jihad and International Security*. New York: Palgrave Macmillan, 2006.
- Roy, Olivier. *Globalised Islam: The Search for a New Ummah*. Rev. & enl. ed. London: Hurst, 2004.
- Ryad, Umar. "Islamic Reformism and Christianity: A Critical Reading of the Works of Muḥammad Rashīd Riḍā and His Associates (1898-1935)", PhD thesis, Faculty of Humanities, Institute for Religious Studies, Leiden University, The Netherlands, 2008.
- Sābiq, Al-Sayyid. *Fiqh al-Sunnah*. 3 Vols. Cairo: Al-Faṭḥ li al-I<sup>l</sup>ām al-<sup>l</sup>Arabī, n.d.
- Sachedina, Abdulaziz. *The Islamic Roots of Democratic Pluralism*. New York: Oxford University Press, 2001.

- Saeed, Abdullah. *Interpreting the Qur'ān: Towards a Contemporary Approach*. Oxford: Routledge, 2006.
- Sa'īd, 'Abd al-Sattār Fathāllah. *Al-Madkhal ilā al-Tafsīr al-Mawḍ- 'ī*. Cairo: Dār al-Ṭibā'ah wa al-Nashr al-Islāmiyyah, 1986.
- Saloom, Rachel. "Is Beheading Permissible under Islamic Law? Comparing Terrorist Jihad and the Saudi Arabian Death Penalty", *UCLA Journal of International Law and Foreign Affairs*, Vol. 10, 2005, pp. 221-249.
- Sambur, Bilal. "The Insider/Outsider Problem in the Study of Islam", *Islamic Quarterly*, Vol. 46, No. 1, 2002, pp. 95-106.
- Samy, Mahmoud. "The League of Arab States", in Giuseppe Nesi, ed., *International Co-operation in Counter-terrorism*. Hampshire: Ashgate, 2006.
- Sandler, Todd. "Collective Action and Transnational Terrorism", *World Economy*, Vol. 26, No. 6, 2003, pp. 779-802.
- Sano, Kuṭb Muṣṭafā. "Fī Muṣṭalaḥ al-Irhāb wa Ḥukmuh: Qirā'ah Naqdiyyah fī al-Mafhūm wa al-Ḥukm min Manzūr Shar'ī" [article online]; available from [http://alminbar.al-islam.com/Mehwar\\_erhabM.aspx?View=Page&PageID=6&PageNo=1&BookID=207&word=images/books/220.doc&pdf=images/books/220.pdf](http://alminbar.al-islam.com/Mehwar_erhabM.aspx?View=Page&PageID=6&PageNo=1&BookID=207&word=images/books/220.doc&pdf=images/books/220.pdf); accessed 1 January 2008.
- \_\_\_\_\_. "Al-Irhāb Bayna al-Sharī'ah wa al-If bī āy: Fī Muṣṭalaḥ al-Irhāb wa Ashkālūh min Manzūr Shar'ī" [article online]; available from <http://www.islamonline.net/Arabic/contemporary/2003/02/article04a.shtml>; accessed 25 February 2008.
- Saul, Ben. *Defining Terrorism in International Law*. Oxford: Oxford University Press, 2006.
- \_\_\_\_\_. "Attempts to Define 'Terrorism' in International Law", *Netherlands International Law Review*, Vol. 52, No. 1, 2005, pp. 57-83.
- Schleifer, S. Abdullah. "Jihad: Modernist Apologists, Modern Apologetics", *Islamic Quarterly*, Vol. 28, No. 1, First Quarter 1984, pp. 25-46.
- \_\_\_\_\_. "Jihad: Sacred Struggle in Islam (4)", *Islamic Quarterly*, Vol. 28, No. 2, Second Quarter, 1983, pp. 87-102.
- \_\_\_\_\_. "Jihad: Sacred Struggle in Islam (5)", *Islamic Quarterly*, Vol. 27, No. 3, Third Quarter 1984, pp. 135-149.
- \_\_\_\_\_. "Understanding Jihad: Definition and Methodology", *Islamic Quarterly*, Vol. 28, No. 3, Third Quarter 1984, pp. 117-131.

