TERRORISM FROM A QUR’ĀNIC PERSPECTIVE
A STUDY OF SELECTED CLASSICAL AND MODERN EXEGESIS 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 11th 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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All thanks and praise are due to Allah, the Most Gracious, the Ever Merciful.

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TRANSLITERATION OF ARABIC CHARACTERS

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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.¹

Since the September 11th 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”.² 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.³ 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.”⁴

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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to other concepts that are Qur’anic, 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 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). 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”.

Since the first/seventh century, it has been widely acknowledged that the Qur’ān needed tafsīr (exegesis) even in the time of Muḥammad. During Muḥammad’s

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5 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.


8 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 ʿAbdullāh al-Qustaṭṭīnī, Kashf al-Zun-n ʿan Asāmī al-Kutub wa al-Fun-n (Beirut: Dār al-Kutub al-ʿIlmiyyah, 1992/1413), Vol. 1, p. 427; Muḥammad Ḥusayn al-Dhahabi, ʿIlm al-Tafsīr (Cairo: Dār al-Maʿārif, n.d.), pp. 5 f.; Majmaʿ al-Lughah al-ʿArabiyyah, Al-Muʿjam al-Waṭīṣ (Cairo: Egyptian Ministry of Education, 1994/1415), p. 471; Claude Gilliot, “Exegesis of the Qurʾān: 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. While we may accept that Muḥammad was the first exегетe of the Qurʾān, he did not, however, explain the whole text to his companions. After his death, some of them became famous for interpreting the Qurʾān, prominent among them being ʿAbdallāh ibn ʿAbbās (d. 68/687), Ubayy ibn Kaʿb (d. 20/640), and ʿAbdullāh ibn Masʿud (d. 32/653).

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

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Dammen McAuliffe, ed., *The Encyclopaedia of the Qurʾān* (Leiden: Brill, 2002), Vol. 2, pp. 99. According to Leah Kinberg, “Reading the Qurʾān 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 Qurʾān* (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 Qurʾān itself to the study of Tafsīr, Muslim commentary on the Qurʾān…it is misguided to attempt to study the Qurʾān itself apart from the Tafsīr-tradition which has grown up in response to it.” David Marshall, *God, Muhammad and the Unbelievers: A Qurʾānic Study* (Richmond: Curzon, 1999), p. 8.


12 This, according to Abdul-Raof, is because they “…understood the Qurʾān and witnessed its circumstances of revelation at first hand”. See Abdul-Raof, *Schools of Qurʾānic Exegesis*, p. 3.

13 The view of considering some of the companions of Muḥammad as exeges 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 Qurʾānic exegesis.” Claude Gilliot, “Exegesis of the Qurʾān”, pp. 102 f.

(d.150/767), and Sufyān al-Thawrī (d. 161/778).\textsuperscript{15} 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).\textsuperscript{16} 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”\textsuperscript{17} 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”\textsuperscript{18}

The above brief tracing of the development of Qur’ānic exegesis shows that the history of tafsīr can roughly be divided into three stages:\textsuperscript{19} the formative, from the lifetime of Muḥammad until the second/eighth century; the classical, from the first

\begin{flushleft}
\textsuperscript{17} Abdul-Raof, Schools of Qur’ānic Exegesis, p. 11.
\textsuperscript{18} Rippin, “Tafsīr”, p. 87;
\textsuperscript{19} 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.
\end{flushleft}
quarter of the second/eighth century to the pre-modern period; and the modern, from the late nineteenth century up to the present.\textsuperscript{20}

Over the various historical phases of exegesis, the following five genres can be identified on the basis of the methodology applied by exegetes:\textsuperscript{21} First, \textit{al-tafsīr al-tahli̇lī} (analytical exegesis), in which all the verses are interpreted according to their arrangement in a given \textit{s-ra} (chapter). This is also called \textit{al-tafsīr al-musalsal} (verse-by-verse/serial/sequential exegesis). Second, \textit{al-tafsīr al-ijmālī} (synoptic exegesis), in which an exegetical outline of the verses is given according to their arrangement in a certain \textit{s-ra}. Third, \textit{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, \textit{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, \textit{al-tafsīr al-mawḍūʿī} (thematic exegesis), in which the verses in one or more \textit{s-ra} thought to share the same theme are collected together for purposes of exegetical analysis.\textsuperscript{22} Out of the above five types, thematic exegesis which is viewed as


\textsuperscript{22} Al-Dhahabī, \textit{‘Ilm al-Tafsīr}, p. 39-52; Abdul-Raof, \textit{Schools of Qur’ānic 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\(^\text{23}\) to Qur’ānic scholarship in general and exegesis in particular.\(^\text{24}\)

Two narratives are usually cited to trace the origin of thematic exegesis in the modern period.\(^\text{25}\) 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-Wihdah al-Mawd-ʿiyah fī al-Qurʾān al-Karīm (Thematic Unity in the Ever-Glorious Qurʾān). 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-Mawd-ʿī li-al-Qurʾān al-Karīm (Thematic Exegesis of the Ever-Glorious Qurʾān) was introduced as part of the


\(^{25}\) According to Ziyād al-Daghāmīn, while it is believed that interest in thematic exegesis started during the second/ninth century at the hands of Qatādah ibn Dīmāmah al-Sad-sī (d. 118/736), author of Al-Nāṣikh wa-al-Mans-kh, Ab-ʿUbaydah 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, Manhājiyyat al-Balḥth fī al-Tafsīr al-Mawd-ʿī li-al-Qurʾān al-Karīm (Amman: Dār al-Baṣhir, 1995/1416), pp. 18 f.
curriculum in the department of exegesis at the faculty of Uṣ-ṣ al-Dīn at al-Azhar University in Cairo.26

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,27 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 Qurʾān: Reality and Prospects”.28

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.29 The most famous of the many modern scholars who took great interest in this genre of exegesis are Muḥammad ʿAbdullāh Dirāz (1894/1312-1958/1377) in his Al-Nabāʾ al-ʿAzīm, which has been recently translated into English, and Muḥammad al-Ghazālī (1917/1335-1996/1417) in his Naḥwā Tafsīr Mawḍ-ʿī li-Suwar al-Qurʾān al-Karīm, which has also been translated into English.30

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27 For a useful survey of some modern studies on thematic exegesis, see Al-Daghmān, Manhājiyyat al-Bāḥth fī al-Tafsīr al-Mawd-ʿī, pp. 21-27.
28 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/________.html; Internet; accessed 25 May 2010.
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’ânic view regarding a specific issue.\(^{31}\) 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.”\(^{32}\)

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-Kārim: Dirāsah Mawdū‘iyyah wa Tārikhiyyah wa Bayāniyyah (Jihād Verses in the Ever-Glorious Qur’ān: Thematic, Historical and Rhetorical Study).\(^{33}\)

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’ânic 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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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’anic perspective in this study. The main sources from the classical period are the exegeses of al-Ṭabarî (d. 310/922), al-Rāzī (d. 606/1209), al-Qurṭubî (d. 617/1272), and al-Al-ṣî (1270/1854). The main sources from the modern period are ʿAbduh (d. 1323/1905), Riḍā (d. 1353/1935), Darwazah (d. 1404/1985), Qutb (d. 1385/1966), and al-Shaʿrāwī (d. 1419/1998).

Four other classical exegeses, namely those of al-Jaṣṣāṣ (d. 370/981), Ibn al-ʿArabî (d. 543/1148),34 Ibn Kathîr (d. 774/1373), al-Suyūṭî (d. 911/1505) and one from the modern period, namely al-Mawdûdî (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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4. Some of the above exegetes, especially the modern ones such as al-Sha‘rāwī, were personally involved in combating terrorism. Therefore, highlighting this vital role is necessary and attempting to see whether its 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‘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.35 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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35 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-ī wa al-Mul-k wa al-Khulafāʾ* is an extensive history of the world. In *tafṣīr*, his *magnum opus*, Jāmiʿ *al-Bayān ōan Taʿwil Āy al-Qurʾān*, is the “…summative repository of the first two and one half centuries of Muslim exegetical endeavour”.

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 Qurʾān. 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.

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

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36 McAuliffe, “The Tasks and Traditions of Interpretation”, p. 192.
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”.38

In his famous exegesis, Al-Tafsīr al-Kabīr aw Mafāṭīḥ 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-taḥlīlī and al-tafsīr al-mawḍ-ʿī.39 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-Munʿīm

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38 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.
39 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 fi al-Tafsīr al-Mawḍ-ʿī, p. 55. However, al-Daghāmīn states that his exegesis bears strong relevance to thematic exegesis. See al-Daghāmīn, Manhajiyyat al-Bahdī fi 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”.

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.

3) Muḥammad ibn ʿAlī 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 Khaṣṭīb, 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-Jāmiʿ li Aḥkām al-Qur’ān, which is one of the best known books of tradition 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-ʿī from a juristic perspective.

In his exegesis, al-Qurṭubī was influenced by his Andalusian predecessors, especially the Mālikī exegete Ibn al-ʿĀrābī, 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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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. 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. 43

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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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 jihâd by authoring \textit{Safrat al-Zād li-Safrat al-Jihād}.

Al-\textsc{Al}-sî’s \textit{Rūḥ al-Maʿānī fi Tafsīr al-Qurʾān al-ʿAzīm wa al-Sabʿ al-Mathānī} is famously known as one of the comprehensive exegeses of the classical period. Al-\textsc{Al}-sî read many of the classical exegeses who preceded him before writing his own exegesis. In \textit{Rūḥ al-Maʿānī}, he uses intellect to interpret the meanings of the Qurʾān, 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.\footnote{\textit{Al-Daghāmīn}, \textit{Manhājiyyat al-Bāḥth fī al-Tafsīr al-Mawḍ-ʿī}, p. 37. For more on the biography of al-\textsc{Al}-sî and his exegesis, see Muḥammad Rajāb al-Bayy-mī, “Al-\textsc{Al}-sî al-Mufassīr”, in Maḥm-\textsc{d} Hamdī Zaqq-\textsc{q}, ed., \textit{Mawṣ-ʿat Aʿlām al-Fiḳr al-Islāmī} (Cairo: Al-Majlis al-Aʿlā li-al-Shuʿbun al-Islāmiyyah, 2007/1428), pp. 13-18; al-Nimr, \textit{Iḥān al-Tafsīr}, p. 103; al-Dhahabī, \textit{Tafsīr wa al-Mufassīr-n}, Vol. 1, pp. 300-308; al-Shābīb and al-Shamlāwī, \textit{Al-Madāris al-Tafsīriyyah}, pp. 133-135.}

5) Muḥammad ʿAbduh bin Ḥasan Khayrallah, famously known as Muḥammad ʿAbduh, was born into an educated family in 1226/1849 in the village of Maḥṣallat Naṣr, Buḥayrah Governorate in Lower Egypt. By the age of twelve, he had memorised the Qurʾān 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
his life, as ʻAbduh was introduced to both traditional learning and European works available in translation.

In 1294/1877, ʻAbduh graduated from al-Azhar and was appointed as a lecturer in history at Dār al-ʻUlām al-ʻUlyā.\(^\text{45}\) 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. ʻAbduh was also barred from teaching until he was pardoned and appointed as the chief editor of Al-Waqā’i‘ al-Miṣriyyah gazette. He joined the ʻUrābī 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-ʻUrwa al-Wuthqā together. When ʻAbduh was permitted to return to Egypt in 1889, he assumed many positions, including notably Muftī of Egypt. In Egypt, ʻAbduh committed himself to al-ʻislāh (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 Sharī‘ah-based courts. ʻAbduh authored many important works, among which his most popular are Risālat al-Tawḥīd (1315/1897), Al-Islām wa al-Naṣrāniyyah ma‘ā al-‘Ilm wa al-Madaniyyah, and a sizable part of Tafsīr al-Manār. ʻAbduh died in 1323/1905.\(^\text{46}\)

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\(^\text{45}\) One of the faculties of Cairo University at that time. It is now called Dār al-‘Ulām.

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”. 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-‘Urwah 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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Abduh had begun.‖\(^{48}\) He also continued his efforts at political and social reform until he died in 1353/1935.\(^{49}\)

*Tafsīr al-Manār*, which is incomplete, consists of twelve volumes. Four of them were a transcription of ʿAbduh’s lectures by Riḍā from *s-*ra one (al-Fâtihah) up to verse 125 of *s-*ra four (al-Nisāʿ).\(^{50}\) Riḍā continued his exegesis up to verse 52 of *s-*ra twelve (Y-suf). According to al-Dhahabī (1915-1977), Bahjat al-Baytār (d. 1976) completed the exegesis of this *s-*ra and published it separately under Riḍā’s name.\(^{51}\)

In this study, Riḍā is considered the main author of *Tafsīr al-Manār*, and whenever an opinion of ʿAbduh is referred to it is either attributed to ʿAbduh directly, as in Chapter Three, or explanatory phrases such as ‘Riḍā quoted ʿAbduh as saying...’ and ‘In a statement attributed to ʿAbduh...’ 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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\(^{50}\) According to Rotraud Wielandt, “ʿAbduh’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 Qurʾān 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 Qurʾān”, p. 128.

exerting much effort to present the Qur’an as a source of guidance as much as they did with, for example, theology and jurisprudence.\(^5\)

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-Najāh 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 Qurʾān according to the chronological arrangement of the suwar, allowing “…the Qurʾān to speak for itself and be understood in the way it was understood by the Meccans of the Prophet’s time.”\(^5\)

He is also concerned with how verses of the Qurʾān are contextually


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.54

8) Sayyid Quṭb Ibrāhīm Ḥassan al-Shādhili, 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

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 Ārif (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.’”55 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 Osamāh Bin Laden (1957-). Others see him “…as a victim of state persecution who developed a theology of liberation in reaction to his maltreatment”.56 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 Ẓilāl al-Qur’ān 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 Ẓilāl over a period of two years afterwards and managed, despite the harsh detention conditions, to continue writing it.

56 Ibid., p. 2.
A closer look at the Zīlāl 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”.\textsuperscript{57} 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 Zīlāl is perhaps the only work that has been partially translated into English, and parts of it are still appearing\textsuperscript{58} – evidence that the Zīlāl is one of the most widely-read exegeses of the Qur’ān today.\textsuperscript{59}

9) Muḥammad Mutawallī al-Shaʿrāwī 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-Zaqāziq and Ṭanṭā in Egypt. He then traveled to Cairo to pursue his studies at al-Azhar University and was granted the ijāzah (license to

\textsuperscript{57} Mhd. Syahnan, “A Study of Sayyid Quṭb’s Qur’ān Exegesis in Earlier and Later Editions of His Fī Zīlāl 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.

\textsuperscript{58} The translated volumes of the Zīlāl 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.

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‘rāwī then taught at King ʿAbd al-ʿAzīz University in Saudi Arabia, after which he returned to Egypt and assumed many leading positions within Egypt’s religious institutions, such as director of daʿwah (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‘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)].” 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‘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 Ḥawlā 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

format on his personal Internet website, which was probably developed after his death in 1419/1998.\textsuperscript{61}

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\textsuperscript{th} 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

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 11th 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 ḥadīth in not only combating terrorism but also explaining many of the important issues left unresolved by the Qur’ān in this regard.62 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.63

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 century.

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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 11th 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. 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’anic 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’anic perspective. In both methodologies, an insider/outsider approach is utilized. 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

religious studies, an aim that is very difficult to achieve though still helpful and essential.\textsuperscript{66} 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.\textsuperscript{67}

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 \textit{The Qur’ān: 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.\textsuperscript{68} 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


\textsuperscript{67} This is because, “The same term can mean different things to different people.” Radwan A. Masmoudi, “Struggles Behind Words: Shariah, Sunnism, and Jihad”, \textit{SAIS Review}, Vol. 21, No. 2, Summer-Fall 2001, p. 19. Also, Yusuf Işicik, 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 Işicik, “Two Fundamental Concepts in the Qur’ān: Ta’wīl and Mutashābīh”, \textit{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”, \textit{Journal of Church and State}, Vol. 44, No. 1, 2002, p. 90.

\textsuperscript{68} Specifically, I have relied on the al-Shamirli edition authorized by al-Azhar in Egypt and published by al-Shamirli 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’ân? (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’ânic verses made in total disregard of mainstream classical and modern exegeses tarnish the peaceful image of the Qur’ân? (See Chapters Two, Three and Four).

5. Are Muslim terrorists denounced by mainstream scholars of their communities? (See Chapter Three).

6. How can Qur’ânic jihâd 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 11th 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/outsiders.69

The first insider contribution is Kāmil Salāmah al-Daqs’s Āyāt al-Jihād fī al-Qur’ān al-Karīm: Dirāsah Mawḍūʿiyah 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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69 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 Ḥāyil Takr-rī’s Al-ʻAmaliyyāt al-Istishhādiyyah fī al-Mīzān al-Fiqhī (Martyrdom Operations in the Juristic Balance).\(^7\) 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-ʻArabī and al-Al-ṣū, 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.

Another main contributing article is ŠAbd al-Raḥmān Sulaymān al-Maṭrūdī’s “Al-Irhāb wa Ra’y al-Qur’ān Fih” (The Qur’ānic View of Terrorism).\(^{71}\) It is a laudable contribution to the topic of this thesis. Al-Maṭrūdī 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-Maṭrūdī’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 ŠAbd al-Salām Muḥammad’s Mafhūm al-Irhāb fī al-Sharī‘ah al-Islāmiyyah\(^{72}\) (The Concept of Terrorism in Islamic Sharī‘ah) 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.


His own reading leads him to the conclusion that modern terrorism can be linked to both baghy (rebellion) and hirābah, although the latter is more akin to ‘organized crime’ than to terrorism. Like Takr-ři, 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 ʿAbd al-Rahmān Spīndārī’s Al-Irhāb min Manzūr Qurʾānī73 (Terrorism from a Qurʾānic Perspective). Spīndārī begins his book by defining terrorism. He goes on to explore whether or not there is a reference to terrorism in the Qurʾān. 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 Aḥkāmihi wa Falsafatihi fī Ǧaw’ al-Qurʾān wa al-Sunnah74 (Understanding Jihad: A Comparative Study of Its Rules and Philosophy in Light of the Qurʾān 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

73 ʿAbd al-Rahmān Spīndārī, Al-Irhāb min Manzūr Qurʾānī (Kurdistan: Hawār, 2006).
September 11th 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-Qaraḍāwī’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-‘aṣr (jihād of our age), in which the Internet plays the major role, indicate how influential al-Qaraḍāwī’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”, 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.

Richard Bonney’s *Jihād: From the Qur’ān to bin Laden* is a rigorous examination of jihād, its meanings and ideological interpretations, with special focus on the Sunnī context of twentieth-century thinkers such as Mawdūdī, Qūṭb and al-Bannā (1906-1949). In his discussion of jihād in modern times, Bonney discusses the impact of Qūṭb’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 Qūṭb 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 Qūṭb’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*. 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...
foundations in Islam rather than in any other religion. 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. 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. This book is originally Ashour’s PhD thesis. 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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78 Ibid., p. 82.
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 11th 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’anic perspectives make the headlines. This chapter, therefore, seeks to present the various definitions of terrorism, 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’anic references to various forms of corruption, and its attitude towards them, and how classical and modern exegetes regard such forms within the Qur’anic 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’ân, 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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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. Such difficulties make many writers who study terrorism discuss related issues without first attempting to define the term, 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.” This attitude apparently reflects a state of despair because of the number of problems arising from the inability to reach a convincing and agreed-upon definition of terrorism. It is

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6 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, the Saudi researcher ʿAbd al-Rahmān 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. However, this definition, he continues, is surrounded by many definitional problems to which many scholars and researchers refer. Thus, it is important to discuss such definitional problems before presenting and evaluating the definitions themselves.


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.\(^{10}\) According to Walter Gary Sharp,\(^ {11}\) “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.”\(^ {12}\) 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.\(^ {13}\) 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.\(^ {14}\) His view - as an Eastern Muslim researcher - of relativism is also shared by his Western counterparts such as

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\(^{11}\) Professor Sharp is an adjunct professor of law, Georgetown University Law Center.


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

\textsuperscript{15} Dawn Perlmutter is an assistant professor of Arts and Philosophy at Cheyney University of Pennsylvania.
\textsuperscript{17} Colin Turner is a lecturer in Islamic studies at the School of Governmental and International Affairs, Durham University.
\textsuperscript{20} Jenny Teichman, an Australian/British philosopher, is Emeritus Fellow of New Hall College in the University of Cambridge.
\textsuperscript{22} Asma Barlas is director of the Center for the Study of Culture, Race, and Ethnicity at Ithaca College, New York.
seriousness of the issue of ‘relativism’ because of which researchers in the field are faced with a tough definitional challenge.24

‘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 ʿAbd al-Salām Muḥammad, vary according to time and place.25 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 mukāfaḥat al-İrhāb (combating terrorism)26 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.27 However, Haytham’s views here seem to be vague and unrealistic. He himself mentions what he considers “…legal

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24 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.


26 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. 11th that is currently dubbed the ‘strategy against violent extremism’. See Bruce Hoffman, *Inside Terrorism* (New York: Columbia University Press, 2nd ed., 2006), p. 129.