- Schmid, Alex. "Terrorism: The Definitional Problem", *Case Western Reserve Journal of International Law*, Vol. 36, 2004, pp. 375-419.
- \_\_\_\_\_ and Albert J. Jongman. *Political Terrorism: A New Guide to Actors, Authors, Concepts, Data Bases, Theories, and Literature*. Rev. & enl. ed. Amsterdam: SWIDOC, 1988.
- Schneider, Irene. "Imprisonment in Pre-Classical and Classical Islamic Law", *Islamic Law and Society*, Vol. 2, No. 2, 1995, pp. 157-173.
- Schwartz, David Aron. "International Terrorism and Islamic Law", *Columbia Journal of Transnational Law*, Vol. 29, 1991, pp. 629-652.
- Schwartz, Joseph M. "Misreading Islamist Terrorism: The 'War against Terrorism' and Just-War Theory", *Metaphilosophy*, Vol. 35, No. 3, April 2004, pp. 273-302.
- Schwartz-Barcott, T.P. *War, Terror and Peace in the Qur'an and in Islam: Insights for Military and Government Leaders*. Carlisle PA: Army War College Foundation Press, 2004.
- Scott, Rachel. "An 'Official' Islamic Response to the Egyptian al-Jihād Movement", *Journal of Political Ideologies*, Vol. 8, No. 1, February 2003, pp. 39-61.
- Sedgwick, Mark. "Al-Qaeda and the Nature of Religious Terrorism", *Terrorism and Political Violence*, Vol. 16, No. 4, Winter 2004, pp. 795-814.
- Serajzadeh, Seyed Hossein. "Islam and Crime: The Moral Community of Muslims", *Journal of Arabic and Islamic Studies*, Vol. 4, 2001/2002, pp. 118-131.
- Shaḥbān, Muṣṭafā. "Abnā' al-Jamā'ah al-Islāmiyyah: Al-Amn Qabila Tawbatahum wa al-Mujtama' Rafaḍahum" [article online]; available from [http://www.islamonline.net/servlet/Satellite?c=ArticleA\\_C&cid=1235402630534&pagename=Zone-Arabic-Daawa%2FDWALayout](http://www.islamonline.net/servlet/Satellite?c=ArticleA_C&cid=1235402630534&pagename=Zone-Arabic-Daawa%2FDWALayout); accessed 29 June 2009.
- Shah, Mustafa. "The Quest for the Origins of the *Qurrā'* in the Classical Islamic Tradition", *Journal of Qur'anic Studies*, Vol. 7, No. 2, October 2005, pp. 1-35.
- Shah, Niaz A. *Self-defence in Islamic and International Law: Assessing al-Qaeda and the Invasion of Iraq*. Basingstoke: Palgrave Macmillan, 2008.
- Shahin, Emad Eldin. "Muḥammad Rashīd Riḍā's Perspectives on the West as Reflected in *Al-Manar*", *Muslim World*, Vol. 79, No. 2, April 1989, pp. 113-132.
- \_\_\_\_\_. "Rashīd Riḍā, Muḥammad", *The Oxford Encyclopedia of the Modern Islamic World*. Ed. John L. Esposito. 4 Vols. New York: Oxford University Press, 1995. pp. 410-412.