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.28

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.29 Moreover, the lack of “…precision and certainty demanded by legal discourse”30 are, according to Ben Saul,31 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

31 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 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 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. 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.”

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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32 Chapters Two and Three of this thesis critique the views of the proponents of such extremist views.
34 Saul, Defining Terrorism, p. 5.
study this action from an Islamic perspective in general and a Qur’ānic perspective in particular. 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?” 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 ḥirābah (brigandage, highway robbery, armed robbery) referred to in the Qur’ān 5:33-38. 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. 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

36 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.
38 “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.
39 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. 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.

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” with up to “…109 different official and academic definitions of terrorism” 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:

40 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.
42 According to Geoffre 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.
43 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.
“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.”

Thus, the ‘terrorism’ being discussed here is not restricted to a specific nation or religion. 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” make terrorism, according to Mahathir Mohamad, look as though it is a “…Muslim monopoly”. 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”. Indeed, this view is shared by many other Muslim scholars.

47 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.  
48 Mahathir Mohamad was the former Prime Minister of Malaysia.  
50 Ibid., pp. 12 f.  
51 See, for example, Muḥammad ‘Abd al-Raḥīm Sulṭān al-‘Ulamā’, “Mawqīf 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 (Cáiró: Maṭābī’ 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 Qurʾān. As far as the Arabic language is concerned, the words ‘irhāb’ and ‘irhābī’ (terrorism and terrorist) occur neither in the Qurʾān nor in old Arabic lexicons. Muslim scholars such as Muḥammad al-ʿUlamāʾ 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.53 This view is stressed by another contemporary scholar, Kuṭb Muṣṭafā Sano,54 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.”55

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


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

“hawkish interpretations”\textsuperscript{56} 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”.\textsuperscript{57} 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.\textsuperscript{58} What clearly establishes the above view is that the Cairo-based Academy of Arabic Language\textsuperscript{59} 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.\textsuperscript{60} This definition of the academy is the same as that adopted by authors of al-Mu’jam al-Wajīz.\textsuperscript{61}

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

\textsuperscript{56} This phrase is inspired by a statement made by Colin Turner referred to earlier in this Chapter.
\textsuperscript{57} Haytham, Mafhūm al-Irhāb, p. 39.
\textsuperscript{59} 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.
\textsuperscript{60} Shawqī Dāyf, et al., Al-Mu’jam al-Wasīt (Cairo: Maktabat al-Shurūq al-Dawlīyyah, 4\textsuperscript{th} ed., 2004), p. 376.
refers to the ‘negative’ fear occurring as a result of threats arising from using different material force. Thus, according to them ‘îrḥāb’ in its negative sense is equal to ru’b (fright) or zu’r (horror)⁶², and both meanings have nothing in common with the ‘reverent fear’⁶³ understood by the Arabic word ‘rahaba’.

Other researchers argue that the word ‘terrorism’ has been wrongly translated into Arabic as ‘îrḥāb’, stating that the precise translation of the word should be ‘îr‘āb’; and not ‘îrḥāb’. 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 mixing⁶⁴ linguistically different terms together. When, for example, the word rahab, rahaba and îrḥāb 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),⁶⁵ though misdirected toward other issues (Qur’ān 59: 13),⁶⁶ 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 ‘îrḥāb’ carries an exclusively negative connotation. On the one hand, while ‘îr‘āb’ can be considered as a very accurate Arabic translation of the English term ‘terrorism’, it is not frequently

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

⁶⁴ By mixture here I mean mixing ‘îr‘āb’ with ‘îrḥāb’ when talking or writing about terrorism.

⁶⁵ “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’ān, p. 7.

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.\(^6^7\) It is not originally an English word but rather an adopted one. The word ‘terror’ itself, according to Charles Tilly,\(^6^8\) also entered the West’s political vocabulary as a name for French revolutionaries’ actions in 1793\(\backslash\)1794.\(^6^9\) Viewing the aims of the French Revolution, which according to the leading American expert on terrorism Bruce Hoffman,\(^7^0\) were adopted to establish order during the anarchic period that followed the uprising of 1789,\(^7^1\) 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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\(^6^8\) Charles Tilly is the Joseph L. Buttenwieser Professor of Social Science at Columbia University.


\(^7^0\) 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.

\(^7^1\) 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.\(^7\) Thus, it is only recently that the term begins to acquire a negative meaning, although writers such as Whittaker\(^3\) would argue that the English word ‘terrorism’ has long had a negative meaning.\(^4\)

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\(^5\) or else limit its lexical definition to the use of violence for political\(^6\) 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

\(^{72}\) Ibid., pp. 16 f.
\(^{73}\) David Whittaker was Lecturer in International Relations at the University of Teesside, UK.
\(^{75}\) Ibid.
\(^{76}\) Hornby, Oxford Advanced Learner's Dictionary, p. 1233.
from the implicit claim that they are bilingual synonyms. As stated above, ‘ir‘āb’ and not ‘irhāb’ is the most accurate Arabic equivalent of the word ‘terrorism’ and so the differences in perception and usage between ‘ir‘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.77 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

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. 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 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:

“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.”

78 Some researchers, such as al-Maṭrūḏī 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-Maṭrūḏī, “Al-Irḥāb”, pp. 192 f. However, this would still not lead to a fully comprehensive definition and would perplex readers.
79 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.
The second definition appears in a statement issued by the Islamic Research Academy at al-Azhar\textsuperscript{82} 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.”\textsuperscript{83}

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)\textsuperscript{84} 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\textsuperscript{85} 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.”\textsuperscript{86}
The fourth definition to be mentioned here is that issued by Majm‘ al-Fiqh al-Islāmī (Islamic Juristic Academy\(^{87}\)), which is affiliated to the Organization of the Islamic Conference (OIC),\(^{88}\) at its 17\(^{th}\) 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.”\(^{89}\)

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 harām (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


\(^{88}\) This is a jurisprudential academy that studies contentious contemporary issues and seeks solutions for them according to the Islamic Shari‘ah. See, Rehman, Islamic State, p. 31.

\(^{89}\) 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; 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.  

Indeed, his violability or otherwise, according to Sano, has its source in either religion or in the place where he lives. For him, these two sources are the only criteria upon which al-murhab is either granted or denied security. 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.

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 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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91 Ibid., p. 18.
92 For a comprehensive exposition of this point, see ibid., pp. 15-18.
93 Ibid., p. 10.
94 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.  

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 5th three-day Worldwide Security Conference (WSC5) organized by the EastWest Institute (EWI) 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. 

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

Viewing the above two international attempts to define terrorism over a relatively short span of time, it can undoubtedly be said that since September 11th 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 11th 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 11th, the event that led to terrorism becoming wrongly linked to Islam and Muslims. In addition, the first

and the second definitions refer neither to the causes of terrorism nor to state terrorism.99

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 Sunnî 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”100 is his source, he refers neither to the original source101 of his quoted definition nor to the website of the MWL, even as a secondary source.102 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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101 The original source here refers to the journal of the MWL (i.e. Majallat al-Majma‘ al-Fiqhî al-Islâmî) referred to earlier in this Chapter.
102 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 ‘‘udwân’’ although the precise English equivalent is ‘aggression’. 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

characteristics of modern-day terrorism. 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. 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. 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.

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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105 RAND Terrorism Incident Database quoted in Hoffman, Terrorism, p. 88.
106 Hoffman, Terrorism, p. 82.
107 Ibid., 33.
admitting that there is a general lack of literature on terrorism in this regard.\textsuperscript{108} 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.\textsuperscript{109} 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.”\textsuperscript{110}

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.”\textsuperscript{111}

\textsuperscript{108} Al-Khattar, Religion and Terrorism, pp. 17, 37.
\textsuperscript{109} Perlmutter, Investigating Religious Terrorism, p. 2; Hoffman, Terrorism , p. 33.
\textsuperscript{111} 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 11th 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”. Other Muslim researchers even cite the FBI definition without mentioning the reason, dealing with the definition at face value.

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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113 Al-Malki, “Nahwa Binā’ Istirāṭījiyyah Waṭaniyyah”, pp. 100 f.
derived. This may explain why Perlmutter’s individual definition of terrorism is cited above. Thus, the citation of modern researchers of the above definitions 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, 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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114 Perlmutter, Investigating Religious Terrorism, p. 2.
115 Here, it can be further added that scholars such as al-Matrūdī refer to the State Department definition of terrorism even without commenting on it, even though considering it as the American definition of terrorism. Al-Matrūdī, “Al-Irḥāb”, pp. 189 f.
116 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.\(^{117}\)

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.\(^{118}\)

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


\(^{118}\) Ibid., pp. 9, 33.
main reservations. 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 overstresses 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. This makes Perlmutter argue that both definitions constitute the basis for the religious definition of terrorism, 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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119 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, “Fi Muṣṭalaḥ al-Irhāb”, pp. 7-11.

120 Hoffman, *Terrorism*, p. 33.

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

1.3.6 Of Islamic and Qur’anic 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 has argued that this is because Muslim and non-Muslim Western scholars alike devote little attention to the Islamic definition of terrorism. 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’anic 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’an in particular, their efforts to formulate a comprehensive definition of terrorism from a Qur’anic 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’anic definition of terrorism. Indeed, the present researcher’s work has revealed no

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123 Sherman A. Jackson is a professor of Arabic and Islamic Studies, Department of Near Eastern Studies, University of Michigan, USA.
124 Jackson, “Domestic Terrorism in the Islamic Legal Tradition”, p. 293.
definition of terrorism from a Qur’ânic perspective by a Muslim researcher except for one formulated by Ahmad ʿĪsāwī.\textsuperscript{125} His definition\textsuperscript{126} apparently bears the Qur’ânic ‘brand’ but is in fact another attempt by a Muslim scholar to define terrorism from an Islamic rather than a Qur’ânic perspective.

\subsection*{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\textsuperscript{127} 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.\textsuperscript{128} Exploring the history of this crime

\begin{itemize}
\item \textsuperscript{125} Ahmad ʿĪsāwī is a professor of contemporary Islamic thought, Faculty of Islamic and Social Sciences, Batna University, Algeria.
\item \textsuperscript{126} 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.” Aḥmad ʿĪsāwī, “Mafḥūm al-Irḥāb fī al-Qur’ān: Muqārahah li Dirāsat Dilālat al-Muṣṭalaḥ al-Qur’ānī”\textsuperscript{127}, \textit{Al-Waʿy al-Islāmī}, Rabī‘ al-Awwal 1426-April/May 2005, p. 48.
\item \textsuperscript{127} For a thought-provoking study of Islam’s care about the environment see, Mawil Izzi Dien, \textit{The Environmental Dimensions of Islam} (Cambridge: The Lutterworth Press, 2000).
\item \textsuperscript{128} Chapter Five of this thesis discusses this issue in detail.
\end{itemize}
within Islamic history briefly, and explaining whether or not the Qurʾān 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. 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 and J.P. Larsson. The other attitude is less powerful and hence its supporters are far fewer in number. Olivier Roy 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—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

129 Literally, the word ‘assassins’ means ‘hashish eaters’. The Assassins, who are also known as Ismaʿilis-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 Ismaʿilis (London: Tauris, 1994). See also his, “The ‘Order of the Assassins’: J. von Hammer and the Orientalist Misrepresentations of the Nizari Ismaʿilis (Review article)”, Iranian Studies, Vol. 39, No. 1, March 2006, pp. 71-81; Kingshott, “Terrorism: The ‘New’ Religious War”, p. 15.


132 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).

133 Daftary, The Assassin Legends, p. 4.
Islamic history. 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 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 solely dedicated to unraveling the real history of the Assassins. 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). 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-Qarāmiṯah (Karmathians), the Assassins

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135 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.
136 Larsson considers that Lewis’ The Assassins as one of very few authoritative writings about the Assassins.
137 Larsson, Understanding Religious Violence, p. 37.
138 Ibid., pp. 37-40.
remain one of the most radical sects in Islamic history, although the ‘Assassins’ who survive today, according to Larsson, are far removed from modern-day terrorism. Having now briefly dealt with the historical aspect of terrorism in Islam and the polemics surrounding it, it is time to discuss the Qur’anic references to various aspects of terrorism.

1.5 Qur’anic 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 are the major aspects of terrorism that are clearly presented. Indeed, the Qur’ān has much to say about these elements. Fasād (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. Those fifty occurrences have many

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forms 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, hypocrisy, extravagance, magic, 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.

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. 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, 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…” (Qur’ān 17:33)

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146 See, for example, Qur’ān 16:88, 21:22.
147 See, for example, Qur’ān 2:11-12.
148 See, for example, Qur’ān 26:151-152
149 See, for example, Qur’ān 10:80-82.
150 Badawi and Abdel Haleem, Dictionary of Qur’ānic Usage, pp. 709 f.
153 Haleem, Qur’ān, 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-mughallazah* (strong prohibition) is the original ruling that governs killing others unjustly, affirming that killing can only be legitimate if clear reasons are established.¹⁵⁴ 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.¹⁵⁵

In this respect, modern exegetes, such as al-Sha‘rāwī, assert that taking the life of a single soul unjustly renders the whole society responsible and not just the killer himself.¹⁵⁶ However, holding the whole society responsible for the crime committed by a single individual, as described by al-Sha‘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.”¹⁵⁷ This Qur’ānic concept of personal responsibility for one’s actions is reiterated five times in the Qur’ān,¹⁵⁸ 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‘rāwī’s opinion here without

¹⁵⁷ Haleem, Qur’an, p. 348.
¹⁵⁸ 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.”

Unlike al-Sha‘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.

Furthermore, Quṭb quotes a ḥadīth narrated by al-Bukhārī and Muslim, which according to him, contains the only three legal justifications for killing. The ḥadīth, reported by ʿAbdullah ibn Masʿūd, 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.”

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. Moreover, a careful investigation

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160 Sayyid Quṭb, *Fi Zilāl al-Qur’ān* (Cairo: Dār al-Shurūq, 12th 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, *Shariʿah Law*, p. 283.
161 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.
into both Ibn al-Ṣābī and Darwazah’s interpretations of the above verse reveals that the two exegetes look at the verse from two different angles. Although Ibn al-Ṣābī gives much attention to the second half of the verse and talks about the rulings pertaining to *qasāya*¹⁶⁴ (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.¹⁶⁵ The first *ḥadīth* he cites is narrated by Ibn ʿUmar, 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.”¹⁶⁶ The second *ḥadīth* is reported on the authority of ʿAbdullah ibn ʿAmr ibn al-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.”¹⁶⁷ 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.¹⁶⁸

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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mercilessly torture and kill their subjects unjustly. ‘Abd al-Raḥmān Spīndārī cites Qur’ān 2:49 and 7:141 as clear examples of this. Moreover, it can also be added that Qur’ān 28:4 directly refers to the Pharaoh, 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. 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‘rāwī, Quṭb and Darwazah in their interpretations are very similar to those of classical exegetes such as al-Ṭabarī. 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 Ghaḍdah 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 ašhāb al-Ukhdūd (the trench-makers) mentioned in Qurʾān 85:4-10 as a clear Qurʾānic example of persecution and oppression against those

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170 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.
171 Ibid., Vol. 13, p. 205.
who refused to adopt the religion of the oppressors, and as a result they were buried alive and burned in mass graves.\textsuperscript{174} Another form of ‘terrorism’ according to Spîndârî 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’ân 8:30—as an example of this.\textsuperscript{175} Spîndârî’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’ânic 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 Spîndârî’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’ânic 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’ânic text and context, not only in terrorism-related issues but also in other challenging issues of modernity.

Al-Matrubî is the second Muslim researcher whose effort to relate some forms of modern-day terrorism with the Qur’ânic text cannot be denied. He declares that, as far as the Qur’ân is concerned, the destructive act of killing is as old as the presence of man on earth. To back his view, al-Matrubî states that the God-angels dialogue in Qur’ân 2:30 is a reference to that.\textsuperscript{176} 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.\textsuperscript{177} Al-Matrubî’s inference here may be a personal understanding of the Qur’ânic text in a

\textsuperscript{174} Spîndârî, \textit{Al-Irhâb}, pp. 24 f.  
\textsuperscript{175} Ibid., p. 26.  
\textsuperscript{176} Al-Matrubî, “\textit{Naźrah fi Mathūm al-Irhâb}”, p. 2.  
\textsuperscript{177} Ibid.
modern context, although he apparently derives his argument from many classical exegeses such as those of al-Ṭabarî, al-Qurṭubî, and Ibn Kathîr. They state that the angels’ dialogue with God is no more than *istîfâhām* (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 *khalîfah* (viceroy) will be like the jinn who corrupted the earth and shed blood or whether he will be an obedient *khalîfah*.\textsuperscript{178} Unlike classical interpreters, modern ones such as al-Shâ’râwî, Riḍâ, and al-Mawdûdî, 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 *khilâfah* and his creation, as well as why Allah honours him (i.e. Adam) and his children over other creatures through knowledge.\textsuperscript{179}

Following al-Maṭrûdî’s line of thinking, Abû Ghaḍîdah states that there is a reference in the Qur’ān to the first story of “religious terrorism” in human history.\textsuperscript{180} Abû Ghaḍîdah 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 Abû Ghaḍîdah, are envy and jealousy arising from his brother’s supposed marriage to his beautiful sister.\textsuperscript{181} It should be added here that classical interpreters such as al-Qurṭubî and modern ones such as al-Shâ’râwî clearly point out that the murder to


\textsuperscript{180} Abû Ghaḍîdah, *Al-Irḥâb*, p. 41.

\textsuperscript{181} 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.\textsuperscript{182} However, Abū Ghaḍḍah’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 Ghaḍḍah 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 Ghaḍḍah.

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\textsuperscript{183} and the mufsīdūn, as well as their punishment in clear terms.\textsuperscript{184}

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\textsuperscript{185} different lexemes of fasād also occur, such as...


\textsuperscript{183} 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, \textit{Dictionary of Qur’ānic Usage}, pp. 709 f.

\textsuperscript{184} 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.

\textsuperscript{185} Badawi and Abdel Haleem, \textit{Dictionary of Qur’ānic 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 40:26.186 This is the case with al-Suyūṭī when he interprets Qur’ān 5:34,187 and al-Alūsī when he interprets Qur’ān 18:94188 and 30:41.189 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.190

189 Ibid., Vol.21, pp. 47 f.
190 The positive attitude here means that the Qurʾān 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.\(^{191}\) Out of the one-hundred and fourteen *suwar* (chapters) in the whole Qur’ān, five *suwar*\(^ {192}\) clearly refer to the prohibition of causing corruption or acting mischievously in many of their verses. In nine occurrences,\(^ {193}\) the Qur’ānic attitude is very clear in prohibiting corruption in all its forms where the words *lā tufṣidū* (do not cause corruption) and *lā ta‘thaw* (do not act mischievously) are used interchangeably,\(^ {194}\) although the latter (i.e. *lā ta‘thaw*) occurs five times\(^ {195}\) and the former occurs only four times. ‘Īthiyy (mischief), which occurs one\(^ {196}\), is the absolute form of corruption according to al-Alūsī.\(^ {197}\)

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.”\(^ {198}\) 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”\(^ {199}\). The Qur’ān further addresses specific communities such as *Ban- Isrā‘īl* (the Children of Israel) in Qur’ān 2:60, the People of *‘Ād* in 7:56, the People of *Thamūd*.


\(^{192}\) The five *s*-war are Qur’ān 2, 7, 11, 26, 28.


\(^{194}\) For the Qur’ānic reference to the nine occurrences, see Ibid.

\(^{195}\) Badawi and Abdel Haleem, *Dictionary of Qur’ānic Usage*, p. 599.

\(^{196}\) According to the authors of *Al-Mu‘jam al-Wasīţ*, there are two other verbal noun forms of *‘athā*. They are *‘uthuwwan* and *‘athayānīn*. Shawkī Dayf, et al., *Al-Mu‘jam al-Wasīţ*, p. 584.


\(^{198}\) Haleem, *Qur’ān*, p. 250.

\(^{199}\) 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’anic 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…” 200 (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. 201 Ābd al-Fattāḥ Idrīs 202 further opines that attacking human beings, animals and the environment is a criminal act according to the law-giver. He cites the above

200 Haleem, Qur’ān, p. 98.
202 Ābd al-Fattāḥ Idrīs is a professor of comparative jurisprudence at al-Azhar University, Egypt.
verse as one of many other texts that prohibit such acts. 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. 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. 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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205 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 derivates 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.”¹

This chapter, therefore, seeks to explain passages in the Qur’anic 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.”²

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.”³ Secondly, the verse under discussion has been widely
quoted by some extremist groups⁴ such as al-Jamā‘ah al-Islāmiyyah (Islamic Group,

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¹ 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.
² M. A. S. Abdel Haleem, The Qur’ān: A New Translation (Oxford: Oxford University Press,
³ Jørgen S. Nielsen, “The Discourse of ‘Terrorism’ between Violence, Justice and International
Order,” in Tahir Abbas, ed., Islamic Political Radicalism: A European Perspective (Edinburgh:
⁴ According to Habeck, “Based on one verse in the Qur’ān [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,
IG) in Egypt, 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-irḥāb min al-Īslām wa man ankara dhālika faqad kafara” “Terrorism is part of Islam and whoever denies that has, indeed, become an unbeliever.” 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. 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. 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, to an academic media response, as well as a detailed printed

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5 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.
7 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.
8 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; 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.
response published online by Mawlāy ʿUmar Bin Ḥammād, Morroccan Professor of Qurʾānic studies. Lamentably, Wilders’ political party is on the rise, even with such Islamophobic campaigns. 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” 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.

12 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.
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). 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. 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. 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, Muhammad Falah al-Mutawakkil, Al-Mu’jam al-Mufahras li Alfāz al-Qur’ān al-Karīm (Cairo: Dār al-Hadīth, 1998), pp. 587 f.; Elsaid M. Badawi and Muhammad Abdel Haleem, Arabic-English Dictionary of Qur’ānic Usage (Leiden: Brill, 2008), p. 787. See also, Muhammad Bassam Rushdī al-Zayn, Al-Mu’jam al-Mufahras li Ma‘ānī al-Qur’ān al-‘Aẓīm (Damascus: Dār al-Fikr, 2nd ed., 1996\1417), Vol. 2, p. 968 f.; Al-Rāghib al-Asfahānī, Mufradāt Alfāz al-Qur’ān, ed. Sa‘īd ‘Adnān Dawūdī (Damascus: Dār al-Qalam, 2nd ed., 2002), pp. 693 f.

14 Badawi and Abdel Haleem, Dictionary of Qur’anic Usage, p. 787.
who is described in Qur’an 28: 26 as “strong, trustworthy”.\(^{17}\) Allah is also referred to as al-Qawìyy (the All-Powerful, the Mighty, the Strong) in Qur’an 11: 66, and dhul-Quwwah (the Lord of Power) in 51: 58.\(^{18}\)

Having referred to some of the main occurrences and usages of quwwah and its general meanings in the Qur’an, 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’anic verse under discussion.

### 2.2.1 Concept of Quwwah according to Classical Exegetes

The classical exegeses of al-Qurtubî,\(^ {19}\) al-Suyûtî,\(^ {20}\) ibn Kathîr,\(^ {21}\) and al-Jaṣṣāṣ\(^ {22}\) consider that the quwwah Muslims are ordered to prepare in Qur’an 8: 60 is mainly archery. They all quote the following hadith to support their view: On the authority of ʿUqbah ibn ʿĀmir 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.”\(^ {23}\)

Al-Râzî, 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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\(^{17}\) Haleem, Qur’an, p. 247.


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).\(^{24}\) 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),\(^{25}\) 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.\(^{26}\) 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-'Arabī 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


preferred to males because the horse of the Angel Gabriel was a female. This even leads him to argue that it is mustaḥabb (praiseworthy) to have female horses rather than males on the battlefield. Ibn al-ʿArabi’s view here lacks even lexical support, because a reference to the meaning of the Arabic word khayl (horses) in Arabic lexicons proves otherwise.

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.

Importantly, the occasion of the revelation of the verse—which is strongly linked to the two preceding verses—refers, according to Al-Alūsī, to the Prophet’s intention to confront the people of Mecca because he knew they were collaborating with Ban-Khuzāʾ against him and his Companions.

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

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30 “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.” (Qurʾān 8: 58-59). Haleem, Qurʾān, p. 114.
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 Qurʾān 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.”

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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think of stemming the tide of Islamic liberation. In this case, *quwwah* is to be used to break those who refuse to surrender to *ḥākimiyat Allāh*[^33] (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.[^34] 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


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. 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.

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.

The second important interpretation is that of al-Sha‘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‘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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36 Ibid., p. 362.
37 Chapter Three of this thesis deals with this point in detail.
quwwah. A close look at al-Sha'rāwī’s interpretation of quwwah in the above verse shows that he agrees with Qūṭb 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'rāwī compared the Muslims, who are supported by Allah, with their enemies, who have no source of support at all.

Indeed, a thorough analysis of al-Sha’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’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. He considers this successive arrangement of quwwah as a mu’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.

This strict successive arrangement of quwwah maintained by al-Sha’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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39 Ibid.
40 Ibid., Vol. 8, p. 4778.
41 Ibid.
mentioned. Interestingly, al-Sha‘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‘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.42 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.43 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

43 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.\(^4^4\)

Moreover, al-Mawdūdī 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.\(^4^5\) 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.\(^4^6\)

*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 Quţb’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

\(^{4^4}\) Ibid., Vol. 10, p. 70.
to modern Qur’ânic 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’ân 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.47

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

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concepts of the preparation of *quwwah* in more than seventy pages in his *Al-Qitāl fī al-Islām*.\(^{48}\) In Nār’s view, the preparation of *quwwah* includes five main categories:\(^{49}\)

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.\(^{50}\) He also states that material preparation includes three sub-categories: preparing individuals for the battlefield, preparing military supplies, and preparing the necessary ammunition.\(^{51}\)

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.\(^{52}\) 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.\(^{53}\)


\(^{50}\) Ibid.

\(^{51}\) Ibid., p. 97.

\(^{52}\) Ibid., p. 126.

\(^{53}\) 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-Qaraḍāwī 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.\textsuperscript{54}

Referring to modern ways of possessing quwwah, al-Qaraḍāwī 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.\textsuperscript{55} This last view of al-Qaraḍāwī is supported by the al-Azhar House of Fatwā in Egypt. An Arabic fatwā (legal opinion) that first appeared on 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.\textsuperscript{56} This fatwā by al-Azhar has been condemned by some Western authors such as Anne-Marie

\begin{itemize}
\item \textsuperscript{54} Al-Qaraḍāwī, \textit{Fiqh al-Jihād: Dirāsah Muqāranah}, Vol. 1, p. 536.
\item \textsuperscript{55} Ibid., Vol. 1, pp. 590 f.
\end{itemize}
Delcambre⁵⁷ (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?”⁵⁸ 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,⁵⁹ have opposed the opinion of al-Qaraḍāwī and that of al-Azhar House of Fatwā, declaring that Islam is against all forms of WMD.⁶⁰ 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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⁵⁷ Anne-Marie Delcambre is Professor of Arabic at the Lycée Louis-le-Grand, Paris.
⁵⁹ 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.
he calls for a universal ban on testing, developing and possessing all weapons of mass destruction and nuclear weapons.\textsuperscript{61}

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 \textit{ijtiхād} (exertion of intellectual reasoning in understanding laws)\textsuperscript{62} 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 \textit{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.\textsuperscript{63} Even at times when military conflict between Muslims and non-Muslims becomes inevitable, preparation for the use of \textit{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 \textit{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

\textsuperscript{61} Ibid.
\textsuperscript{63} Al-Ḥifnī, \textit{Maws-ʿat al-Qurʿān}, 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-fīs in ancient times. According to Al-Asfahānī, ribāṭ in the Qur’ān has two meanings: first, ribāṭ al-khayl (warhorses), as in Qur’ān 3: 200; 8: 60. Second, ribāṭ al-nafs (self-control) as in 8: 11; 18: 14; 28: 10. Al-Raḥm-ṇī states that, like jihād, the word ribāṭ carries various meanings, although it is widely attached to ribāṭ al-Khayl.

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.

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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66 Al-Raḥm-ṇī, Al-Dīn wa al-Aydūyul-jyā, p. 53.

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. 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.

2.4 Lexical Connotations of Rahbah in the Qur’ān

The Arabic root r-h-b, which generally refers to ‘fear’, and its lexemes such as turhibūna (to frighten off), ruhbān (monks), īstarhaba (to seek to frighten) occur thirteen times in the Qur’ān in ten suwar (chapters). 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. The thirteen occurrences refer to meanings such as fearing

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

The above lexical and contextual meanings of *rahaba* and its lexemes reveal that *al-rahab* (fear) and *irḥabūnī* (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 *istarḥabūhum* (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
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.\(^81\)

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.\(^82\)

### 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. ṢAbd al-Rahmān Sulaymān al-Maṭr-ḍī, 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.\(^83\) Importantly, the views of such writers do not represent mainstream Western scholarship.

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\(^81\) Badawi and Abdel Haleem, *Dictionary of Qur’anic Usage*, pp. 384 f.


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.\textsuperscript{84} 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 ‘irḥāb’ and its lexemes is, therefore, necessary to dismiss such thesis.\textsuperscript{85} 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,\textsuperscript{86} 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.\textsuperscript{87} There is,
however, a significant difference between *khawf* (fear) and *khizy*, although the latter may refer to some physical and psychological aspects of the former. Ibn Kathîr and al-Râzî also interpret *turhibûna* to mean fear.\(^88\) However, al-Râzî adds that *turhibûna* 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*\(^89\) (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.\(^90\) These objectives have not been stated by other traditional exegetes in the way classified by al-Râzî, 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’ân (16: 106-107)\(^91\) to declaring


\(^91\) “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, while Darwazah does not refer to the objective of turhibūna or its centrality in disbelief will have the wrath of God upon them and a grievous punishment awaiting them.” Haleem, *Qur’an*, p. 173.

the verse at all.\textsuperscript{93} Al-Sha‘rāwī, however, refers to \textit{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 \textit{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.\textsuperscript{94} Thus according to al-Sha‘rāwī, \textit{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 \textit{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‘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.\textsuperscript{95} The view of al-Sha‘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 \textit{al-tawāzun al-silmī} is almost the same as ‘\textit{al-silm al-musallaḥ}’ (armed peace), coined by Riḍā, who argues that \textit{al-silm al-musallaḥ} 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 \textit{quwwah} on the increase, which will eventually lead to the

\textsuperscript{93} Darwazah, \textit{Al-Tafsīr al-Hadīth}, Vol. 7, p. 81.
\textsuperscript{94} Al-Sha‘rāwī, \textit{Tafsīr}, Vol. 8, p. 4776.
\textsuperscript{95} 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.96

The above two interrelated concepts of ‘al-tawāżun 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.97

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.98 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 bughāh99 (rebels). Thus, according

98 Ibid., pp. 147 f., footnote (a).
to Zayd, Muslims in this case would be targeting the *bughāh* only.\(^{100}\) 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,\(^ {101}\) 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.\(^ {102}\) Thus, Quṭb’s view of *turhibūna*

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\(^{100}\) Zayd, *Sūrat al-Anfāl*, pp. 147 f., footnote (a).

\(^{101}\) “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.

goes beyond the positive dissemination of fear stated by al-Sha‘rāwī and Riḍā above. He highlights the necessity of intimidation, which is a close equivalent to the Arabic word *ru‘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‘b*. What makes Quṭb’s view relatively extreme here is that he seeks to equate *irhāb* with *ir‘āb*. Even though both words carry similar lexical connotations in Arabic by virtue of the fact that they both refer to fear, *ir‘āb* refers specifically to panic, an aspect referring to physical intimidation, which is not connoted by the lexical Arabic word *irhāb*.

2.4.5 *Turhibūna* in a Modern Scholarly Context

Abdullāh al-Najjār, 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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103 For detailed lexical differences between *rahbah* and *ir‘āb*, see for example, Muhammad ibn Ya‘qūb al-Fayruz Ābādī, *Al-Qamūs al-Muhīṭ* (Beirut: Mu‘assasat al-Risālah, n.d.), pp. 115-118.

104 ṢAbdullāh Mabrūk 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.\(^{105}\) 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.\(^{106}\) 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


\(^{106}\) Al-Maṭrūdī, “‘Al-Irhāb”, p. 75; Al-Imām, “Ru’yah Ta’sīliyyah 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, ʿAbdul-Raḥmān Spīndārī¹⁰⁷ lashed out against those who twist the meaning of the word *turhibūna* in this verse, naming them “terrorism theorists”.¹⁰⁸ 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.”¹⁰⁹ 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: 47¹¹⁰ to support his view.¹¹¹

¹⁰⁷ Spīndārī is a professor of Qur’ānic exegesis in Kurdistan, Iraq.
¹⁰⁸ Spīndārī, *Al-Irhāb*, p. 34.
¹¹⁰ “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.
In fact, Spīndārī’s harsh criticism of the “terrorism theorists” lacks any firm foundation. Although his *Al-Irhāb min Manẓūr 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-ʿAmīn ʿAbd al-ʿAlīm, one of their members. This culminated in the publication of several books condemning violence and later rectified various issues related to jihād. 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.

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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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.115 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.116 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

has “āyat al-sayf” (The Verse of the Sword)\(^{117}\), there is nothing wrong, in their view, with following the same pattern and calling Qur’ān 8: 60 the “The Verse of Terrorism”.\(^{118}\) 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,\(^{119}\) two are mentioned in Qur’ān 8: 60\(^{120}\), 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,\(^{121}\) 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.\(^{122}\) 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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\(^{122}\) 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.¹²³

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.¹²⁴

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.¹²⁵ 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 heart¹²⁶

¹²⁴ Ibid., Vol. 7, p. 78.
so, for him, changing one’s attitude comes first and foremost from adapting one’s outward behaviour rather than one’s heart.

Al-Sha’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.\(^\text{127}\)

It is worth stressing here that the views of al-Sha’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

can easily be noticed in Ibn al-ʿArabī’s exegesis. It may be because Ibn al-ʿArabī 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. On the other hand, it is clear that modern exegetes, such as al-Shaʿrāwī, Quṭb and Riḍā, link the end of the verse to its beginning, stating that good preparation of quwwah entails generous giving. However, this link is variously expressed. For example, al-Shaʿrāwī 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-Shaʿrāwī refers to Qurʾān 8: 60 to support his argument. 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. 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. Riḍā

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131 Al-Shaʿrāwī, Tafsīr, Vol. 8, p. 4781.
133 Riḍā, Tafsīr al-Qurʾān 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.\textsuperscript{134} Rīḍā states that there is a very strong link between the verse under discussion and Qur’ān 22: 39-40.\textsuperscript{135} In comparison with what other traditional and modern exegetes have said, Rīḍā 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.

\subsection*{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-\textit{na}, and spending in the cause of Allah—are all means that should serve Muslim causes in times of both war and peace.

\textsuperscript{134} Ibid. Vol. 10, p. 76.
\textsuperscript{135} 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, woud have been destroyed. God is sure to help those who help His cause—God is strong and mighty” (Haleem, Qur’ān, 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, we shall use the attacks of September 11th 2001 as a case study, 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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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 11th attacks remain an area where the different aspects of jihâd and terrorism 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 jihâd, as portrayed in the Qur’ân, considering the many verses that refer to it and asking how they are understood by modern terrorist groups in a bid to serve their agendas.


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. The Qur’ān refers to these two meanings in 9: 79 and 24: 53. 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 in eighteen suwar (chapters).

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”. 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.

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7 Ibid.
11 i.e. outside of wedlock.
Jihād can also be against the self, the devil, *al-fussāq* (sinful and immoral people) and unbelievers. 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. 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. 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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12 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.

13 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 ʿAli bin Muḥammad al-Shawkānī, *Nayl al-Awzāʾ: Sharḥ Muntaqā al-Akhbār min Aḥādīth Sayyid al-Akhbār* (Cairo: Sharikat Maktabat wa Maṭbaʿat Muṣṭafā al-Bābī al-Ḥalābī wa Awlāduh, last ed., n.d.), Vol. 7, p. 236. See also Al-Asfahānī, *Mufradāt Alfāz*, p. 208; Muḥammad al-Hābīb 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.


twenty-four meanings of the term jihād that can be identified if a simple tracking of its shades of meaning is analysed.\(^\text{16}\)

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 Ḣanafī definition of jihād is cited here:\(^\text{17}\)

“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.”\(^\text{18}\)

This Ḣanafī 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.\(^\text{19}\) Furthermore, this definition, as well as other technical ones, reveal two important points about jihād, which are examined further

\(^{16}\) 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, ‘Ālī 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.


below. First, jihād should be *fī 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 Qurʾān. These three terms are selected because of the growing interest in them by modern researchers as terms denoting “human conflict” in the Qurʾān. The text is in many circumstances subjected to “torturous interpretations” in order to defend certain ideological views. 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.

To begin with the first point, the phrase *fī sabīlillāh* is connected with jihād thirteen times in the Qurʾān (2: 218; 4: 95; 5: 35, 54; 9: 19, 20, 41, 88; 29: 6, 69; 49: 20

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21 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.

In these occurrences, different forms are used such as *yujāhidūna fi sabīlillāh* (they strive for Allah’s sake) as in 5: 54 and *jāhadā fi nā* (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, other occurrences of *jāhada, yujāhidu, jāhadā* (for example, in Qur’ān 29: 6, 69) 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. 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 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

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.27 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.”28 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: 11.29

As explained, the phrase ‘jihād fi sabīllillāh’, 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 fi sabīllillāh generally refers to the way in which a believer chooses to live in order for him to please Allah.30 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).31 Within the Qur’ānic context, it generally refers to the “…way of truth and

29 For a refutation of Crane’s view see David Cook, Understanding Jihad (Berkeley: University of California Press, 2005), pp. 43, 218.
justice, including all the teachings it gives on the justifications and conditions for the conduct of war and peace”.

Unlike jihād, the term qitāl, to which the phrase fī sabīlillāh is also annexed in the Qur’ān, carries an exclusively military meaning. The phrase fī 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). However, fī 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). 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.

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. 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-Khalafi considers that there is what may be termed a “‘um-m wa khuṣ-š” (general-specific) relationship between the

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34 For these few examples and others, see Ābd al-Bāqī, Al-Mu’jam al-Mufahras, pp. 341-343.


36 Alsumaih, The Sunni Concept of Jihad, p. 15.

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two terms, arguing that every *qitāl* is jihād, but not every jihād is *qitāl*. 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. Having clarified the relationship between jihād and *qitāl*, the last term to present here is ḥarb.

*Ḥarb* is the general word for “war”. 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” 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, the last three of which mean fighting. The modern Tunisian scholar Ibn al-

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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, 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. 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 ‘fi 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”
does not occur in the Qur’ān, even literally. 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 ‘jihād’.

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47 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-harb al-muqaddasah*, which is the Arabic phrase commonly used to translate the English term ‘holy war’, is not an honest translation, whether from an Islamic or a Qur’anic perspective, for two reasons: 1) The phrase, as stated, does not occur, either in the Qur’ân 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. More difficult still, the term has been used, intentionally or otherwise, to tarnish the image of jihād in the Qur’ân, not only in Western academic literature but also in the Western media. Although famous 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.


52 According to Jerald F. Dirks, “…the American media continues to insist on mistranslating jihād 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 *harb* and *muqaddas* are mentioned in the Qur’ān separately, there is no problem in using them together in this distorted translation,⁵³ 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.⁵⁴ This is reason enough to cast doubts on his argument, as his deduction clearly decontextualizes the Qur’ānic words.⁵⁵ Undoubtedly, such views obscure the way jihād is portrayed, in Islam in general and in the Qur’ān in particular.⁵⁶ Moreover, Peters ascribes the widespread occurrence of such erroneous translation to the “…influence of Western languages” *prima facie*.⁵⁷

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

⁵⁵ 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.
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”, 58 which—according to them—justify killing non-Muslims. 59 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 60 in the Qur’ān to clarify an important fact that is not widely discussed by some modern Western scholars.

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58 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.


60 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 Qurʾān is raised, they start with the Medinan verses in which the legalization of jihād is clearly established. 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. 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 Qurʾānic verses such as 41: 34; 23: 96; 73: 10; 88: 22, all revealed in Mecca. A deeper look into the Qurʾān shows that there are also other verses that can be cited here, such as Qurʾān 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.

Although persecution of the nascent Muslim community in Mecca continued for over ten years, threatening the establishment of the new believers, Muslims were


61 Firestone is a clear example of these scholars. See Firestone, Jihād: The Origin of Holy War, pp. 47 f.


64 Here, the order of suwar is chronological as per their revelation, not according to the order in which they currently appear in the Qurʾān. 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 ʿIlmiyyah fī Nisāṣ al-Qurʾān wa Ṣiḥāḥ al-Ḥadīth wa Wathāʾiq al-Ṭārīkh (Cairo: Dār al-Ḥamāmī li al-Ṭibāʾah, 1975/1394), pp. 9 f., nn. 1-7. Al-Ḥalabi only mentions three occurrences (Qurʾān 4: 77; 32: 30; 73: 10) to support his argument. See ʿAlī ibn Burhān al-Dīn al-Ḥalabi, Insān al-ʿUy-n: Al-Sīrah al-Ḥalabiyyah fī Sīrat al-Amīn al-Maʾm-n (Beirut: Dār al-Maʿrifah, 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.\(^\text{65}\) 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 \textit{al-jihād al-silmī} (peaceful jihād)\(^\text{66}\) whereas in the Medinan period it can be termed \textit{al-jihād al-ḥarbī} (military jihād).\(^\text{67}\)

Peace thus proves to dominate the Meccan revelations in the Qur’ān.\(^\text{68}\) 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.\(^\text{69}\) The reason why the revelations did not directly command


\(^{66}\) In peaceful jihād, a Muslim strives in the cause of Allah without resorting to violence. See, Khan, \textit{A Theory of International Terrorism}, p. 178.