- Shākir, °Abd al-Ḥamīd. *Ghazawāt al-Ras-l*. Tripoli, Lebanon: Jarr- s Press, 1996/1416.
- Shalabī, Aḥmad. *Al-Jihād wa al-Nuzum al-°Askariyyah fī al-Taḥkīm al-Islāmī*. 2<sup>nd</sup> rev. & enl. ed. Cairo: Maktabat al-Nahḍah al-Miṣriyyah, 1974.
- Shalt- t, Maḥm- d. *Al-Islām wa al-°Alāqāt al-Dawliyyah fī al-Silm wa al-Ḥarb*. Cairo: Maṭba°at al-Azhar, n.d.
- \_\_\_\_\_. *Al-Islām: °Aqīdah wa Sharī°ah*. 15<sup>th</sup> ed. Cairo: Dār al-Shur- q, 1988/1408.
- Sharif, Mohammad Farid bin Mohammad. “Jihād in Ibn Taymiyyah’s Thought”, *Islamic Quarterly*, Vol. 49, No. 3, 2005, pp. 183-204.
- Sharif, Mohd Farid bin Mohd. “Baghy in Islamic Law and the Thinking of Ibn Taymiyya”, *Arab Law Quarterly*, Vol. 20, No. 3, 2006, pp. 289-305.
- Sharp, Walter Gary. “The Use of Force against Terrorism: American Hegemony or Impotence?”, *Chicago Journal of International Law*, Vol. 1, No. 1, 2000, pp. 37-48.
- Shay, Shaul. *The Shahids: Islam and Suicide Attacks*. New Brunswick NJ: Transaction, 2004.
- Sheḥātah, °Abdullāh. *°Ul- m al-Taḥsīr*. Cairo: Dār al-Shur- q, 2001/1421.
- \_\_\_\_\_. “Manhaj al-Imām Muḥammad °Abduh fī Taḥsīr al-Qur°ān al-Karīm”, MA diss., Faculty of Dār al-°Ul- m, Cairo University, Egypt, 1380/1960.
- Sherwani, A.A.K. *Impact of Islamic Penal Laws on the Traditional Arab Society*. New Delhi: MD Publications Pvt, 1993.
- Shihāb, Mufīd. “Al-Qān- n al-Dawli wa al-Sharī°ah al-Islāmiyyah”, *Islam and the Future Dialogue Between Civilizations*, Researches and Facts, Eighth General Conference of the Supreme Council for Islamic Affairs. Cairo: Supreme Council of the Islamic Affairs, 1998/1418, pp. 330-339.
- Shihāb, Wā’il ‘Abdul-Mut°āl, “Al-Masālih al-Mursalāh and Their Contemporary Applications: An Analytical Study”, PhD thesis, English Department, Faculty of Languages and Translation, Al-Azhar University, Egypt, March 2010.
- Shkolnik, Kevin. “Did 9/11 Really Change Everything? Combating Terrorism in a Changed World”, MA diss., Miami University, May 2008.
- Shukri, Muhammad Aziz. *International Terrorism: A Legal Critique* (Brattleboro VT: Amana, 1991).
- Siddiqi, Muzammil. “How Islam Views Possession of Nukes” [article online]; available from <http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline->

English-Ask\_Scholar/FatwaE/FatwaE&cid=1119503545986; accessed 29 August, 2007.

\_\_\_\_\_. “Two Years after Sept 11: What Does Islam Have to Say?” [article online]; available from [http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-English-Ask\\_Scholar/FatwaE/FatwaE&cid=1119503545852](http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-English-Ask_Scholar/FatwaE/FatwaE&cid=1119503545852); accessed 15 July 2009.

Şidqī, °Abd al-Raḥīm. *Al-Jarīmah wa al-‘Uqūbah fī al-Sharī‘ah al-Islāmiyyah: Dirāsah Tahliyyah li Aḥkām al-Qaṣāṣ wa al-Ḥudūd wa al-Ta‘zīr*. Cairo: Maktabat al-Nahḍah al-Miṣriyyah, 1987/1408.

Silverman, Adam L. “Just War, Jihad, and Terrorism: A Comparison of Western and Islamic Norms for the Use of Political Violence”, *Journal of Church and State*, Vol. 44, No. 1, 2002, pp. 73-92.

\_\_\_\_\_. “Just War, Jihad, and Terrorism: A Comparison of Western and Islamic Norms for the Use of Political Violence”, in David Cook, ed., *Jihad and Martyrdom: Critical Concepts in Islamic Studies*. 4 Vols. London: Routledge, 2010. pp. 3-19.

Singh, Mahavir, ed. *International Terrorism and Religious Extremism: Challenges to Central and South Asia*. New Delhi: Published for Maulana Abul Kalam Azad Institute of Asian Studies, Kolkata [by] Anamika Publishers & Distributors, 2004.

Sivan, Emmanuel. *Radical Islam: Medieval Theology and Modern Politics*. Enl. ed. New Haven CT and London: Yale University Press, 1990.

Slavicek, David Jan. “Deconstructing the Shariatic Justification of Suicide Bombings”, *Studies in Conflict and Terrorism*, Vol. 31, No. 6, 2008, pp. 553-571.

Soage, Ana Belén. “Ḥasan al-Bannā and Sayyid Quṭb: Continuity or Rupture?”, *Muslim World*, Vol. 99, No. 2, April 2009, pp. 294-311.

\_\_\_\_\_. “Rashīd Rida’s Legacy”, *Muslim World*, Vol. 98, No. 1, January 2008, pp. 1-23.

Sonn, Tamara, “Introducing”, in Andrew Rippin, ed., *The Blackwell Companion to the Qur’ān*. Oxford: Wiley-Blackwell, 2009. pp. 3-17.

Sookhdeo, Patrick. *Understanding Islamic Terrorism: The Islamic Doctrine of War*. Pewsey UK: Isaac Publishing, 2004.

Spīndārī, °Abd al-Raḥmān. *Al-Irhāb min Manẓūr Qur’ānī*. Kurdistan: Hawār, 2006.

Strenski, Ivan. “Sacrifice, Gift and the Social Logic of Muslim ‘Human Bombers’”, *Terrorism and Political Science*, Vol. 15, No. 3, Autumn 2003, pp. 1-34.

- Subh, ‘Abdul-Majeed Hamid. “General Fatwa Session” [article online]; available from <http://www.islamonline.net/livefatwa/english/Browse.asp?hGuestID=4F3k3y> ; accessed 3 February 2010.
- Sulaymān, Ḥasan Maḥm- d Sulaymān. *Al-Imām al-Qurṭubī: Shaykh A’immat al-Tafsīr*. Damascus: Dar al-Qalam, 1993/1413.
- Supervielle, Manuel E.F. “Islam, the Law of War, and the US Soldier”, *American University International Law Review*, Vol. 21, 2005, pp. 191-219.
- Suter, Keith. “September 11 and Terrorism: International Law Implications”, *Australian International Law Journal*, Vol. 14, 2001, pp. 14-34.
- Syahnan, Mhd. “A Study of Sayyid Quṭb’s Qur’ān Exegesis in Earlier and Later Editions of His *Fī Zilāl al-Qur’ān* with Special Reference to Selected Themes”, MA diss., Faculty of Graduate Studies and Research, Institute of Islamic Studies, McGill University, Montreal, Canada, 1997.
- Taheri, Amir. *Holy Terror: The Inside Story of Islamic Terrorism*. London: Sphere, 1987.
- Tajammu<sup>c</sup> al-<sup>c</sup>Ulamā’ al-Muslimīn fī Lubnān, Lajnat al-Mutāba<sup>c</sup>ah li Mu’tamar <sup>c</sup>Ulamā’ al-Islām. *Masā’il Jihādiyyah wa Huḳm al-<sup>c</sup>Amaliyyāt al-Istishhādiyyah*. Beirut: Dār al-Waḥdah al-Islāmiyyah, 2002.
- Takr- rī, Nawāf Hāyil. *Al-<sup>c</sup>Amaliyyāt al-Istishhādiyyah fī al-Mizān al-Fiqhī*. 4<sup>th</sup> enl. ed. Damascus: Dār al-Fikr, 2003/1423.
- Ṭaleqānī, Mahmūd, Murtaḍa Muṭahhari and Ali Shari’ati. *Jihād and Shahādat: Struggle and Martyrdom in Islam*. Ed. Mehdi Abedi and Gary Legenhausen. Houston TX: Institute for Research in Islamic Studies, 1986.
- Tamimi, Azam. “The Islamic Debate over Self-inflicted Martyrdom”, in Madawi Al-Rasheed and Marat Shterin, eds, *Dying for Faith: Religiously Motivated Violence in the Contemporary World*. London: I.B. Tauris, 2009. pp. 91-104.
- Ṭanṭāwī, Muḥammad Sayyid. *Al-Sarāyah al-Ḥarbiyyah fī al-<sup>c</sup>Ahd al-Nabawī*. Cairo: Al-Sharikah al-Miṣriyyah li al-Ṭibā<sup>c</sup>ah wa al-Nashr, 1971/1391.
- \_\_\_\_\_. “Bayān Majma<sup>c</sup> al-Buḥ- th al-Islāmiyyah ḥawla Khiṭāb al-Ra’īs Obama li al-<sup>c</sup>Ālam al-Islāmī”, *Majallat al-Azhar*, Vol. 82, Rajab 1430/June 2009, pp. 1184-1185.
- \_\_\_\_\_. “Bayān Majma<sup>c</sup> al-Buḥ- th al-Islāmiyyah bi al-Azhar bi-Sha’n Zāhirat al-Irhāb” [article online]; available from <http://www.islamonline.net/Arabic/doc/2001/11/article3.shtml>; accessed 15 July 2009.