\(^{67}\) Al-Daqs presents a distinguished survey of the most authentic classical narrations to reach this important conclusion. See, Al-Daqs, \textit{Āyāt al-Jihād fī al-Qur’ān}, pp. 185-208.

\(^{68}\) 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, \textit{Sunan Abū Dawūd}, no. 2649, in \textit{Mawsū‘at al-Ḥadīth al-Sharī‘f: Al-Kutub al-Sittah}, ed. Śāliḥ bin ʿAbd al-ʿAzīz Āl 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, \textit{Al-Jihād al-Islāmī: Dirāsah Īlmīyyah}, pp. 11 f., nn. 9-11.

\(^{69}\) Darwazah, \textit{Al-Jihād fī Sābīl 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’anic tone changes to adapt to the new environment. 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.

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. 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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70 Ibid., p. 56.
3.2.3 Stages of Military Jihād

Apart from a few Western academic studies which refer to the stages of military jihād in the Qurʾān, 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 Qurʾān 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 Qurʾān can easily be manipulated into reductionist and exclusivist interpretations in which their original contexts are forcibly altered. This will eventually lead to the highjacking of the Qurʾānic text by terrorists from Muslim and non-Muslim faith groups who may lack understanding of the sequence of the gradual approach enshrined in the Qurʾān 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. 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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73 For a modern study that takes much interest in explaining different stages of jihād with reference to the Qurʾān, see Firestone, Jihād: The Origin of Holy War, pp. 51-65.
75 Examples of such oppression and torture, according to Ibn al-ʿArabī, were the failed attempt to assassinate the Prophet by the unbelievers of Mecca and the killing of Sumayyah bint Khayyāt, the mother of ʿAmmār ibn Yāsir, by Ab- Jahl. Muḥammad ibn ʿAbdullāh ibn al-ʿArabī, Aḥkām al-Qurʾān, ed. Muḥammad ʿAbd al-Qādir ʿAtā (Beirut: Dār al-Kutub al-ʿIlmiyyah, 1996), Vol. 1, p. 456.
“...individual rather than institutional in nature”,76 his argument is not substantiated by evidence. When the tortured 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.77 Thus, attempting to argue that Muslims in the Meccan period were subjected to a “minor level”78 of persecution is a questionable statement. Qur’ān 22: 39 was revealed because of the ongoing unbearable persecution at that time.79

In this regard, verses 22: 39-4080 are widely-known as the oldest reference to jihād in the Qur’ān.81 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.82 Al-Sha’rāwī’s interpretation is apparently a leading contribution because reference to classical exegetes such as al-Qurṭūbī and al-Ṭabarī shows that they,

77 “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.
80 “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.
for example, do not clearly refer to this gradual approach, although it can easily be inferred from their interpretations.\textsuperscript{83} 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,\textsuperscript{84} 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.\textsuperscript{85} Another verse similar to them, such as Qur’ān 2: 190,\textsuperscript{86} 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\textsuperscript{87}, a reference

\textsuperscript{83} Al-Ṭabarī, Ḫāmi‘ al-Bayān, Vol. 17, 172; Al-Qurṭubī, Al-Jāmi‘, Vol. 12, p. 68.
\textsuperscript{85} 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.
\textsuperscript{86} “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’ān, p. 21.
to al-Nisāb-rī and al-Suy-ṭī proves otherwise, 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. Ibn Kathīr also adds that killing animals and burning trees that do not benefit the enemy are also forbidden. 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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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…\footnote{Riḍā, \textit{Tafsīr al-Qurʾān al-Ḥakīm}, Vol. 2, pp. 208 f.}

The second stage of military jihād in the Qurʾān 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.\footnote{Firestone, \textit{Jihād: The Origin of Holy War}, p. 77.} For purposes of brevity, we refer here only to Qurʾān 2: 191, 194; and 9: 36 as clear examples of this stage. As in the first stage, Muslims are to fight in 
\textit{dafʿ al-ʿudwān} (fending off aggression)\footnote{Al-Zuḥaylī defines ʿudwān 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 daʿwah, or any other schemes in which Muslims realize that there are hidden schemes plotted against any of the above.” Al-Zuḥaylī, \textit{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 ʿudwān dictates such an understanding. See, Haykal, \textit{Al-Jihād}, Vol. 1, pp. 609 f.} directed against themselves or their lands. Haykal states that such aggression must have been launched by non-Muslims against Muslims, arguing that Qurʾān 2: 190, 194; 4: 91; 9: 36; and 22: 39 anchor this concept.\footnote{Haykal, \textit{Al-Jihād}, Vol. 1, pp. 611-613.} Here, it can also be added that this stage is a continuation of defensive fighting in the Qurʾān.\footnote{Ghunaym, \textit{Al-Jihād al-Islāmī: Dirāsah ʿIlmiyyah}, p. 20.} Haykal also considers that pre-emptive fighting too is permitted for Muslims according to Qurʾān 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 Qurʾān. Because there is no unified view
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 (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 kufr (disbelief). 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.” (Qur‘ān 2: 193)

In their commentaries on the above verse, al-Ṭabarî, al-Qurṭubi, Ibn al-ʿArabi, al-Suyuti, al-Jaṣṣāṣ, al-Râzî, and al-ʾAlusi are united in maintaining

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96 This term has been explained earlier in Chapter Two of this thesis.
98 Haleem, Qur‘ān, pp. 21 f.
that *fitnah* in this verse means unbelief. Ibn Kathîr\(^{106}\), however, is seemingly silent about expressing his view concerning *fitnah* here. Schleifer maintains that Ibn Kathîr interprets *fitnah* as idolatry or polytheism, depending on al-Qurṭubî’s interpretation. A reference to al-Qurṭubî’s interpretation, however, shows that he maintains his views without reference to Ibn Kathîr’s interpretation—reason enough to cast doubt on Schleifer’s statement.\(^{107}\)

Of the above classical exegetes, al-Ṭabarî and al-Qurṭubî provide detailed explanations for their attitudes on the Qur’ānic *casus belli*. Al-Ṭabarî 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).\(^{108}\) Al-Qurṭubî stresses this hostile attitude towards non-Muslims. He states that authoritative figures such as Ibn ʿAbbās (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”.\(^{109}\) Moreover, *naskh*\(^ {110}\) (abrogation) plays a central role in this classical theory.

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\(^{110}\) Literally, *naskh* has several meanings, including to annul, obliterate or cancel. Ibn Manṣûr 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-ʿAṣfaḥânî (d. 1066) rejected the doctrine of *naskh* in the Qur’ān altogether. Some scholars in recent times, such as Muḥammad Ali, Muḥamad Asad, Cherif Bassiouini 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 Manṣûr, *Lisân*, Vol. 2, p 615; Lane, *Lexicon*, Vol. 8, p. 2788; Abi Manṣûr ʿAbd al-Qâhir bin Ṭâhir bin Muḥammad al-Baghdâdî, *Al-Nâsikh wa al-Mans-kh*, ed. Hîmî Kâmil Asʿad ʿAbd 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.\(^{111}\) The classicists view Qur’ān 9: 5 as constituting the underlying principle of Muslim external relations and as abrogating approximately 113 verses.\(^{112}\) 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.\(^{113}\) This may explain why Bin Jani prefers the plural form (i.e. The Verses of the Sword) [emphasis mine].\(^{114}\) 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


\(^{114}\) Bin Jani, “Sayyid Qutb’s View of Jihad”, pp. 120 f.

It can be deduced from the above classical theory that 	extit{shirk} and 	extit{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 	extit{al-asl} (overriding principle) upon which the norm of external relations between Muslims and non-Muslims is based.

\subsection*{3.2.5 Modern Interpretative Theory of the Final Stage}

In his interpretation of ‘	extit{fitnah’} in Qur‘ān 2: 193, Riḍā clearly sets out his view concerning the final stage of military jihād. He considers that ‘	extit{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.\footnote{Riḍā, \textit{Tafsīr al-Qur‘ān al-Ḥakīm}, Vol. 2, p. 209. See also, Kamali, “Issues in the Understanding of Jihād”, p. 621.} Riḍā quotes ʿAbduh as saying that interpreting ‘	extit{fitnah’} in this verse to mean 	extit{kufr} takes the interpretation of the verse out of its original context. ʿAbduh\footnote{For a well-structured presentation of ʿAbduh’s modernist views with special reference to this particular point, see Bordenkircher, “An Analysis of Jihād”, pp. 34-40.} 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...
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, ʻAbduh 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.\textsuperscript{118} It is clear that ʻAbduh 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.\textsuperscript{119} He argues that the insistence of the classicists on maintaining that the verses pertaining to patience, coexistence and tolerance were abrogated by ʻayat 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-ṣī’s view, which follows a similar pattern.\textsuperscript{120} However, an examination of al-Al-ṣī’s interpretation of the verse\textsuperscript{121} may reveal that his attitude is not as uniform as that of ʻAbduh 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.\textsuperscript{122} Like Riḍā, al-Sha‘rāwī is

\textsuperscript{119} Ibid., p. 199.
\textsuperscript{120} Ibid., p. 200.
\textsuperscript{121} Al-Alūṣī, ṫūḥ al-Ma‘ānī, Vol. 10, pp. 49-51.
\textsuperscript{122} Al-Sha‘rāwī, Ṭafsīr, 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. For al-Sha‘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

Moreover, there is almost no discussion in al-Sha‘rāwī’s interpretation of āyat
al-sayf of whether or not it abrogates other verses. 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.

123 Ibid., Vol. 2, pp. 825 f.; See also his, Al-Jihād fi 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.
124 Al-Sha‘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 *āhkām 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,\(^\text{125}\) calling others to Islam with wisdom and fair exhortation and argument only in the best way,\(^\text{126}\) and applying a just and fair foreign policy towards non-Muslims who do not fight against Muslims or drive them from their homes.\(^\text{127}\) 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*\(^\text{128}\) 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.\(^\text{129}\)

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-Mawdūdī 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.

\(^{125}\) Qur’ān 2: 256.
\(^{126}\) Qur’ān 16: 125.
\(^{127}\) Qur’ān 60: 8-9.
\(^{128}\) i.e Qur’ān 9: 6-7.
Al-Mawdūdī 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. 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. 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.

Moreover, Al-Mawdūdī 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-Mawdūdī 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. 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

exercise of military jihād in this case is a necessary procedure to establish Islam and hence eliminate fitnah.\textsuperscript{134}

This revolutionary concept of jihād as expressed by al-Mawd-īrī sees no point in dividing military jihād into defensive or offensive. For him, the classical dichotomous classification of the world\textsuperscript{135} into what is famously known as dār al-Islām\textsuperscript{136} (territory of Islam) and dār al-ḥarb\textsuperscript{137} (territory of war), does not make sense either.


\textsuperscript{136} 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, \textit{Al-Jihād}, Vol. 1, p. 669.

It is worth adding here that this bipolar classification is un-Qur’anic. The only ‘ḥadīth’ 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. It seems that this dichotomous classification is a product of a juristic ijtihād (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. 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.


139 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.

140 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, Āḥār 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 those 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.


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‘āhadah (pact) with Muslims\textsuperscript{143}. 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.”\textsuperscript{144}

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.\textsuperscript{145} 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 Qūṭb.

\textsuperscript{143} According to al-Mawdūdī, these people are known as al-Mu‘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, \textit{Sharī‘at al-Islām}, p. 213.

\textsuperscript{144} Ibid., p. 189.

\textsuperscript{145} 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-Mawdūdī highlighted above, Quṭb’s views remain distinct because of his “…aggressive overtone of jihād”146 as reflected in his interpretation of the Qur’ānic verses concerning war and peace. Therefore, it is necessary to present his views147 as well as assessing his critique of other modern exegetes.

3.3.1 Quṭb’s View Influenced by Ibn al-Qayyim and Al-Mawdūdī

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-Mawdūdī.148 Like al-

146 Ibid., 294.
147 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.
Mawd-dī, Quṭb’s view of military jiḥād is also a synthesis of classical and modern exegeses. Having considered al-Mawd-dī’s view of military jiḥād 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”. 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 jiḥād. 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-Maʿād fī Hady Khayr al-ʿIbād 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. 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. 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. Following in the footsteps of Ibn al-Qayyim’s

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153 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.
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.155

Before the revelation of this s-ra, Ibn al-Qayyim argues, non-Muslims were divided into three categories: First, Ahl Ṣulḥ wa Ḥudnah 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.156

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,157 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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157 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). 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’an 8: 39)\(^{159}\)

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”\(^{160}\)

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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argue that Ibn Taymiyah was the original ideologue\textsuperscript{161} of this hard-line view. Graham E. Fuller is one of the few Western authors who also refer to this fact.\textsuperscript{162}

3.3.2 Quṭb’s View Presented

Heavily depending on s-\textit{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: \textit{al-nuṣ-ṣ al-marḥaliyyah} (transitional texts) and \textit{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

\textsuperscript{161} Schleifer supports the view that al-Mawdūd was influenced by Ibn Taymiyah. See, S. Abdullah Schleifer, “Jihad: Sacred Struggle in Islam (4),” \textit{The Islamic Quarterly}, Vol. 28, No. 2, Second Quarter, 1983, p. 93.

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. 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.”

The above quotation actually summarizes Qutb’s view of military jihad in the Qur’an. His view, although it remains tied to the legacy of the classical exegetical jihad 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’an. Bin Jani tries to argue that Qutb was not influenced by the classical interpretative theory that stands squarely behind the naskh thesis. However, Qutb’s insistence on jihad 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 Qutb’s binary division of the Qur’anic verses into transitional and final texts, and his view that the transitional texts are muqayyadah bi-ḥālā khāṣṣah (related to specific circumstances), whereas the final texts are muṭlaqat al-dalālah (absolute and unconditional guidance), confirms his adherence to the classical dichotomous classification. It can be further deduced that, although Qutb did not argue

164 Qutb, Milestones, p. 76.
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”. 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’, 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.

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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169 Quṭb, Milestones, pp. 61 f.
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-Ẓilāl, 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.

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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172 Ibid.; See also, Bin Jani, “Sayyid Quṭb’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.\(^\text{173}\)

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.\(^\text{174}\)

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”.\(^\text{175}\) However, a reference to *al-Ẓilāl*, 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,\(^\text{176}\) 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


\(^{175}\) Ibid., p. 301.

\(^{176}\) 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-Zilāl* proves otherwise.\(^{177}\)

### 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-ḍī,\(^{178}\) he was actually influenced by the medieval narrative of jihād linked to Ibn Taymiyyah. 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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reason why his detractors regard his narrative as reductionist—because of its binary vision, which overrules other visions advocated by other exegetes.  

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.  

Al-Qaraḍāwī, while criticizing Quṭb’s view of jihād as being selective, 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.  

Here, the views of Kepel and al-Qaraḍāwī on Quṭb may be deemed well-balanced because they do not overlook the harsh circumstances under which the man lived in the shade of a despotic regime prior to his execution. Having now presented and

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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\footnote{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.} between what can be termed the Lewis-like image of jihād and that of Esposito.\footnote{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.} 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 ījīhād in international conferences.
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-İkhwān al-Muslim-ı (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 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. 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.

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.


186 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.


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 ʿudwān (aggression) and fitnah (religious persecution) against Muslims.\footnote{Muḥammad Ab- Zahrah, \textit{Al-ʿAlāqāt al-Dawliyyah fī al-Islām} (Cairo: Dār al-Fikr al-ʿArabī, 1995/1415), pp. 50 f., 89-94.} 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.\footnote{Ibid., pp. 52-55.} Ab- Zahrah also sees that military jihād is legislated to establish justice\footnote{Muḥammad Ab- Zahrah, \textit{Al-Mujtamaʾ al-Insānī fī Zill al-Islām} (Jeddah: Al-Dār al-Suʿ- diyyah li al-Nashr wa al-Tawziʿ, 2\textsuperscript{nd} ed., 1981/1401), p. 152.} and fend off aggression\footnote{Ibid., p. 155; idem, \textit{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 \textit{Kitāb al-Muʿtamar al-Rābiʾ li-Majmaʾ al-Buḥ-th al-Islāmiyyah} (Cairo: Majmaʾ al-Buḥ- th al-Islāmiyyah, 1968/1388), pp. 79-91.} 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
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*.193

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 ihrājin aw tādyiqin*’194 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,195 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 *ihrājin aw tādyiqin* 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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194 Ibid., p. 230.
195 The first edition of al-B-ṭī’s book was published in 1997.
Moreover, al-Bûti’s borrowing of dâr al-Islâm\textsuperscript{196} 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 jihâd narrative is Wahbah al-Zuḥaylî, who strongly advocates that peace is the underlying principle of relations between Muslims and non-Muslims. Al-Zuḥaylî maintains that this view is supported by Qur’ân 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’ân 4: 90 and 60: 8.\textsuperscript{197} Al-Zuḥaylî further argues that considering military jihâd 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 fî al-ashyâ’ al-ibâḥâh (permissibility is the underlying principle). He argues, if this legal maxim and others similar to it,\textsuperscript{198} constitute basic principles, then why do some jurists not consider military jihâd to be the original rule in Muslim/non-Muslim relations? Consequently, al-Zuḥaylî takes the view that al-aṣl fî al-‘alâqât al-dawliyyah al-silm\textsuperscript{199} (the original rule in international relations is peace).

Moreover, al-Zuḥaylî considers that the Qur’ânic verses calling for permanent peace with non-Muslims do not include:

\textsuperscript{196} Ibid., p. 231.
\textsuperscript{198} Such as “al-aṣl al-khułûwwu min al-takālîf” (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 fî al-zimmah al-barâ’ ah” (the original ruling is innocence [i.e. there is a presumption of innocence unless there is proof of guilt]). See Al-Zuḥaylî, Āthâr al-Ḥarb, p. 131.
\textsuperscript{199} 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.”

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.”

Nevertheless, the mechanisms for reacting to this 21st 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. Huge collective efforts have recently been made by Muslim

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200 Al-Zuḥaylī, Al-ʿAlāqāt al-Dawliyyah fī al-Islām, p. 95, n. 4.
201 Al-Ḥifnī, Mawsūʿ ʿat al-Qurʿān, p. 1878.
scholars from places as diverse as Asia and North America in the recent 8th, 14th and 16th 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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In a remarkable reaction to Huntington’s hypothesis set out in his *The Clash of Civilizations and the Remaking of World Order*, the 8th 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, discussed in Arabic, English and French the argument that dialogue, and not war, is the way to solve modern international problems. Mufid Shihab, 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.

In a bid to explain the present-day attitude of Muslims towards non-Muslims with special reference to the September 11th attacks in 2001, the 14th conference in 2003 directed a special focus on explaining the modern applications of jihâd, its objectives and various rulings, and how it differs in meaning from other terms such as

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qitâl (fighting), ‘‘unf (violence), and irhâb (terrorism). Out of the 52 research papers published mostly in Arabic, around 17 researches were dedicated to jihâd 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. 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.

The third conference we are looking at is the 16th conference, at which around 153 scholars represented all five continents. In all their researches, a special focus was given to terrorism from a Qur’ânic 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’ân 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.


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.\footnote{Indeed Professor D. Thomas’s contribution to the 16th 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: Maţābi al-Ahrām al-Tujāriyyah, 2004/1425), pp. 73-82.}

In our view, this is a reason why authors such as Qūṭb 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 Qūṭb 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.\footnote{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.} While their views sometimes stand in total contrast to the
classical interpretative theory, they apply convincing approaches in their criticisms.\footnote{Jamal al-Dīn Māḥm-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’ān, the Sunnah or the consensus of Muslims. See Māḥm-d, “Al-Jihād wa Akhlāqiyyāt al-Ḥarb”, 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), p. 848.} 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 Qūṭb have any influence on modern day extremists and terrorists is what will occupy us in the final part of this chapter.

3.4 Qūṭb’s Influence on Proponents of the Offensive Jihad Narrative

wonder that Quṭb is regarded as the ideologue and the godfather of modern extremism. 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 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.

Although the various above descriptions of Quṭb have gained currency since September 11th, an analysis of the extremist discourse in a country such as Egypt confirms this view. A very clear example is *Al-Farīḍah al-Ghā‘ibah* (The Neglected 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.

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.


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), an important pamphlet of the Islamic Group in Egypt written by Muḥammad ʿAbd al-Salām Faraj (1954-1982). The ‘neglected duty’ refers to the duty of jihād, and its author was executed on 15 April 1982 along with the four assassins of the then Egyptian president, Anwar Sadat (1918-1981). Jansen, who translated the whole of the Farīḍah, is apparently the only Western scholar who has made an excellent presentation and analysis of this important document. In his discussion of the Farīḍah, 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 Farīḍah, 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 Farīḍah before attempting to highlight this specific point.

The Farīḍah asserts that:

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218 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.

219 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.

220 In the remaining part of this Chapter, the Neglected Duty or al-Farīḍah al-Ghāʾibah will be referred to as the Farīḍah.

221 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.


“The State (of Egypt in which we live today) is ruled by the Laws of Unbelief although the majority of its inhabitants are Muslims.”

As for the rulers of Muslims, the author of the Farīḍah 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.”