- Taylor, Robert W. and Harry E. Vanden. "Defining Terrorism in El Salvador: 'La Matanza'", *Annals of the American Academy of Political and Social Science*, Vol. 463, September 1982, pp. 106-118.
- Tayob, Abdulkader. "An Analytical Survey of al-Ṭabarī's Exegesis of the Cultural Symbolic Construct of *Fitna*", in G.R. Hawting and Abdul-Kader A. Shareef, eds, *Approaches to the Qur'ān*. London: Routledge, 1993. pp. 157-172.
- Teichman, Jenny. "How to Define Terrorism", *Philosophy*, Vol. 64, No. 250, October 1989, pp. 505-517.
- Thomas, David. "Christians under Muslim Rule: Acceptance and Indifference", *Tolerance in the Islamic Civilization*, Researches and Facts, Sixteenth General Conference of the Supreme Council for Islamic Affairs. Cairo: Maṭābi<sup>c</sup> al-Ahrām al-Tujāriyyah, 2004/1425. pp. 73-82.
- Tiefenbrun, Susan. "A Semiotic Approach to a Legal Definition of Terrorism", *ILSA Journal of International and Comparative Law*, Vol. 9, 2002-2003, pp. 357-389.
- Tilly, Charles. "Terror, Terrorism, Terrorists", *Sociological Theory*, Vol. 22, March 2004, pp. 5-13.
- Tröger, Karl Wolfgang. "Peace and Islam: In History and Practice", *Islam and Christian-Muslim Relations*, Vol. 1, No. 1, 1990, pp. 12-24.
- Turner, Colin. *Islam: The Basics*. New York: Routledge, 2006.
- Tyler, Aaron. *Islam, the West, and Tolerance: Conceiving Coexistence*. New York; Basingstoke: Palgrave Macmillan, 2008.
- Tyler, John. "The Opportunity Geert Wilders Has Waited for" [article online]; available from <http://news.bbc.co.uk/1/hi/world/europe/8549155.stm>; accessed 9 March 2010.
- Udah, Abd al-Qādir. *Criminal Law of Islam*. Trans. S. Zakir Aijaz. 4 Vols. New Delhi: Kitab Bhavan, 1999, repr. 2005.
- \_\_\_\_\_. *Al-Tashrī<sup>c</sup> al-Jinā'ī fī al-Islām: Muqārānan bi al-Qānūn al-Waḍ'ī*. 13<sup>th</sup> ed. 2 Vols. Beirut: Mu'assasat al-Risālah li al-Ṭibā<sup>c</sup>ah wa al-Nashr wa al-Tawzī<sup>c</sup>, 1994.
- University of Birmingham. *Collins COBUILD Advanced Learner's English Dictionary*. 4<sup>th</sup> ed. Glasgow: HarperCollinsPublishers, 2003.
- Van Engeland, Anisseh. "The Differences and Similarities between International Humanitarian Law and Islamic Humanitarian Law: Is there Ground for Reconciliation?", *Journal of Islamic Law and Culture*, Vol. 10, No. 1, April 2008, pp. 81-99.

- Venkatraman, Amritha. "Religious Basis for Islamic Terrorism: The Quran and Its Interpretations", *Studies in Conflict and Terrorism*, Vol. 30, No. 3, 2007, pp. 229-248.
- Vogel, Frank E. "The Trial of Terrorists under Classical Islamic Law", *Harvard International Law Journal*, Vol. 43, No. 1, Winter 2002, pp. 53-64.
- Wahbah, Tawfīq. *Al-Ḥarb fī al-Islām wa fī al-Mujtama' al-Dawlī al-Mu'āṣir*, Kutub Islāmiyyah, Issue 145. Cairo: Supreme Council for Islamic Affairs, 1973/1393.
- Wajis, Nik Rahim Nik. "The Crime of *Ḥirāba* in Islamic Law", PhD thesis, Glasgow Caledonian University, United Kingdom, 1996.
- Waldron, Jeremy. "Terrorism and the Uses of Terror", *Journal of Ethics*, Vol. 8, Issue 1, 2004, pp. 5-35.
- Wardlaw, Grant. *Political Terrorism: Theory, Tactics, and Counter-measures*. Cambridge: Cambridge University Press, 1982.
- Watt, W. Montgomery. *The Formative Period of Islamic Thought*. Oxford: Oneworld, 1998.
- \_\_\_\_\_. *Islamic Political Thought: Basic Concepts*. Edinburgh: Edinburgh University Press, 1980.
- Wedeen, Lisa. "Beyond the Crusades: Why Huntington, and Bin Ladin, are Wrong", *Middle East Policy*, Vol. 10, No. 2, Summer 2003, pp. 54-61.
- Weinberg, Leonard and William L. Eubank. *What Is Terrorism?* New York: Chelsea House, 2006.
- \_\_\_\_\_, Ami Pedahzur and Sivan Hirsch-Hoefler. "The Challenges of Conceptualizing Terrorism", *Terrorism and Political Violence*, Vol. 16, No. 4, Winter 2004, pp. 777-794.
- Whitehead, Neil L. and Nasser Abufarha. "Suicide, Violence, and Cultural Conceptions of Martyrdom in Palestine", *Social Research*, Vol. 75, No. 2, Summer 2008, pp. 395-416.
- Whittaker, David J. *The Terrorism Reader*. New York: Routledge, 2001.
- Wielandt, Rotraud. "Exegesis of the Qur'ān: Early Modern and Contemporary", *The Encyclopaedia of the Qur'ān*. Ed. Jane Dammen McAuliffe. 6 Vols. Leiden: Brill, 2002. pp. 124-142.
- Wight, Colin. "Theorising Terrorism: The State, Structure and History", *International Relations*, Vol. 23, No. 1, 2009, pp. 99-106

- Wiktorowicz, Quintan. "A Genealogy of Radical Islam", *Studies in Conflict and Terrorism*, Vol. 28, No. 2, March/April 2005, pp. 75-97.
- \_\_\_\_\_. "The New Global Threat: Transnational Salafis and Jihad", *Middle East Policy*, Vol. 8, No. 4, December 2001, pp. 18-38.
- Yamani, Ahmed Zaki. "Humanitarian International Law in Islam: A General Outlook", *Michigan Yearbook of International Legal Studies*, Vol. 7, 1985, pp. 189-215.
- Young, Reuven, "Defining Terrorism: The Evolution of Terrorism as a Legal Concept in International Law and Its Influence on Definitions in Domestic Legislation", *Boston College International and Comparative Law Review*, Vol. 29, No. 1, 2006, pp. 23-106.
- Zahrān, °Abd al-°Azīz. *Al-Silm wa al-Ḥarb fī al-Islām*, Kutub Islāmiyyah, Issue No. 164. Cairo: Supreme Council for Islamic Affairs, 1974/1394.
- Zaqz- q, Maḥm- d Ḥamdī. *Ḥaqā'iq Islāmiyyah fī Muwājahat Ḥamalāt al-Tashkīk*. 4<sup>th</sup> ed. Cairo: Maṭba°at Wizārat al-Awqāf, 2003/1423.
- \_\_\_\_\_. "Muqaddimah", *Islam and the Future Dialogue between Civilizations*, Researches and Facts, Eighth General Conference of the Supreme Council for Islamic Affairs. Cairo: Supreme Council of the Islamic Affairs, 1998/1418, pp. 3-5.
- \_\_\_\_\_. "Taqdīm", *The Truth about Islam in a Changing World*, Researches and Proceedings, Fourteenth General Conference of the Supreme Council for Islamic Affairs. Cairo: Maṭābi° al-Ahrām al-Tujāriyyah, 2003/1424, 3-6.
- Zayd, Muṣṭafā. *Al-Naskh fī al-Qur'ān al-Karīm: Dirāsah Tashrī°yyah Tarīkhiyyah Naqdiyyah*. 2 Vols. Cairo: Dār al-Fikr al-°Arabī, 1963/1383.
- \_\_\_\_\_. *Sūrat al-Anfāl: °Arḍ wa Tafsi°r*. 3<sup>rd</sup> ed. Cairo: Dār al-Fikr al-°Arabī, 1957/1377.
- Zebiri, Kate. *Maḥm- d Shalt- t and Islamic Modernism*. Oxford: Clarendon Press, 1993.
- Zeghal, Malika. "Religion and Politics in Egypt: The Ulema of al-Azhar, Radical Islam, and the State", *International Journal of Middle East Studies*, Vol. 31, No. 3, August 1999, pp. 371-399.
- Zeidan, Sami. "Agreeing to Disagree: Cultural Relativism and the Difficulty of Defining Terrorism in a Post-9/11 World", *Hastings International and Comparative Law Review*, Vol. 29, No. 2, 2006, pp. 215-232.
- Zidān, °Abd al-Karīm. *Aḥkām al-Dhimmiyyīn wa al-Musta'manīn fī Dār al-Islām*. Beirut: Mu'assasat al-Risālah; Baghdad: Maktabat al-Quds, 1982/1402.