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. Based on this extremist understanding, the author of the Farīḍah poses this challenging question: ‘Do we live in an Islamic state?’ To answer this question, he cites long quotations from the response of Ibn Taymiyah who was asked about whether the people of Mardin were living in a territory of peace or a territory of war. The inhabitants of Mardin continued to follow the Yasa code of laws of Genghis Khan (1127-1167) instead of the Islamic law, even though they adopted Islam. 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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224 Ibid., p. 167.
225 Ibid., p. 169.
228 A town located in southeastern Turkey.
229 Yasa is a mixture of the beliefs adopted by Genghis Khan, Judaism, Christianity and Islam. See, ʿImārah, Al-Farīḍah al-Ghāʾibah, 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.
whereas the one who rebelled against the laws of Islam should be treated according to what was due to him.\textsuperscript{231}

Ibn Taymiyah’s answer cannot, in my view, be justifiably transferred to a completely different context, as the author of the \textit{Farīḍah} 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 ‘\textit{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.\textsuperscript{232} The scholars attending came from countries as diverse as Bosnia, Iran, Morocco, Mauritania and Saudi Arabia, and concluded that:

“\textit{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].}”\textsuperscript{233}

Moreover, \textit{Imārah} challenges Faraj’s radical and unsubstantiated claim, doubting whether he had actually read the \textit{Yasa} before expressing his view. He also adds that there is no evidence in the \textit{Farīḍah} to support this claim. Thus, \textit{Imārah

\textsuperscript{231} \textit{Imārah, \textit{Al-Farīḍah al-Ghā’ibah},} p. 9 f.


\textsuperscript{233} 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’āt Fatwā Ibn Taymiyah li al-Jihād ‘Khāṭī’ah’”, [article online]; available from http://www.bbc.co.uk/arabic/worldnews/2010/03/100331_mardinFatwa_jihad_tc2.shtml; accessed 12 April 2010.
continues, Faraj’s view cannot be accepted 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.

The insistence on quoting Ibn Taymiyah’s views regarding this particular issue, as well as in various other parts of the pamphlet, 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. 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 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-ʿAwī, completely stopped adopting violence, and started a process of al-īslāḥ al-tadrījī (gradual reform). 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.

234 Imārah, Al-Farīḍah al-Ghāʾibah, pp. 33 f.
235 Ibid., p. 47.
237 Imārah, Al-Farīḍah al-Ghāʾibah, p. 9.
238 For one of the very few references to Quṭb in the Farīḍah, see Jansen, The Neglected Duty, p. 226.
A consideration of the Farīḍah 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.”

And:

“Most Koran [Sic] commentators have said something about a certain verse from the Koran which they have named the Verse of the Sword (Qurʼān 9.5).”

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. 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-Suyūṭī. 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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241 Ibid., p. 195.
242 Ibid., pp. 199 f.
243 Ibid., pp. 195, 197.
interpretation, in which Muslims may declare war against all non-Muslims, is sheer insanity.\textsuperscript{244}

More importantly, Faraj sets a demarcation line between two types of enemies: 
\textit{al-‘aduww al-qarīb} (the near enemy) and \textit{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 \textit{al-Quds} (Jerusalem).\textsuperscript{245} 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.\textsuperscript{246} 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,\textsuperscript{247} they were well-versed in Islamic scholarship, a sufficient reason why their views regarding this issue are well received.

\section*{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

\begin{itemize}
\item \textsuperscript{244} Al-Ḥifnī, \textit{Maws- ‘at al-Qur‘ān}, p. 1876.
\item \textsuperscript{245} \textit{Tahbīr al-Quds} (liberating Jerusalem) is mentioned in the \textit{Farīḍah}. See ‘Imārah, \textit{Al-Farīḍah al-Ghā’ibah}, p. 23.
\item \textsuperscript{246} Ibid., pp. 23 f.
\item \textsuperscript{247} Faraj was an electrician with only shallow theological knowledge. See Kepel, \textit{The Roots of Radical}, p. 12.
\end{itemize}
narrative. Al-Sha‘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. Unlike ʻImārah, who dedicated a whole book to critiquing the extremist ideology of the Farīḍah, Al-Sha‘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)’”. 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‘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‘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-ʻAwwā. Al-Sha‘rāwī may have preferred to leave the matter to be handled officially, particularly by official Azhari scholars, especially Jād al-Ḥaqq ʻAlī Jād al-Ḥaqq, the Grand Sheikh of al-Azhar and ʻAtiyyah 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 Farīḍah. They state in their co-authored book, published as an attachment to the al-

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249 Ibid., pp. 144 f.
Azhar magazine in 1993, that they prepared their \textit{naqād} (refutation) of the \textit{Farīḍah} after being given a photocopy of the 54-page original pamphlet.

While Kelsay’s reference to the \textit{Farīḍah} 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, the efforts of other non-official scholars, such as Ṣīmārah and al-Sha‘rāwī, cannot be ignored. Thus, the refutations of Ṣīmārah, Jād al-Ḥaqq and Saqr and al-Sha‘rāwī’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-Sha‘rāwī have recently started publishing their courageous initiative known as \textit{al-murāja‘āt} (ideological revisions) in which the leaders of the

\begin{itemize}
  \item \textsuperscript{252} Kelsay, \textit{Arguing the Just War}, p. 133.
  \item \textsuperscript{253} 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, \textit{The De-Radicalization of Jihadists}, p. 167, n. 9.
  \item \textsuperscript{254} Also referred to in Arabic as \textit{mubādarat waqf al-‘unf} (initiative to halt violence).
  \item \textsuperscript{255} 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.
\end{itemize}
Group revoked their original violent stance by publishing self-critical reviews. This started on 5 July 1997 from their cells inside Egyptian prisons.256

3.4.2 Al-Murājaʾāt 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.257 Various justifications can be found for this. First, the Group’s literature in which they published most of al-murājaʾāt is still in Arabic258 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-murājaʾāt, this is limited to translating articles published in Arabic on the group’s bilingual website.259 Second, from the mid 1990s until now, the activities of the Group have taken place


257 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.


259 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, and are treated as social outcasts among their local communities. 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, which usually link Ḥunayn ibn ‘Abd al-Raḥmān al-Qūṭbī to

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262 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
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. The researcher therefore attempted, successfully, to get most of what has been written from the headquarters of the Islamic Group in Cairo.

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, 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 *qiyyās* (deduction by analogy) is not acceptable between the two cases. *Musālamah* (peaceful co-existence), *taḥāluf* (coalition), *ta‘āwun* (co-operation) and *muṣālaḥah* (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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I remember the owner of the bookshop in downtown Cairo looking at me with suspicious eyes when I asked about Zuhd’s *Tafsīrat al-Riyāḍ* on 3 May 2008.

Thanks to the prominent leader in the Group Nājīḥ Muḥammad Ibrāhīm, who was very cooperative in sending me the literature following a personal request via e-mail sent to him on 17 May 2008.


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.\footnote{Zuhdī, Taffīrāt al-Riyāḍ, pp. 40-42.}

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,\footnote{Ibrāhīm, Taṣbīḥ al-Aḥkām min Ikhtīṣāṣ al-Ḥuḳḳām, p. 73.} and prefer pluralistic views to dichotomous divisions.\footnote{Al-Sharīf and Ḥāfīẓ, Al-Nuṣḥ wa al-Ṭabīyīn, p. 85.} Quotations from Ibn Taymiyyah, in addition to being seen as unsuitable, are now replaced by modern statements by scholars such as al-Qaraḍāwī.\footnote{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 \textit{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, \textit{Fiṣḥ al-Jihād: Dirāsah Muqārānah}, Vol. 1, pp. 16 ff., Vol. 2, p. 1169.}

### 3.4.3 \textit{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 \textit{al-murāja‘āt}. Many contemporary al-Azhar scholars, especially those affiliated to the official institution, whose predecessors led various initiatives to refute the \textit{Farīḍah}, give little or no attention to \textit{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
scholar who hailed the *murāja‘āt* initiative, although his analysis is far from the deeper methodological approach applied earlier by the scholars who critiqued the *Farīḍah*.

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, has disowned his radical views. 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. All in all, *al-murāja‘āt* 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-Ẓawahirī, continue to call for ‘military jihād’, but this time with a special focus on the far enemy. Omar Ashour states that, “That process [*al-murāja‘āt*], 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-Qa`ida. The process is thus still ongoing at the present time.”

274 For a confirmation of the radical views of ʿAbd al-Raḥmān, see for example, ʿAbd al-Raḥmān, “Mawqif al-Qurʿān min Khuṣ- mīḥ”, pp. 1016-1029.
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. 276 More seriously stated, al-Qaeda leaders consider anyone who does not embrace their ideology, including hundreds of millions of Muslims, as legitimate military targets. 277 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 11th 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; 278 although this remains limited to the literal interpretation of the Sunnī Salafi ideology. 279 To support their claim, the leaders of al-Qaeda appeal to

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various Qur’anic verses in a bid to dress their attacks in a legitimate and authoritative attire. 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, a thorough investigation of all Bin Laden’s statements between 1994 and 2004, for example, shows to what extent Qur’anic citations are deeply embedded in almost all of them. Furthermore, Bin Laden, while trying to give authoritative discretion to his extremist views, frequently refers to classical exeges such as al-Qurṭubī. More interestingly, the direct reference to Ibn Taymiyah and ʿAbdullāh ʿAzzām (1941-1989) as well as the indirect

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281 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.


284 Bin Laden, Messages to the World, pp. 60, 118.

285 See, for example, Ibid., pp. 60 f., 80, 118, 249 f.

286 Ibid., pp. 26, 32, 77.
influence of Qutb, show how Bin Laden, al-Zawahirī and their followers give themselves authority to interpret Qur’ānic verses in their own perverted way. Following the method of their predecessors, they link Qur’ānic verses to serve the reality they experience around them. However, a few main features make al-Qaeda’s understanding of military jihād in the Qur’ān 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 11th 2001.

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288 i.e. the members of the Group before declaring their historic initiative to halt violence.


290 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-Zawahirī (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’. 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.”

Realistically, neither Afghanistan nor Iraq was occupied by the US-led coalition at the time Bin Laden issued this statement. In addition, neither of these two countries was occupied even when Bin Laden’s 1996 and 1998 declarations were issued. 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.”

The third feature is the fact that al-Qaeda, as a non-state actor, launches its ‘jihād’ with total disregard for Islamic norms, which dictate that only the Muslim ruler

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292 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.


296 ‘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.\textsuperscript{297} 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 jihâd because they have sided with the enemies of Muslims, are the same rulers who declare that Islam is the official religion of their countries.\textsuperscript{298} Even when Muslim rulers side with the enemies of Muslims, Muslim leaders can only declare jihâd by consensus, not simply as individuals.

The fourth feature of al-Qaeda’s fighting is that, while the proponents of the classical jihâd narrative depend heavily on the theory of abrogation, Bin Laden and his group do not accept this theory, so al-Qaeda is “far removed”\textsuperscript{299} from being faithful to the classical jihâd narrative. Indeed, the nāsikhah (abrogating) and mans-khah (abrogated) verses are quoted in Bin Laden’s statements without distinction.\textsuperscript{300} Furthermore, when quoting Qur’ânic 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 \textit{The World Islamic Front} issued on 23 February 1998, he applies this methodology when quoting the following verse:

\begin{itemize}
\item \textsuperscript{298} Javaid Rehman, \textit{Islamic State Practices, International Law and the Threat from Terrorism} (Portland, Or.: Hart, 2005), p. 27. 
\item \textsuperscript{300} A thorough reading of Bin Laden’s \textit{Messages to the World} confirms this view. For abrogated verses quoted by him, see for example, Qur’ân 16: 126, and for abrogating verses see Qur’ân 47: 4. Bin Laden, \textit{Messages to the World}, pp. 41, 118. See also, Gwynne, “Usama bin Laden, the Qur’an”, pp. 64 f.
\end{itemize}
“Fight them until there is no more persecution and until worship is devoted to God” (Qur’ān 2: 193).\textsuperscript{301}

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).\textsuperscript{302}

Right after this selective quoting, Bin Laden adds:

“Wealth and possessions, whether small or great, are for consumption. 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.”\textsuperscript{303}

Bin Laden continues his selective process, but this time with abrogated verses. In an interview entitled \textit{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).\textsuperscript{304}

Again, the qualifying part of the verse, “…but it is best to show patience”,\textsuperscript{305} 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.

\textbf{3.5.2 Refuting Al-Qaeda’s Core Arguments with Reference to September 11th}

From al-Qaeda’s point of view, the attacks of September 11\textsuperscript{th} are justified. The leaders of al-Qaeda cite various justifications, claiming that the action was Islamically justified.

\textsuperscript{301} Bin Laden, \textit{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.
\textsuperscript{302} Haleem, \textit{Qur’an}, p. 22.
\textsuperscript{303} Bin Laden, \textit{Messages to the World}, p. 61.
\textsuperscript{304} Ibid., p. 118. The translation of this verse is cited as translated by Howarth.
\textsuperscript{305} What is between “” is my own translation of this qualifying part of the verse.
In the researcher’s view, however, September 11th as well as other preceding and succeeding attacks 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…” (Qur’ān 5: 32)

Second, al-Qaeda’s claim that it is exercising ‘defensive jihād’ against the US and its allies 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, so they cannot declare ‘defensive jihād’ on behalf of the whole world.

308 Haleem, Qur‘an, p. 71.
310 According to Barlas, it is strange to consider Bin Laden, the highjackers 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 11th, “…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. Simply put, the declaration of jihād is the prerogative of the ruler of the Muslim state or his deputy 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 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-Qa’adawi’s view, to be considered dār ‘ahd (territory of covenant) because the international community is bound by the United Nations’ Charter. 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.

Third, Bin Laden’s reference to classical interpretations, especially al-Qurṭubi, 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,
Gwynne’s claim that al-Qurṭubī’s exegesis is presumably Bin Laden’s “…main exegetical source”³¹⁷ is questionable, for his statement also refers to other exegetes, including Ibn Kathīr.³¹⁸ 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 process³¹⁹, 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 11th were martyrs³²⁰ 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 11th 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

³¹⁸ Bin Laden, Messages to the World, pp. 93, 122.
³²⁰ 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 11th is an action that is prohibited from an Islamic perspective.\textsuperscript{321}

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 11th attacks from a juristic perspective, Mawlawī’s view includes shedding light on the efforts made by the “silent majority”\textsuperscript{322} of moderate Muslim scholars, who have allowed the stage to be dominated by “vocal extremists and terrorists”.\textsuperscript{323} In my view, the scholars who condemn the attacks of September 11th, 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 11th to explain the correct Islamic attitude towards these attacks. Such efforts took a collective form such as the 14th conference of the Supreme Council for Islamic Affairs in Cairo referred to earlier in

\textsuperscript{322} Ali and Post, “The History and Evolution of Martyrdom”, p. 645.
\textsuperscript{323} Esposito and Mogahed, “Who Will Speak”, p. 49.
this chapter, in addition to the many fatāwā issued by Muslim scholars in the West\textsuperscript{324} and the Muslim world\textsuperscript{325} 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-Qaraḍāwī to be translated on the day of the September 11\textsuperscript{th} 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\textsuperscript{326} 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.\textsuperscript{327}

While people like Bin Laden and his followers interpret verses of the Qur’ān selectively to suit their agendas\textsuperscript{328} and add an ‘authoritative’ dressing to their views, modern scholars cite from the Qur’ān and the Sunnah to back their arguments while...


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-Qaraḍāwī’s newly published monograph, Fiqh al-Jihād, quoted earlier in this chapter confirms the lack of classical references. Al-Qaraḍāwī, who was one of the earliest Muslim scholars to condemn the September 11th 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 Qurʾān. 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 11th but also formulate a modern, comprehensive argument to challenge the ideological legacy of modern terrorists. Having said that, the efforts of individual scholars such as al-Qaraḍāwī 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 Qurʾān are exposed, at least as effectively as they were

329 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.
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. 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-Ẓawahirī, 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

331 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’anic 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”.332 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

332 Abou El Fadl, The Great Theft, p. 231.
generation of Muslims from the pagan Arabs” and not as a general attitude towards non-
Muslims.\textsuperscript{333}

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.”\textsuperscript{334} Obama’s speech in Turkey was widely covered in newspapers in countries as
diverse as the UK, China, Turkey, Lebanon, Qatar and the US.\textsuperscript{335} 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.”\textsuperscript{336}

\textsuperscript{333} Andrew F. March, “Sources of Moral Obligation to non-Muslims in the ‘Jurisprudence of
Muslim Minorities’ (Fiqh al-aqalliyyāt) Discourse”, \textit{Islamic Law and Society}, Vol. 16, No. 1,
2009, p. 72.

\textsuperscript{334} 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; 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”.

\textsuperscript{335} 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; 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://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/l a-fg-obama-
turkey7-2009apr07_0.641778.story; accessed 22 July 2009.

\textsuperscript{336} 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/; 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’ân 5: 32 and 49: 13 as verses establishing the sanctity of human life and calling for universal brotherhood. This draws attention to the fact that the Qur’ân 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.

Given the above, targeting the US and its allies through ‘defensive jihad’, as applied by Bin Laden and his followers, is a faulty interpretation of the Qur’ânic verses. Furthermore, the September 11th 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’anic 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 jihad. Rather, they are acts of terrorism poles apart from Islamic jihad.

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original text given in Ankara by Obama shows that the phrase “and never will be” is not mentioned.

337 “…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.

338 “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.


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-nafṣ* 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 *shahīda* generally refers to witnessing or seeing an event. In Qur’ān 2: 185, the ‘witnessing’, according to al-Qurṭūbī, refers to experiencing the month of Ramadan, being present for it among one’s community.¹ When commenting on this verse, Ibn Manṣūr re-enforces this meaning, stating that it refers to being present rather than travelling.² The Arabic trilateral verb ‘*shahīda*’ and its various derivatives occur 158 times in the Qur’ān according to one view,³ or 160 times according to another view.⁴

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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.⁵ The other coupling of these two words occurs in Qur’ān 12: 26. According to al-Suyūṭī, this combined occurrence refers to an arbitrator.⁶ Furthermore, the term *shahida* can also refer to knowledge,⁷ as in Qur’ān 3: 18.⁸ Although Badawi and Abdel Haleem state that *shahida* in this verse refers to both knowledge and oral expression, al-ʾAṣfahānī restricts its meaning to oral testimony,⁹ and al-Alūsī shares this view.¹⁰ 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.¹¹ *Al-Shahīd* is one of the Names of Allah.¹²

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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⁵ This person is the Prophet Mūsā or ʿAbdullāh ibn Salām. See, Muḥammad ibn Jarīr ibn Yāzīd ibn Khālid al-Ṭabarī, ʾJāmiʿ al-Bayān ʿan Taʿwil Āy al-Qurʿān* (Beirut: Dār al-Fikr, 1984-5/1405), Vol. 26, p. 10.


giving feeble excuses in order to be saved from its tribulations or from dying as a martyr.\(^\text{13}\) The term can be used more generally to refer to one who witnesses, as in Qur’ān 50: 37. According to al-Suyūṭī and al-Alūsī, \textit{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.\(^\text{14}\) Here, it is used rhetorically to convey the role of the ‘earwitness’.

The Qur’ān also mentions \textit{shāhid} and \textit{mashhūd} in 85: 3. Ibn al-\(^\text{c}\)Arabī’s view is that no specific meaning is attributable to \textit{shāhid} and \textit{mashhūd} in this verse because, in his view, no authentic ḥadīth is reported on this matter. According to him, various meanings of \textit{shāhid}, such as Allah and Muḥammad, and many meanings of \textit{mashhūd}, such as the Day of Ḍu’l-Ḥurād and the Day of Judgement, are all possible explanations.\(^\text{15}\) Qūṭb, however, states that \textit{shāhid} and \textit{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.\(^\text{16}\) Qūṭb’s interpretation here is not restricted to that offered by Ibn al-\(^\text{c}\)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 \textit{liyashhad} also means to be present, as in Qur’ān 24: 2.\(^\text{17}\)

\textit{Istashhada}\(^\text{18}\) denotes seeking to become a \textit{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


\(^{15}\) Muḥammad ibn ʿAbdullah ibn al-\(^\text{c}\)Arabī, \textit{Aḥkām al-Qurʿān}, ed. Muḥammad ʿAbd al-Qādir Ṭātā (Beirut: Dār al-Kutub al-\(^\text{c}\)Ilmiyyah, 1996), Vol. 4, p. 371.


meaning. According to al-Sha’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. Moreover, al-shahādatayn, or the oral testimony uttered by one adopting Islam, is required in order to ensure that a person is a Muslim.

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. 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.