\_\_\_\_\_. *Al-Wajīz fī Uṣūl al-Fiqh*. Beirut: Mu’assasat al-Risālah li al-Ṭibā’ah wa al-Nashr wa al-Tawzī’, 1987.

Zimmerman, John C. “Roots of Conflict: The Islamist Critique of Western Values”, *Journal of Social, Political and Economic Studies*, Vol. 30, No. 4, Winter 2005, 425-458.

\_\_\_\_\_. “Sayyid Qutb’s Influence on the 11 September Attacks”, *Terrorism and Political Violence*, Vol. 16, No. 2, Summer 2004, pp. 222-252.

Zollner, Barbara H.E. *The Muslim Brotherhood: Hasan al-Hudaybi and Ideology*. London: Routledge, 2009.

Zuhdī, Karam Muḥammad. *Tafjīrāt al-Riyād: Al-Aḥkām wa al-Āthār*. Cairo: Maktabat al-Turāth al-Islāmī, 2003/1424.

### **Internet Websites**

<http://www.almotamar.net/news/8919.htm>

<http://www.arabicacademy.org.eg/FrontEnd/nabza.aspx>

<http://www.bridges-foundation.org/index.php?pg=article&id=290&lang=2>

<http://denver.fbi.gov/nfip.htm>

<http://dictionary.reference.com/search?q=aggression&r=66>

<http://www.egyig.com>

<http://www.elsharawy.com>

<http://www.ewi.info/aboutewi/index.cfm?title=About%20EWI>

<http://www.fiqhacademy.org.sa/qarat/17-3.htm>

<http://www.islamonline.net/Arabic/>

[http://www.islamonline.net/servlet/Satellite?c=Article\\_C&cid=1203515459722&pageName=Zone-English-News/NWELayout](http://www.islamonline.net/servlet/Satellite?c=Article_C&cid=1203515459722&pageName=Zone-English-News/NWELayout)

<http://www.iiumsonline.net/english/index.shtml>

<http://www.kalamresearch.com/publications/23-the-mardin-conference.html>

<http://www.liveleak.com>

[http://www.oic-oci.org/oicnew/page\\_detail.asp?p\\_id=52](http://www.oic-oci.org/oicnew/page_detail.asp?p_id=52)

<http://www.palestine-info.info>

<http://www.reuters.com/article/worldNews/idUSL2126797520070223>

<http://www.sharjah.ac.ae/Arabic/Conferences/tehq/Pages/default.aspx>

<http://www.spiegel.de/international/world/0,1518,546534,00.html>

<http://www.themwl.org/>