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. The closest word, which conveys a similar meaning in English language, is the word ‘martyr’. It refers to a ‘person who is

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20 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).
23 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.
killed or made to suffer greatly because of his/her religious or other beliefs,’\textsuperscript{25} may sometimes be ‘political beliefs.’\textsuperscript{26}

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’\textsuperscript{27} in different singular and plural forms denoting five different meanings:\textsuperscript{28} 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.\textsuperscript{29} Allah is also a shahīd or a witness to His creatures, especially the People of the Book as in the Qur‘ān 3: 98.\textsuperscript{30} Al-Shahīd is one of

\begin{footnotes}
\item\textsuperscript{26} University of Birmingham, Collins COBUILD Advanced Learner’s English Dictionary (Glasgow: HarperCollinsPublishers, 4\textsuperscript{th} ed., 2003), p. 881.
\item\textsuperscript{28} Badawi and Abdel Haleem, Dictionary of Qur’anic Usage, p. 499.
\item\textsuperscript{29} Al-Ṭabarī, Jāmi‘ al-Bayān, Vol. 5, p. 91.
\item\textsuperscript{30} Al-Sha‘rāwī, Tafsīr, Vol. 3, p. 1645.
\end{footnotes}
the Divine attributes of Allah. Muslims will stand as witnesses for other nations on the Day of Judgement, according to 2: 143.

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. Lewis traces the origin of the English word ‘martyr’ to the Greek word ‘*martyr*’, which also means ‘witness’. However, he takes the view that the two terms have different connotations. 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 ‘*shahīda*’ 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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our discussion. For methodological purposes, various non-battlefield martyrs will not be discussed because of their irrelevance to the core point of this chapter.35

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.36 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,37 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.”38

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.”39

Third, the Ḥanbalī jurist ibn Mufliḥ (d. 884), states the shahīd is:

“The one who is killed by the unbelievers on the battlefield.”40

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35 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.
36 Such as suicide or intihār.
37 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.
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.”

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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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]’. Most significantly, battlefield martyrs are those who are killed in Allah’s cause, according to Qur’ān 57: 19. 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: 18.44

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). This bilateral concept is indicated in Qur’ān 9: 52 and 111. In addition, al-Rāzī apparently tries to

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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\(^\text{46}\) and are killed – this is a true promise given by Him in the Torah, the Gospel, and the Qur’ān. Who could be more faithful to his promise than God? So be happy with the bargain you have made: that is the supreme triumph.”\(^\text{47}\) (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.\(^\text{48}\) According to al-Sha‘rāwī,
words such as ‘purchased’ and ‘bargain’ are used figuratively.\(^{49}\) Riḍā adds that the believers who fight on the battlefield and are killed as a result are considered martyrs.\(^{51}\) This is also the view maintained by Quṭb.\(^{52}\) 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.\(^{53}\) 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”\(^{54}\).

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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\(^{49}\) 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’ān, pp. 57, 370 f.

\(^{50}\) Al-Shaʿrāwī, Tafsīr, Vol. 9, p. 5509.


\(^{54}\) 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 Qurʾān, 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.”

(Qur’an 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. 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. 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’rāwī’s interpretations, the ‘generous provision’ and the pleasing abode are unambiguously reserved for the martyrs in the Hereafter. The Qurʾān also states that one who is killed in the cause of Allah is entitled to receive Allah’s forgiveness and mercy, as in Qurʾān 3: 157. Riḍā restricts being killed to the battlefield in this verse because its warring context dictates that interpretation. Qurʾān 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. 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.”

(Qurʾān 47: 4-6)

55 Haleem, Qur’an, p. 213.
57 Quṭb, Fī Zilāl, Vol. 4, p. 2438.
59 “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.
60 Riḍā, Tafsīr al-Qurʾān al-Ḥakīm, Vol. 4, p. 197.
61 “…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.
62 Ibid., p. 331.
Al-Alūsī opines that the phrase ‘those who are killed’ in the above verse refers to martyrs, and Quṭb agrees. 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. Lewinstein states that the above verse shows that the Qur‘ān is very clear concerning the rewards of those killed in Allah’s cause.

Moreover, Western scholars often cite verses referring to ‘the martyrs’, one of them being:

“[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.” (Qur‘ān 3: 169-171)

Ibn Kathîr states that ‘those who have been killed in God’s way’ in the above verses are the martyrs. Although the above verses were revealed to hail the martyrs of the Battle of Uhud, al-Qurṭubî’s view is that they refer to all martyrs who die in Allah’s cause. The above verses are particularly cited as they give detailed references

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63 Quṭb, Fī Zīlāl, Vol. 6, pp. 3278, 3287.
65 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.
68 Haleem, Qur‘ān, p. 47.
71 Al-Qurṭubî, Al-Jâmi‘, Vol. 4, p. 268.
to the future life and reward of the martyrs; whilst other verses, such as Qur‘ān 2: 154, affirm that the martyrs are alive, the above verses are considered to be the “most decisive” with regard to the reward of the martyrs specified in the Qur‘ān.

Al-Sha‘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‘rāwī cautions that the type of life martyrs enjoy is known only to Allah. This helps to solve a polemical issue raised by many exegetes, such as al-Qurtubi, 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. Al-Qurtubi 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. Indeed, this view is generally deemed the most correct, as the Prophet is reported to have said in a ḥadīth narrated by Ka‘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.”

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72 “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.

73 Cook, Martyrdom, p. 31.


75 Al-Qurtubi, Al-Jāmi‘, Vol. 4, pp. 269 f.

76 Ibid., Vol. 4, pp. 269 f.

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!”\(^78\) (Qur’an 4: 69)

Classical and modern exegetes hold diverse\(^79\) 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.\(^80\) Ibn al-Ṣ-阿拉伯ī restricts “*al-shuhadā’*” to those killed in the Battles of *Badr* (17 Ramadan 2/18 November 623), *Uḥud* (7 Shawwāl 3/24 December 624)\(^81\) and *al-Khandaq* (8 Shawwāl 5/3. January 627).\(^82\) 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.\(^83\) Al-Qurṭubī, however, embraces two different interpretations: the first, which he strongly advocates, is that “*al-shuhadā’*” here refers to the Caliphs Ṣ-ʿUmar, Ṣ-ʿUthman and Ṣ-ʿAī. And the second is that it refers to those killed in Allah’s way.\(^84\) Al-Qurṭubī may have based his first explanation on the fact that those killed unjustly are called

\(^78\) 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.

\(^79\) 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-Hūrī, “ʿAsbāb Ikhtilāf al-Mufassirīn fī Taṣfīr Āyāt al-ʿĀkham” (MA diss., Department of Islamic Shari’ah, Faculty of Dār al-ʿUlūm, Cairo University, 2001/1422).


\(^81\) 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.

\(^82\) Ibid., pp. 43-60.

\(^83\) *Al-Khandaq* is famously translated as the Battle of the Ditch. See also ibid., pp. 61-78.


martyrs, although he does not offer evidence in support of this view 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-shuhadāʾ” 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-shuhadāʾ” 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. 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.

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

86 It is worth mentioning that the three Caliphs mentioned by al-Qurṭubī were all killed unjustly.
as David Cook, to conclude that there is no uniform understanding of the meaning of “al-shuhadā‘” in the above verse,\(^89\) at least in the understanding of modern exegetes.\(^90\) Cook’s view is not as absolute as it may at first appear, because a simple reference to the interpretation of al-Sha‘rāwī’s opinion on “al-shuhadā‘” in this verse proves otherwise. Al-Sha‘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.\(^91\)

Here, al-Sha‘rāwī holds a very balanced view.\(^92\) 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‘”,\(^93\) though he reinforces its technical meaning through a comparatively distinguished handling. In short, al-Sha‘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:

\(^89\) i.e. Qur’ān 4: 69.  
\(^90\) Cook, Martyrdom, p. 32.  
\(^91\) Al-Sha‘rāwī, Tafṣīr, Vol. 4, pp. 2388 f.  
\(^92\) 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, 4th ed., 1996), p. 316.  
\(^93\) 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.”94 (Qur’ân 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-Ṭabarî, al-Ālūsî and Quṭb interpret al-shuhadā’ in the above verse as meaning those killed in Allah’s cause.95 However, al-Rāzî 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’ân 4: 69 and 57: 19 will be adopted here because of its balanced and comprehensive approach.

The verses discussed above show that the Qur’ân 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.96 Furthermore, the Qur’ân 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

94 Haleem, Qur’an, p. 360.
96 As clarified above, the Sunnî jurists also defined this term.
testify that they will be admitted to Paradise. The philological aspect of the relationship between ‘martyr’ and ‘witness’ is, however, seen as a problem especially in the writings of non-Arabic speakers, 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’ânic teaching about martyrdom” is “…disorganized and undeveloped.” It is a fact that, whilst talking about martyrdom, the Qur’ân does not apparently use the word shâhid 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-shuhâdâ’ as people who sacrifice their souls for God’s cause, the Qur’ânic 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’ânic, making it necessary to shed light on this subject.

4.2.6 Is the Term ‘Martyrdom’ Post-Qur’ânic?

The American academic Lewinstein argues that the Qur’ân “…does not know the term shâhid in its technical sense”, notwithstanding the fact that exegetes such as al-Ṭabarî take the view that the word shâhid can be read in a few Qur’ânic passages. Lewinstein insists on embracing the view that the Qur’ân speaks of martyrdom not as a

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97 Al-Alûsî, Rûh al-Ma‘ânî, Vol. 27, p. 183. For a further discussion on the word “martyr” see, Al-Misbahî, Al-Shâhid, pp. 27 f.
98 Lawson, “Martyrdom”, Vol. 3, p. 54; Cook, Martyrdom, p. 16. It is rare to find an Arab academic experiencing such a problem.
99 Lawson, “Martyrdom”, Vol. 3, p. 54
100 Lewinstein, “Revaluation of Martyrdom”, p. 78.
101 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.). 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”. 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” 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. 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” 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.

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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102 Ibid., p. 79.
105 See, as an example, Qur’ān 57: 19.
106 Lewinstein, “Revaluation of Martyrdom”, p. 78.
107 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”.

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supported by the Syriac origin of the word ‘sahda’. 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-‘Arabi 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-‘Arabi. Through this, the Qur’ān itself indicates that the concept of martyrdom was found not only in Christianity, but also in Judaism. Thus, it is not only a Christian concept, as suggested by Lewinstein and others but also carries Judaic traces.


110 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’ānic—which is not the case, as proven above—involves consideration of the revealed laws preceding Islam which, are binding on Muslims with certain prerequisites.\textsuperscript{111} The Qur’ān is very clear about this issue.\textsuperscript{112} Thus, it is now possible to prove that the insistence on categorically dismissing the link between the Qur’ān and shahādah (martyrdom)\textsuperscript{113} 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.\textsuperscript{114} Consequently, the Qur’ān is not to blame for being silent about some aspects of an issue which the Sunnah has dealt with extensively.\textsuperscript{115} 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.\textsuperscript{116}


\textsuperscript{112} See for example, Qur’ān 2: 183; 5: 44; 6: 90; 42: 13.

\textsuperscript{113} For the remaining discussion in this Chapter the terms shahīd and shahādah are used to mean “martyr” and “martyrdom” unless otherwise indicated.

\textsuperscript{114} Cook, Martyrdom, p. 36.

\textsuperscript{115} For a comprehensive study of the theme of martyrdom in the Sunnah, see Al-Misbaḥī, Al-Shahīd. See also, Muḥammad Kheir Haykal, Al-Jihād wa al-Qītāl fī al-Siyāsah al-Shar‘īyyah (Beirut: Dār al-Bayāriq, 3\textsuperscript{rd} 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.

\textsuperscript{116} Sunnah is the second main source of Islamic legislation after the Qur’ān. See Muḥammad al-Khuḍārī, Uṣūl al-Fiqh (Cairo: Al-Maktabah al-Tujāriyyah al-Kubrā, 6\textsuperscript{th} ed., 1969/1389), p. 239.
The Sunnah speaks of various kinds of martyrs. 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-Saʿādah fī Asbāb al-Shahādah*, opines that al-Suyūṭī’s details render the “…title of martyr almost meaningless”. 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. 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.”

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119 This conclusion is derived from Lawson’s discussion of the different types of martyrs. See Lawson, “Martyrdom”, Vol. 3, pp. 56 f.

This ḥadīth highlights the centrality of niyyah (intention)\textsuperscript{121} 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.\textsuperscript{122}

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.”\textsuperscript{123}

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.

\begin{footnotesize}
\begin{enumerate}
\item Ibn al-Mubārak, \textit{Al-Jihād}, No. 7, pp. 30 f.; Indeed, Cook provides an excellent translation for the meaning of this ḥadīth. See Cook, \textit{Martyrdom}, p. 36.
\end{enumerate}
\end{footnotesize}
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 bakhrā'124 (killing oneself because of sorrow) are used. The Qur’ān never uses the word ‘intiḥār’ (suicide),125 although some exegetes—as will be explained later in this chapter—have interpreted qatl al-nafs as intiḥār. 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.”126 (Qur’ān 2: 195)

Scholars concerned with asbāb al-nuz-l (occasions of revelations)127 mention three causes for the revelation of the above verse. First, the verse was revealed to

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124 The exact Qur’ānic phrase used is bākhi‘a’, which is the active participle of the verb bakhrā‘. Bākhi‘ 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-Asfahāni, Mufradāt Alfāz, p. 110; Badawi and Abdel Haleem, Dictionary of Qur’ānic Usage, p. 78. See also, Franz Rosenthal, “On Suicide in Islam”, Journal of the American Oriental Society, Vol. 66, No. 3, Jul.


126 Haleem, Qur’ān, p. 22.
encourage early Muslims, especially the Anṣār, to give money as charity after it was noticed that some of them abstained from giving in Allah’s cause. Second, according to al-Nisāb- 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 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.

Of the above three occasions, the third is perhaps the most important for two reasons: First, the classical exegetes 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, 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. Here, Ab- Ayy- b remarked that

129 Al-Nisāb- rī, Ashbāb, p. 32.
130 Ibid., pp. 32 f.
132 Constantinople is today’s Istanbul.
133 Al-Nisāb- rī, Ashbāb, 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. 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”.

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-‘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. Ibn al-‘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


enemy; third, it causes *tajri’ah* (encouragement [to Muslims]) to fight; fourth, it weakens the morale of the enemy.

Although classical exegetes, especially al-Quṭubī and Ibn al-/downloads, 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,\(^\text{138}\) or to the necessity of Muslims preparing for their enemy before entering the battlefield.\(^\text{139}\)

Riḍā, in a statement attributed to ʿAbdulh, 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-downloads Arabī did. Moreover, in his interpretation, any whimsical risk in fighting falls within the category of *tailukah*. 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 Qurʾān 2: 195, relies strongly on the literal


interpretation of the verse without going as far as to put forward the verse as conclusive
evidence for the prohibition of suicide in general.140

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],141 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.”142 (Qur’ân 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’ânic phrase ‘walâ
taqtul- anfusakum’ or (do not kill yourselves) as a prohibition against mutual killing.143
Of the classical exegetes, al-Ţabarî and al-Râzî 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 1946.144 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-Ţabarî and al-Râzî state that what is primarily meant by ‘walâ
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.145 Al-Râzî, 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-Râzî, one can kill oneself

140 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.
141 The phrase [do not kill yourselves] is the researcher’s own translation for the Qur’ânic phrase
(Walâ taqtul- anfusakum). It has been added here as a possible alternative translation to that of
Haleem.
142 Ibid., p. 53.
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\textsuperscript{146} – 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 intiḥār (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,\textsuperscript{147} 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\textsuperscript{148} 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.\textsuperscript{149} This may lead us to another tricky question of


\textsuperscript{148} Dhālika is translated by Haleem as “these things”, although it is singular.

the qualifying phrase ‘udwānan wa zulman’.\footnote{Udwānan wa zulman is translated by Haleem as “out of hostility and injustice”.} 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’\footnote{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.} 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.\footnote{Quṭb, Fi Žilāl, Vol. 2, p. 640.} Of the modern exegetes, Riḍā and al-Sha‘rāwī 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
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-Zann (strong probability) that he himself will be killed. 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’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. Al-Sha’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. He also turns to the Sunnah to buttress his argument, citing the following Prophetic ḥadīth:

Jundub ibn ʿAbdullāh 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.”

Al-Sha’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

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154 Al-Sha’rāwī, Tafsīr, Vol. 4, pp. 2148 f.
155 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.
156 Ibid., Vol. 4, p. 2147.
of suicide “remains uncertain”\textsuperscript{158} or “vague”.\textsuperscript{159} The fact that the Qur’ān does not use the word ‘intiḥār’ 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‘rāwī’s explanation refutes the view put forward by ĖAlīq that there are numerous Qur’ānic verses which warn against intiḥār.\textsuperscript{160} Indeed, authors such as Slavicek, Rosenthal and ĖAlīq should be understood within the comprehensive approach laid down by al-Sha‘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‘rāwī’s attempt to interpret qatl al-nafs in Qur’ān 4: 29 using the above mentioned ḥadith as a supportive tool reflects the important role played by the Sunnah in reaching a better Qur’ānic understanding of the prohibition of suicide.\textsuperscript{161}

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


\textsuperscript{159} Slavicek, “Deconstructing the Shariatic Justification”, p. 558.

\textsuperscript{160} ĖAlīq, Falsafat al-Istishhād, p. 114.

\textsuperscript{161} Various narrations are mentioned by the Sunnah in this regard. According to one ḥadith 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‘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‘at al-Ḥadīth, p. 493. See also, Abū Dawūd, Sunan Abū Dawūd, no. 3185, in Mawsū‘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 Qurʾān 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. 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. 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.

162 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.

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. 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. 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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Lebanon, killing 241 US marines and 58 French troops. These attacks eventually led to the successful withdrawal of all US and French troops from Beirut. According to Shay, the Lebanese attacks continued until the 1990s, but with “less frequency”. Interestingly, the Lebanese who adopted such attacks were inspired by the Shi’ites in Iran, 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. Hizbullah, according to Freamon, “…encouraged this development with active political and military support”.

166 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.
169 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 jihadist 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.
Importantly however, ‘suicide terrorism’ was not introduced by Muslims in modern history, 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. Thus, the issue is not limited to Muslims, as unjustly claimed by some Western media circles. It is therefore inappropriate to describe acts committed by a very few Muslims as “Islamikaze”, as Raphael Israeli has put it,
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, 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,178 which is also described as ‘war of

177 Takr-rī, Al-‘Amaliyyāt, pp. 86 f., 100 f.
178 The writer of this thesis first heard this phrase (ḥālat al-tafātī) in a lecture delivered by Dr Sayf al-Dīn Ābd Al-Fattāh, professor of political theory at the Faculty of Political Science at Cairo University. The lecture was hosted by www.islamonline.net in Cairo during the winter of 2005. Afterwards, the term gained wide currency. See, Sayf al-Dīn Ābd Al-Fattāh, “Naḥwa Manhajiyyah li-Binā’ wa Fahm Fatāwā al-Ummah”, [article online]; available from
fatwā’ or ‘ḥarb al-fatwā’ is striking both among those sanctioning the ‘martyrdom operations’ as well as those forbidding them. This has motivated Western researchers such as Bar to highlight the role played by fatwā related to the Palestinian-Israeli conflict, especially in recent times.

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 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.”


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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.\(^{185}\) Even Freamon’s attempt to neutralize the contradicting terminologies by way of introducing his own terminology, which is “self-annihilatory violence”,\(^{186}\) 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,\(^{187}\) which adds to ḥālat al-Tafāfī. 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

\(^{185}\) 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 ‘ṣahādāt’ 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 ‘Istishhād’—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 intihāriyyah (suicide operations). Al-Miṣrī, *Fatwā al-‘Ulamā‘ al-Kibār*, pp. 344-356; Shay, *The Shahids*, p. 5.

\(^{186}\) Freamon, “Martyrdom, Suicide”, pp. 308 f.

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.\(^{188}\)

**4.4.3 Arguments of the Supporters of Martyrdom Operations**

An examination of the arguments of the supporters of martyrdom operations\(^ {189}\) 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,\(^ {190}\) Saudi Arabia,\(^ {191}\) Syria,\(^ {192}\) Lebanon,\(^ {193}\) Sudan,\(^ {194}\) Palestine\(^ {195}\) and Kuwait.\(^ {196}\)

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\(^{188}\) Slavicek, “Deconstructing the Shariatic Justification”, pp. 555-564.

\(^{189}\) 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.


\(^{191}\) Among the Syrian scholars who support martyrdom operations are Wābah al-Zuḥaylī, Ahmad Kaftār-. See ibid., pp. 111-114; Takr-rī, ʿAl-ʿAmaliyyāt, p. 122.

\(^{192}\) Among the prominent Lebanese Sunnī scholars who support martyrdom operations are Fāyṣal Mawlawī and Fatḥī Yakan. See al-Aḥmad, “Al-Mukḥāṭarāh bi al-Nafs fī al-Qītāl”, p. 125; Takr-rī, ʿAl-ʿAmaliyyāt, pp. 137-141.
and are either scholars who are well-trained in Islamic scholarship and have an international reputation, such as al-Qaraḍāwī, 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\(^\text{197}\), formerly headed by the late Muḥammad Sayyid Ṭanṭāwī (1928-2010), and non-official organizations that still enjoy popular support at the national\(^\text{198}\) or multi-national level in the Arab world.\(^\text{199}\) Of the above, special focus is given here to the arguments of al-Qaraḍāwī, Ṭanṭāwī, Takr-rī and Mawlawī because, on one hand, their views are widely discussed in modern Western literature.\(^\text{200}\) And, on the other, the other three factors mentioned above are clearly reflected in their arguments.

\(^{194}\) Among the Sudanese scholars who support martyrdom operations is ʿAlī al-Imām. See ʿUlamāʾ al-Muslimīn fī Lubnān, Masāʾīl Jihādiyyah, p. 34.

\(^{195}\) Among the late Palestinian scholars who supported the martyrdom operations is Nizār 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, Masāʾīl Jihādiyyah, p. 35; Takr-rī, Al-ʿAmaliyyāt, p. 168-170.

\(^{196}\) Among the Kuwaiti scholars who support martyrdom operations are ʿUjayl Jāsim al-Nashmī and Ḥāmid al-ʿAmīr. See al-ʿAmīr, “Al-Mukhāṭarāt bi al-Nafṣ fī al-Qiṭāl”, p. 117; ʿUlamāʾ al-Muslimīn fī Lubnān, Masāʾīl Jihādiyyah, pp. 35 f.

\(^{197}\) Takr-rī, Al-ʿAmaliyyāt, pp. 143 f.


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‘lā anwā‘ al-jihād al-yawm* (the supreme form of jihād today), and *ab‘ad mā tak-n ‘an al-intīḥār* (as far removed from suicide as it is possible to be).²⁰¹ 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.²⁰² 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.²⁰³

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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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 Ṭanṭāwī is the second main scholar who is, unfortunately, sometimes presented as a staunch proponent of ‘martyrdom operations’, 204 at others as a strong opponent, 205 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. 206 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. 207 An in-depth examination of Ṭanṭāwī’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 Ṭanṭāwī 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 Ṭanṭāwī’s position as the former head of the most prestigious Sunnī religious institution, 208 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

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-ri 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-ri’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.209 As far as the second factor is concerned, Takr-ri listed up to 29 fatwā210 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-ẓann (strong probability) that his operation will cause nikāyah muʿtabarah (considerable harm) to the enemy, and that there is no other means to achieve this nikāyah muʿtabarah save by carrying out this operation. If the same or a greater

209 Cook, Martyrdom, p. 149.
210 Takr-ri, Al-‘Amaliyyāt, pp. 102-179.
nikāyah mu’tabarāh can be achieved by other means, the action becomes an act of suicide, not martyrdom, and is therefore prohibited.  

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.

Qurʾān 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-ʿArabī of this verse and asserts that the ‘bargain’ between the fighter and Allah is realized in martyrdom operations. However, there is nothing in these quotations that substantiates Takr-rī’s view, even indirectly. This is because al-Qurṭubī and Ibn al-ʿArabī 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, although there he attempted to consider the verse on the basis of a qirā’ah (mode of recitation, reading).

\[\text{211 Ibid., pp. 180-182.}\]
\[\text{212 Ibid., p. 182.}\]
\[\text{213 Ibid., pp. 197 f. Takr-rī mentioned twelve proofs to support his argument. Ibid., pp. 182-202.}\]
\[\text{214 The Arabic word qirā’āt (pl. qirā’āt) is a term used to denote the variant modes of reciting the Qur’ān. It also refers to the differences regarding the length of syllables and where to pause and insert verse ending. See, Frederik Leemhuis, “Readings of the Qurʾān”, in Jane Dammen McAuliffe, edi., The Encyclopaedia of the Qurʾān (Leiden: Brill, 2002), Vol. 4, pp. 353-363; Intisar A. Rabb, “Non-Canonical Readings of the Qurʾān: Recognition and Authenticity (The}\]
of Ḩamzah (d. 156/773) and al-Kisāʾī (d. 189/804).²¹⁵ In the version widely read in today’s maṣāḥif (Arabic copies of the Qurʾān), Qurʾān 9: 111 says “…they fight in God’s way: they kill (yaqtul-na) and are killed (yuqtal-na)…”, but Ḩamzah and al-Kisāʾī 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-rî argues that the qirāʾah of Ḩamzah and al-Kisāʾī dictates that the fighter is required first to kill himself before killing others. This, according to him, “yustaʾnasu bih ‘alā sharʾiyyat al-ʿamaliyyāt” (is a presumption of the permissibility of these operations).²¹⁶ However, the presumption of permissibility, according to Takr-rî’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-rî is Qurʾān 4: 29-30. The interpretation of some modern exegetes, such as Riḍā and al-Shaʿrāwī, 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-rî, who claims that these two verses endorse martyrdom operations. To establish this view, he asserts that all exegetes [emphasis

²¹⁵ Takr-rî, Al-ʿAmaliyyāt, p. 198.
²¹⁶ 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-ʿArabī, al-Al-ṣī 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.217

Takr-rī’s assertion has its own weak points and lacks a sound methodological approach. He cites al-Qurṭubī, Ibn al-ʿArabī, al-Al-ṣī 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.218

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217 Takr-rī, Al-ʿAmaliyyāt, pp. 190 f.
218 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, 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-‘aqd (those in authority in Palestine) to find other effective alternatives. However, the nature of such alternatives and the question of who claims the role of ahl al-ḥall wa al-‘aqd 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. It is to be noted that this view is sidelines 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 and

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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”.\textsuperscript{223} This is because the targeting of non-combatants triggers huge debate among the supporters and their opponents.\textsuperscript{224} 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’an 2: 190\textsuperscript{225} was discussed, include women, children, the infirm, the elderly, monks, rabbis, the sick and al-‘asif (the hired man). This is widely acknowledged by classical and modern exegetes.\textsuperscript{226} James T. Johnson states that these categories of non-combatants are known to be so because they are not physically capable of bearing arms.\textsuperscript{227} According to Mahmassani, “...they cannot be attacked, nor killed or otherwise

\begin{footnotesize}
\begin{itemize}
  \item \textsuperscript{224} 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”, \textit{The American Journal of International Law}, Vol. 39, No. 4, October 1945, p. 680, n. 2.
  \item \textsuperscript{225} “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, \textit{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.
\end{itemize}
\end{footnotesize}
molested.”

While the exegetes do not identify the specific categories of non-combatants, classical Muslim jurists use terms such as *al-muqātīlah
ahl al-muqātalah
al-muḥāribah* (fighters or warriors) for the combatants and *ghayr al-muqātīlah
ghayr al-muḥāribah* (non-fighters or non-warriors) for the non-combatants.

In addition to Qur’ān 2: 190, the above categories are also referred to in the Prophetic *ḥādīth*. 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.”

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The above quotation show how problematic is the issue of targeting non-combatants in the attacks, 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- l al-fiqh (principles of Islamic jurisprudence).

In his contextual argument, al-Qaraḍāwī asserts that Israeli society is a “mujama‘ ‘askarī” (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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232 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.  

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 11th 2001 attacks, using the same argument. Habeck’s argument here is weak because she cites al-Qaraḍāwī using secondary sources and her understanding of his view is not confirmed in either of his two books that discuss this issue in detail.

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Al-Qaraḍāwī’s second argument is based on the legal maxim “al-ḍar-rāt tubīḥ 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.\(^{236}\) 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.\(^{237}\) 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.”\(^{238}\)

Al-Qaraḍāwī’s third argument is based on a medieval war practice known as tatarrus,\(^{239}\) when an enemy takes Muslims as ‘human shields’ to force Muslims not to attack their barracks for fear of killing their fellow Muslims.\(^{240}\) Al-Qurṭubī is among the classical exegetes who permitted Muslims to attack in these circumstances if it led to the maṣlaḥah ḍar-riyyah kulliyyah qaṭ‘iyyah (necessary, collective and definitive benefit) of the Muslims who were fighting.\(^{241}\)

\(^{236}\) Ibid.


\(^{238}\) Kamali, Shari‘ah Law, p. 288.


\(^{240}\) Haykal, Al-Jihād, Vol. 2, p. 1328.

\(^{241}\) Al-Qurṭubī, Al-Jāmi‘, Vol. 16, pp. 287 f.
Al-Qaraḍāwī argues that if Muslims facing tatarrus are permitted, according to the *ijmāʿ*[^242] (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.[^243] 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.[^244]

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.[^245]

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:

[^242]: For a thought-provoking account of *ijmāʿ* in modern times see, Izzi Dien, *Islamic Law*, pp. 47 f.


“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.”

This important statement shows that he qualifies his earlier opinion about martyrdom operations by showing that in practice these attacks have nowadays been superceded by rockets, and are therefore no longer effective. He is making this statement in 2009, at a time when one hardly hears of any ‘martyrdom’ or ‘suicide operations’ carried out by Palestinians against Israelis. This qualifying statement by al-Qaraḍāwī poses an important question: will the appearance of other tactics that supercede 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-Qaraḍāwī’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” in the 1990s, been dismissed in 2009 as ineffective tactics!? These are important questions unfortunately left unanswered by al-Qaraḍāwī.

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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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 bombad 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 to support his view.

Mawlawī’s reference to Israeli attacks on Palestinian non-combatants is supported by statistics as well by the actual practice of the Israeli army against Palestinian civilians in the recent Gaza war, for example. However, he misinterprets the principle of reciprocity to support his argument:

249 “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.


251 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; accessed 18 December 2009.


253 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. 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, 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”. 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”. Takr-ī 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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255 “…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.
256 This phrase was the outcome of intensive discussion between the researcher and Dr Khalid El-Awaisi, Director of the Centre for Islamicjerusalem Studies, University of Aberdeen in March 2009.
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-ři maintains that the attackers in martyrdom operations are not initially intended to kill Israeli children, but their death occurs as collateral damage. Here, Takr-ři’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-ʿUthaymīn (1929-2001), and the current muftī of Saudi Arabia, ʿAbd al-ʿAzīz 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

258 Takr-ři, Al-ʿAmaliyyāt, 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 fatwās.259

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 fatwās, vehemently opposes the attacks, considering them acts of suicide.260 In another fatwā, he states that they cannot be approved unless ratified by the Muslim ruler.261 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.262 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

262 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’an and Sunnah.

Ḥasan Ayy-b is another non-Saudi scholar whose view clearly prohibits the operations. In his *Al-Jihād wa al-Fidā’iyyah fi al-Islām*, he tries to define the classical concept of *tahlukah* in Qur’an 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. Interestingly, Ayy-b also uses Qur’an 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. Thus Ayy-b quotes two verses thought to prohibit suicide: in his understanding one of them (Qur’an 2: 195) is evidence for prohibition, whereas the other (Qur’an 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.

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264 Ibid., pp. 165-167.
Other Muslim researchers who oppose the attacks include the Egyptian Salafī preacher Sa‘īd ʿAbd al-ʿAzīm,266 the Kuwaiti researcher al-Misbahī, who sees no benefit in the operations for the Palestinian cause,267 the Irāqi researcher Spīndarī, who cites the fatāwā of al-Albānī and Ibn al-ʿUthaymīn to back his argument,268 the famous professor of Islamic law Mohammad Hashim Kamali,269 and the leaders of the Islamic Group in Egypt in their historical initiative to halt violence.270 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,271 even by authors such as Cook and Slavicek who critique the arguments of the supporters.272

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-īrī, 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-

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268 ʿAbd al-Raḥmān Spīndarī, Al-Irḥāb min Manẓūr Qur‘ānī (Kurdistan: Hawār, 2006), pp. 82 f.
269 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, Shari‘ah Law, p. 288.
271 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 Shahīds, pp. 9-13; Tamimi, “The Islamic Debate”, pp. 91-104; Moghadam, The Globalization of Martyrdom, p. 106.
272 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.\footnote{273 Takr- rī, Al-ʿAmaliyyāt, pp. 43 f.}

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.\footnote{274 Cook and Allison, Understanding and Addressing Suicide Attacks, p. 56.} 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.\footnote{275 Cook, Martyrdom, p. 153.} 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.

\subsection*{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.\footnote{276 Al-Atawneh, “Shahda [sic] Versus Terror”, pp. 18-29; Tamimi, “The Islamic Debate”, pp. 91-104.} 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.
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’anic 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’anic 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 intihār does not occur in the Qur’ān. However, some modern exegetes interpret the Qur’ānic reference to qatl al-nafs as referring to intihār. 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-Qaraḍāwī, inconsistent in their argument by offering more than one legal judgement to the same case, like Ṭaḥtāwī, 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 Takrī. 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’ jātāwā 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." 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!”

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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278 Ibid.
CHAPTER FIVE

PUNISHMENT FOR TERRORISM IN THE QUR’ÂN

5.1 Introduction

Little attention has been paid to studying the Qur’ânic attitude towards terrorism as a punishable crime. Specifically, the subject of punishment for terrorism, using the Qur’ân 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’ân 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’ân 17: 33, and various forms of fasâd (corruption), as in Qur’ân 7: 56.2

In this chapter, the Qur’ânic punishment set for hîrâbah (brigandage), as well as the views of the proponents and opponents of the contention that hîrâbah and terrorism can be linked, will be analytically presented and evaluated.

As hîrâbah is a term extensively discussed by classical and modern exegetes, as well as by classical jurists, it is necessary to analyse the discussion of hîrâbah by the exegetes whose works are consulted in this study. Hîrâbah is also a juristic term and so the definitions it has been given by the four Sunnî schools of jurisprudence, along with

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1 “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

2 “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. 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 Qurʾān 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 Qurʾān in an attempt to answer the question of whether or not, according to the Qurʾānic texts, terrorism should be subject to the same punishment as that set by the Qurʾān for ḥirābah. In order to answer this question, an analysis of the Qurʾānic 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 Qurʾānic concept of crime and punishment is needed to reach an understanding of the attitude of the Qurʾān towards the punishment of terrorism and where this may be textually identified in the Qurʾānic discourse.

5.2 The Qurʾānic Concept of Crime and Punishment

The Arabic word jarīmah (crime) does not occur in the Qurʾān, but related lexemes that convey the sense of committing a crime (i.e. ijrām) do occur. Ijrām occurs once, in Qurʾān 11: 35, and mujrim (criminal) occurs twice. The first occurrence is in Qurʾān

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6 Badawi and Abdel Haleem, Dictionary of Qurʾānic Usage, p. 160.
20: 74. Al-Sha'râwî maintains that mujrim here refers to a person who commits a criminal act, usually characterized by violation of Allah’s divine ordinances. The second occurrence is in Qur’ân 70: 11 and al-Âlusâ states that it here refers to guilty person(s). Other lexemes of ijrâm such as mujrimûn and mujrimûn occur 50 times in the Qur’ân. The last related lexeme in this context is jarama (to commit a crime, a bad act, an offence), which occurs five times in the Qur’ân. Al-Aṣfahâni states that the word jarama originally referred to picking fruit from trees. Later, it was rhetorically used to mean committing bad acts. In all five Qur’ânic occurrences, the word jarama is preceded by the negative particle lâ forming the phrase lâ jarama (e.g., Qur’ân 16:23), which may mean “surely” or “no doubt”. However, some modern lexicographers state that the verb jarama without the particle lâ means “to commit a crime or an offence”.

Moreover, a deeper look into the juridical literature related to the concept of crime in Qur’ânic discourse shows that Muslim jurists, unlike the exegetes, take much

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9 ʿAbd al-Bâqî, Al-Muʿjam al-Mufahras, p. 166.
11 Badawi and Abdel Haleem, Dictionary of Qur’anic Usage, p. 160.
12 For a full citation of those 50 occurrences see, ʿAbd al-Bâqî, Al-Muʿjam al-Mufahras, pp. 166 f.
15 The five occurrences of lâ jarama are mentioned in ʿAbd al-Bâqî. See ʿAbd al-Bâqî, Al-Muʿjam al-Mufahras, p. 167.
interest in defining crime,\(^\text{17}\) its types and its categories.\(^\text{18}\) 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 mujrimūn (criminals) according to the

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exegetical explanation of al-Sha‘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.¹⁹ 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.²⁰

The main conditions necessary for the punishment of crime, according to ʿAbd al-Qādir ʿUdah (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).²¹ ʿUdah is probably generally referring here to crimes that have *hudūd* punishments, since *taʾzīr* punishments, for example, do not require textual evidence. The conditions referred to by ʿUdah are applicable to terrorism although, as a crime, it has its own additional criteria.²² Thus, it may be said that, according to many modern researchers, terrorism, from the Qurʾānic perspective, should be considered a crime.

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²² 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 to execute it, and the punishment that is postponed until the Day of Judgment. 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. Both punishments are referred to in the Qur’ānic verse that speaks of hirābah, 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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25 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.
26 According to ʿUdāh, an examination of the Qur’ānic verses about juristic rulings (including Qurʾān 5: 33) shows that they refer to two punishments; one in this world and another in the Hereafter. ʿUdāh, Al-Taṣhīḥ al-Jināḥ, Vol. 1, p. 167; idem, Criminal Law, Vol. 1, p. 196. For a detailed explanation of both punishments, see also ʿAbd al-Rahīm Ṣīdqi, Al-Jarīmah wa al-ʿUqūbah fī al-Sharīʿah al-Islāmiyyah: Dirāsah Taḥfīliyyah li Aḥkām al-Qaṣās wa al-Ḥudūd wa al-Taṣfīr (Cairo: Maktabat al-Naḥdah al-Miṣriyyah, 1987/1408), pp. 104-151.
27 Qurʾān 5: 33.
approach, modern terrorism corresponds in its most salient features to ḥirābah. 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. 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.

“There 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.”

Abd al-Rahīm Ṣidqī also claims that Qur’ān 2: 27 is textual evidence for ḥirābah, but his claim is not supported either by the context of the verse itself or by its

30 Haleem, Qur’ān, p. 71.
31 Ṣidqī, Al-Jarīmah wa al-˚Uqūbah, p. 249.
context of revelation. 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. Neither al-Ṭabarī nor any of the other classical or modern exegetes refer to this particular verse as textual evidence for hirābah – reason enough to reject Șidqī’s claim both in theory and practice.

Similar to this claim is the denial of the Egyptian former judge and author Muḥammad Saʿīd al-Šasmawī, who does not consider Qur’an 5: 33-34 as textual evidence of hirābah, but rather as a reference to fighting only against Allah and the person of the Prophet [emphasis mine]. Al-Šasmawī 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. These claims constitute a sufficient incentive to study the textual evidence of hirābah as seen by the exegetes in order to determine whether or not the context of the verses is applicable to hirābah and other similar crimes.

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5.3.2 The Context of Revelation

Although exegetes consider Qur’an 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-ʿArabī alone mentions five contradictory contexts for the revelations while al-Qurtubī mentions four occasions, and al-Ṭabarī mentions three. Others, such as al-Jaṣṣāṣ, cites only one. Looking at those classical interpretations as a whole shows that there are up to seven sets of reports regarding Qur’an 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. 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. 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. The fourth set, according to a selection from among the various sets of reports mentioned by al-Ṭabarī, states that, according to Ibn al-ʿArabī, the verses were

39 Al-Qurtubī, Al-Jāmiʿ, Vol. 6, p. 149.
40 Al-Jaṣṣāṣ, Aḥkām, Vol. 4, p. 53.
revealed regarding some Jews.⁴² Although Ibn al-⁴³Arabī 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-⁴³Arabī’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.⁴³ 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:

“A group of men from the tribe of ⁴⁴Ukl and ⁴⁴Uraynah⁴⁵ 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.⁴⁶ 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

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⁴⁵ There are other narrations of the ḥadīth stating that the men were from ⁴⁶Ukl. Ibid., no. 6802, p. 567; One narration states that the men were from ⁴⁷Uraynah. 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. ⁴⁶Ukl is a name of an Arab tribe whose inhabitants were named after a woman named ⁴⁷Uklā. She looked after some members of her tribe when they were young and so the tribe was named after her. ⁴⁸Uraynah is the name of an Arab tribe. See, Shihāb al-Dīn Abī ⁴⁹Abdullāh Yāqūt ⁵⁰Abdullāh al-Hamawī, Mu‘jam al-Buldān (Beirut: Dār Şādir, 1977/1397), Vol. 4, pp. 115, 143.
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 ēUkl and ēUrāynah 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 mutālah (mutilation) came after and not before this incident and that no reproo ...47 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.48

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

47 Abou El Fadl, Rebellion, p. 50.
48 Al-Ḥifnī, Maws- ‘at al-Qurʾān, p. 2463.
This leads us to conclude that Qur’an 5: 33-34 are considered the main Qur’anic 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. 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 yuḥāribūna (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. Ḥirābah is also said to be derived from the word ḥarb (war, as opposite to peace). It thus refers either to fighting or to
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. The second occurrence refers to people’s disobedience when they rebel against the ordinances of Allah and His Prophet.

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. 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. 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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punishment. The Qur’ān rather refers to *harb* four times, 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 *harb* 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.

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 *harb* 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*. 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‘ al-ṭariq* (highway robbery), and the third is *sariqah kubrā* (great theft, larceny). However, it is the first term that will be used in this discussion because of its

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strong relevance and similarity to terrorism and the fact that the term *hirābah* itself covers the two other terms.

A careful look at the exegeses of Qurʾān 5: 33-34 with a focus on the technical definitions of *hirābah* reveals that all classical and modern exegetes cite the various juristic definitions of *hirābah* without presenting adapted or new definitions of their own. There are many justifications for this attitude. For example, the exegetes may consider that *hirābah* 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 *hirābah* is concerned, is of secondary importance to an exegete whose primary concern is the overall meaning of a given Qurʾānic 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 *hirābah* mostly from the four Sunnī schools of jurisprudence. This necessitates a discussion of their definitions of *hirābah* 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 *hirābah* 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.”

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Moreover, the Ḥanafī jurist Abū Bakr al-Sarakhsī\(^{61}\) (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).\(^{62}\) 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 Ḥāshiyyah, Ibn ʿĀbidīn (1198–1252) treats ḥirābah as equivalent to al-sariqah al-kubrā.\(^{63}\) 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-Shāfīʿī (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.”\(^{64}\)

In his book Al-Aḥkām al-Sulṭāniyyah, the Shāfīʿī 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.”\(^{65}\)

The emphasis on the communal sense understood from the word ‘group’ in the two Shāfīʿī 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 Shāfīʿī school, requires the act to be carried out by a group of individuals rather

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\(^{61}\) Al-Sarakhsī was the most prominent Ḥanafī jurist of the fifth/eleventh century. Abou El Fadl, Rebellion, p. 196.


\(^{64}\) Muḥammad ibn Idrīs al-Shāfīʿī, Al-Umm, ed. Maḥmūd Maṭrājī (Beirut: Dār al-Kutub al-ʾIlmiyyah, 1993/1413), Vol. 6, p. 152.

\(^{65}\) Al-Māwardī, 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. However, al- Shāfi‘ī’s view that the seriousness of ḥirābah remains the same whether committed in a city, village or a desert, and al-Māwardi’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, whereas al-Majāli 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.

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.”

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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66 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.
68 Al-ʿUmayrī, Ḥadd al-Ḥirābah, p.20.
69 ʿAbd al-Ḥamīd Ibrāhīm al-Majāli is the former dean of the Faculty of Sharīʿa, University of Muʿtaḥ, Jordan.
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-Shafi‘ī, he restricts the tools used in ḥirābah to offensive weapons. Contrary to Ibn Qudāmah, the other Ḥanbalī jurist, al-Buhūṭī (d. 1051/1651) stresses that it does not matter whether the act of ḥirābah is committed in a desert or city or at sea.72 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.”73

Moreover, the well-known Mālikī jurist Ibn ʿAbd al-Barr (d. 463), defines the muḥārib74 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.”75

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”.76


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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.77 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.78

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-Shāfī‘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-Ghunaymī79 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 highjacking an aeroplane, for example, an act of ḥirābah if qiyās (analogical deduction) is applied.80 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

76 Ibid., p. 583.
79 Muḥammad Ṭal‘āṭ al-Ghunaymī is Professor of Public International Law, Alexandria University, Egypt.
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.81 They attempt to link ḥirābah, as a Qurʾānic 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.82 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 ʿAbd 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,

81 Some of those modern researchers are Wajīs, al-Majāli, al-Qarālah, Qāʾid and al-Rubaysh whose views are discussed in this Chapter.
despite citing two quotations for the Shāfi‘ī definition of ُهِرَبَة when he was discussing it.

In addition to Wajis, the efforts of ْأَبِد الْفَطَاح قَائِد, al-ْعَمْرَى and al-Majālī, who try to reach a unified definition of ُهِرَبَة 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 ُهِرَبَة,\(^{83}\) 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 ُهِرَبَة.\(^{84}\) In addition, al-ْعَمْرَى tries to reach a collective definition based on all the definitions of the classical Sunnī jurists, while taking into account the modern reality.\(^{85}\)

A critical look at the definitions\(^{86}\) formulated by the above researchers reveals that they omit the ‘tools’ used in ُهِرَبَة 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 ُهِرَبَة. 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 ُهِرَبَة, which may make it look as though collective ُهِرَبَة is not as serious as an individual act, albeit both are of serious consequences. In addition, the targets of the ُهِرَبَة are either Muslims, ُمُعَادِين (protected non-Muslim minorities) or ُأَهْل الْكِتَاب (scriptuaries).\(^{87}\) It would have been better if those researchers had specified

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\(^{84}\) Al-Majālī, Al-ْتَقْبُرُ الْعَلَّامِيّ, p. 21 f.

\(^{85}\) For al-ْعَمْرَى’s definition, see al-ْعَمْرَى, Al-ْهِرَبَة, p. 22.


\(^{87}\) 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, ʿAbduh, 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.88

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.

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 ُهْرَابَة. The Ḥanafī, Shāfī‘ī and Ḥanbali jurists generally emphasize that the use of weapons is a necessary element of ُهْرَابَة, 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.\(^89\) 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 ُهْرَابَة

The site of commission of ُهْرَابَة is an important element according to the Ḥanafī and the majority of the Ḥanbali jurists.\(^90\) Al-Sarakhsī\(^91\) and Ibn Qudāmah\(^92\) consider one of the main criteria for qualifying the act as ُهْرَابَة 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

The Ḥanafī, Shāfī‘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. 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

93 El-Awa, Punishment, p. 9.
94 Ibid., pp. 9 f.
terrorism, and paves the way for discussing the two most important elements of 
\( \text{hirābah} \): 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 \( \text{hirābah} \) and plays a major role in determining whether or not the act is considered \( \text{hirābah} \). Of all the four juristic definitions mentioned above, only the Mālikī definition specifies the act of terrorizing people as an element of \( \text{hirābah} \). The Mālikīs consider any action intended to terrorize people to be an act of \( \text{hirābah} \), irrespective of whether a weapon is used. Wajis takes this to cover and include all the other elements mentioned by other jurists.\(^{96}\) This element can be considered the greatest common denominator between \( \text{hirābah} \) 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 \( \text{hirābah} \). Of all the previous elements, it can be argued that this is the most comprehensive because of the general nature of the word corruption.\(^{97}\) Wajis argues that, with the exception of the site where \( \text{hirābah} \) is committed, all the other elements can be included under this comprehensive heading.\(^{98}\) 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.\(^{99}\)

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96 Ibid., p. 70.
97 Chapter One of this thesis has dealt with the occurrences of the word \( \text{fasād} \) and the general Qur’ānic attitude towards it. According to Wajis, the closest equivalent to the English word “corruption” is the Arabic word “\( \text{fasād} \).” See, Wajis, “The Crime of \( \text{Hīrāba} \)”, p. 71.
98 Ibid.
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.100

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‘rāwī noticeably focuses on fasād when discussing Qur’ān 5: 32, stating that al-fasād fī al-ard (corruption on earth) has human beings as its targets, as well as fauna and flora.101 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.102 Al-Sha‘rāwī’s discussion of this verse shows that he relies heavily on al-ard as the scene for corruption with which human beings can be charged. However, in modern times, settings such as the sea and space are

102 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-ard* in this verse refers to “…either country or territory” that is ruled by an Islamic state.\(^{103}\) It can be said that al-Sha’rāwī, al-Mawdūdī and other exegetes\(^{104}\) apparently limit the scene of corruption to *al-ard* because this word is the word used in Qurʾān 5: 32 and 33. However, the literal Qurʾānic reference to *al-ard* 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 Qurʾān 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,\(^{105}\) obstructing their path, seizing their possessions, and infringing their rights.\(^{106}\) 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.\(^{107}\) 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\(^{108}\) are of the opinion that these sinful acts are crimes for which there are specified punishments,\(^{109}\) whereas the punishments mentioned in Qurʾān 5: 33 are for people who combine *muḥārabah* and *fasād* as two


\(^{104}\) Such as al-Ṭabarī, al-Jassāṣ, and Riḍā.

\(^{105}\) Whether the targeted personnel in *ḥirābah* are Muslims or non-Muslims is a point to be discussed later in this Chapter.


\(^{107}\) Ibid.

\(^{108}\) These jurists are not named by Riḍā here.

\(^{109}\) For the textual punishments for killing, adultery, and theft, see Qurʾān 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.\(^\text{110}\) 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\(^\text{111}\) to al-Ṭabarī’s, Frank E. Vogel argues that Qurʾān 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”\(^\text{112}\) to classical scholars,\(^\text{113}\) 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.\(^\text{114}\)

5.4.7 The Target of Corruption

The targeted audience of fasād in Qurʾān 5: 32-33, according to al-Shaʿrāwī, 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-

\(^{110}\) Riḍā, Tafsīr al-Qurʾān al-Ḥakīm, Vol. 6, pp. 357 f.

\(^{111}\) 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.

\(^{112}\) Whether or not Vogel means the whole of Qurʾān 5: 33 or the clauses referring to the “two crimes” cannot be clearly inferred from his words.

\(^{113}\) Vogel, “The Trial of Terrorists”, p. 58.

\(^{114}\) See, for example, Al-Suyūṭī, Al-Durr al-Manthūr, Vol. 3, p. 68; Al-Alūsī, Rūḥ al-Maʿānī, Vol. 6, p. 120.
Shaʿrāwī, 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. 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-Shaʿrāwī, is the terrorization of people with whom there is no cause for dispute. This is the most apt example of ḥirābah here, 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 through threatening national and international security by killing innocents unjustly, sometimes robbing them of their possessions, and

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117 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.¹¹⁸ 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 researchers¹¹⁹ have literally equated terrorism with ḥirābah, and even state that they are synonymous within the context of Islamic law.¹²⁰ 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.¹²¹ 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”¹²²

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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¹¹⁹ According to Haytham ʿAbd al-Salām, these researchers include Abū Zahrah, Sayyid Sābiq and Muhammad Kheir Haykal. For a full discussion of their views, see Haytham, Mafhūm al-Irhāb, pp. 172-174.
¹²¹ Abou El Fadl, Rebellion, p. 6.
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 ĥirābah and terrorism.

Salwā al-'Awwā is another researcher who agrees that the closest equivalent to the Western notion of “terrorism” in Islamic jurisprudence is ĥirābah, arguing that ĥirābah includes, among other things, declaring war against a society as a whole.\(^\text{123}\) This view, which is also held by some others,\(^\text{124}\) summarizes the optimal norm of the relation between terrorism and ĥirābah – 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 ĥirābah.

5.5.1 Opponents of the Majority View

Opponents of the majority view see very little similarity\(^\text{125}\) or none at all between terrorism and ĥirābah.\(^\text{126}\) Ḥārib considers that terrorism bears little resemblance to ĥirābah 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 ĥirābah. Although terrorism may involve destruction, its foremost intention is to achieve

\(^{123}\) Salwā al-'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-'Awwā, Al-Jamā'ah al-Islāmiyyah al-Musallahā fī Misr 1974-2004 (Cairo: Maktabat al-Shūrūq al-Dawlīyyah, 2006), p. 33.

\(^{124}\) See, for example, Muḥammad Ṣafī al-'Arabī, Wāqī‘ al-Irhāb fi al-Waṭan al-'Arabī (Riyadh: Akādimiyat Nāyef al-'Arabiyyah li al-'Ulūm al-Amniyyah, 1999/1420), pp. 94 f.


\(^{126}\) Haytham, Mafhūm al-Irhāb, pp. 173-174; As-Sawī, “Refutation of a Fatwa”.

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political aims. Ḥārib thus admits that there may be some overlap between the two but considers that ḫirābah 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 ḫirābah as argued by Ḥārib. Al-ʿUmayrī considers that disseminating fear is the main intention in ḫirābah, arguing that the four Sunnī definitions support his view. He also believes that the main objective of many terrorism-related crimes today is to threaten the security of society, and that this is an act of ḫirābah. His view is shared by Sherman A. Jackson, who argues that spreading terror and fear constitutes the basis of the foundational aspects of both ḫirābah and terrorism.

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 ḫirābah 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 ḫirābah.

Moreover, Ḥārib considers that the lack of similarity between ḫirābah and terrorism is also because of the difference between the type of force used. The force used in ḫirābah, in his opinion, is limited to traditional weapons, whereas the use of force in terrorism may extend to environmental, biological and economic attacks, which

127 Ḥārib, Al-Taʿaṣṣub, p. 13.
128 Such crimes include, for example, highjacking aeroplanes, assassination, and other crimes that threaten the security of society.
129 Al-ʿUmayrī, Al-Ḥirābah, pp. 36 f.
130 Jackson, “Domestic Terrorism”, p. 299.
131 Al-Rubaysh, Jarāʾīm al-Irḥāb, p. 30.
may take various sophisticated forms. 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-Qaraḍāwī and others on 27 September 2001. Al-Qaraḍāwī’s *fatwā* 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. It is beyond the scope of this chapter to discuss the content of this *fatwā* or the circumstances surrounding it, but what is relevant to our

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133 The others who ratified the *fatwā* are Ṭāriq al-Biṣhřī, 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-Ṣalafi wa Taʾbiratuhū al-Mukhtalilifah”, in Mādī, et al., *Al-Irhāb*, p. 66.
134 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-Qaraḍāwī can be found at Majmūʿah min al-Bāḥithīn, “Qīṭāl al-Muslim fī al-Jaysh al-Amrīkī: Ijtihādāt Mutaʿaddidah”, [article online]; available from 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-Ṣawī*[sic]. “Refutation of a Fatwā”.
135 According to Basheer M. Nafi, the *fatwā* written by El-Awa and revised by al-Qaraḍāwī is famously known among those who oppose it as “al-Qaraḍāwī’s *fatwā*” Basheer M. Nafi,, “Al-Judhūr al-Fikriyyah” p. 50.
136 This is in reference to the context of the American-led war on Afghanistan after 11 September 2001.
137 For a detailed discussion of the question submitted to al-Qaraḍāwī, 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 Sharī‘ah 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

Al-Ṣāwī 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.

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


138 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.

139 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.

140 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”.¹⁴¹

5.5.3 Evaluation of Al-Šawī’s Refutation

Al-Šawī’s refutation of al-Qaraḍawī’s fatwā has weak points which cast doubt on whether it is well-structured or evidence-based. First, he considers hirābah as essentially equivalent to al-sariqah al-kubrā by apparently adopting the clearly limited Ḥanafī concept of hirābah while turning a blind eye to the other three juristic views. Specifically, he disregards the Mālikī¹⁴² view, which broadens the concept of hirābah as clarified above. Second, al-Šawī states that “…going back to the books of jurisprudence and tafseer will help make clear this issue”,¹⁴³ but fails to provide a single reference in tafsīr (exegesis) that is considered a main reference concerning punishment, and which al-Qaraḍawī’s fatwā confirms is textually-based.¹⁴⁴ 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 hirābah and terrorism, and does not explain that there are different narrations. He then leaves the text of al-Qaraḍawī’a 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 hirābah and terrorism or the relationship between them. Fourth,

¹⁴¹ Ibid.
¹⁴² At a certain point in al-Šawī’s refutation, he refers to the Mālikī view, but in the context of explaining the differences between hirābah and baghy rather than of the punishment for hirābah and terrorism.
¹⁴⁴ Basheer M. Nafi,, “Al-Judhūr al-Fikriyyah”, p. 68.
al-Šāwī tries to portray ḥirābah as a crime inextricably linked to plunder while considering the perpetrators of the September 11th 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 11th attackers, who, in al-Šāwī’s words, “…died, and their secrets have died with them”.145 Fifth, although al-Šāwī 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-Šāwī agrees to consider the September 11th attacks as baghy146 (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.147 A meticulous reading of the Arabic and English versions of al-Šāwī’s refutation to al-Qaraḍāwī’s fatwā148 reveals that there is no reference to the punishment for baghy applying to the perpetrators of the September 11th attacks.

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145 As-Sawi[sic], “Refutation of a Fatwa”.
148 For the Arabic version see, Al-Šāwī, “Al-Ishtirāk fī Qitāl al-Muslimīn”; For the English version, see As-Sawi[sic], “Refutation of a Fatwa”.

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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-Ṣāwî’s, giving various justifications. He argues that the absence of an Islamic concept of terrorism is a reason why it is confused with ḥirābah.\footnote{Haytham, *Mafhūm al-Irhāb*, p. 173.} 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,\footnote{Ibid., pp. 173 f.} 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.\footnote{Ibid., p. 174.}

It is clear that Haytham ignores the efforts of the various Islamic institutions to define terrorism.\footnote{Chapter One of this thesis has dealt with some institutional definitions of terrorism and their evaluations.} 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-Ṣāwî, 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 valid.
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 11th 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\textsuperscript{153} 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.\textsuperscript{154}

\textsuperscript{153} 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, \textit{Jarā'īm al-Irhāb}, pp. 30 f.

\textsuperscript{154} 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 \url{http://www.islamonline.net/livefatwa/english/Browse.asp?bGuestID=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.\(^{155}\) 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.\(^{156}\) 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.\(^{157}\) 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.\(^{158}\) 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

\(^{156}\) Ibid., p. 164.
\(^{157}\) Ibid., pp. 164 f.
\(^{158}\) Vogel, “The Trial of Terrorists”, p. 59.
by the Qur’ān for *muḥāribīn*,\(^{159}\) 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.\(^{160}\) 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.\(^{161}\) 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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\(^{159}\) Hereafter in this Chapter, *ḥirābah* and terrorism will be used interchangeably, as will *muḥāribīn* and terrorists.


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. 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, Shari’ah 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 Qur’ān because he regards *ijtihād* (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. Sherwani, who clearly favours Kamali’s view, states that sins and crimes affect the rights of individuals and those of society.

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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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 ‘adhāb* (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”.166 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.167 Quṭb and al-Shārāwī both refer to this double punishment for *hirābah*.168 However, each of them focuses on a specific aspect of each punishment. Al-Shārāwī, 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.169 He extracts two linguistically different, yet complementary meanings for the word *khizy* stating that it denotes disgrace and humiliation170 for the criminal. For him, the disgraceful exposure of the criminal is in itself a humiliation.171 Quṭb and Darwazah, on the other, assert that *khizy* indicates that the worldly punishment does not waive the punishment in the Hereafter,172 so the two punishments must be discussed in detail.

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166 The punishment here refers to the two forms of worldly punishment to be discussed in the remaining part of this Chapter.
5.6.1 The Worldly Punishment for Terrorists

Qur’an 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. 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’an 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.

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. 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, as al-Sayyid Sābiq (d. 2000) confirms. This may explain the unanimity of exegetes and jurists, both past and present, on the punishment itself, which may be—according to Qur’an 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 are identified by exegetes and jurists.

176 Jackson, “Domestic Terrorism”, p. 295
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.  

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 conveying numerous meanings, which include in addition to tartīb and takhyīr, other specific meanings such as vagueness and division.

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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179 Abou El Fadl, Rebellion, p. 57.
180 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 Manẓūr, Lisān, Vol. 14, pp. 54 f.
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 muḥārībīn 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.\(^{183}\) He further argues that, because the conjunction aw has various meanings, it is illogical to restrict its meaning to takhýr in this particular verse. However, he limits its meaning to tartīb without giving a strong justification, apart from giving a linguistic example.\(^{184}\) Interestingly, the only narration cited by al-Ṭabarī to support his view cannot be found in the authentic collections of aḥādīth.\(^{185}\) He does not mention the source of this narration and admits it is questionable.\(^{186}\)

Moreover, al-Alūsī states that, although the use of aw in the verse may imply takhýr, the context demands that the tartīb approach is taken as the most correct. This is because the crime of ḥīrābah carries different punishments that should be attached proportionately to its different categories.\(^{187}\)

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

\(^{183}\) Al-Ṭabarī, Jāmiʿ al-Bayān, Vol. 6, pp. 215 f.

\(^{184}\) Ibid., Vol. 6, p. 215.

\(^{185}\) 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 Ṣāliḥ bin ʿAbd al-Qādir al-Saqāf, “Al-Durar al-Saniyyah”, [article online]; available from http://www.dorar.net/enc/hadith/+yj&page=1; accessed 21 October 2008.

\(^{186}\) Ibid., Vol. 6, p. 216.

\(^{187}\) Al-Alūsī, Rāh 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. tarīb) 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 ḫadīth prohibiting this. It states:

“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.”

According to the above Prophetic ḫadīth, it is not permitted for the Muslim ruler to execute muḥāribin if they have not committed homicide. However, Abū Zahrah and al-Maghrabī take the view that this ḫadīth cannot be taken as evidence in support of the tarīb 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 and so requires exceptional punishment that transcends the literal application of the above ḫadīth. In addition, although al-Ṭabarī, al-Alūsī and Qā’id are clearly staunch proponents of the tarīb approach, they do not rule out the takhyīr approach in their discussion, an indication that takhyīr may have its indirect supporters among its opponents.

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188 Qā’id, Al-Hirābah, pp. 97 f.
189 Al-Bukhārī, Ṣaḥīḥ al-Bukhārī, no. 6878, in Mawsū‘at al-Ḥadīth, p. 573.
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 tartīb 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.\(^\text{192}\) However, Sābiq argues that the ruler resorts to takhyīr out of consideration for maṣlaḥah (public interest).\(^\text{193}\) 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.\(^\text{194}\) Whatever the evidence may be\(^\text{195}\), 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.\(^\text{196}\)

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

\(^{192}\) Al-Qurṭubī, Al-Jāmiʿ, Vol. 6, p. 152.


\(^{195}\) I.e. whether istiḥsān or maṣlaḥah.

evidence, indicating that it is cited in the context of punishing *murtaddīn* (renegades), not *muḥāribīn*.¹⁹⁷

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.¹⁹⁸

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-Shaʿrāwī and Riḍā are examples of those who sit on the fence between *takhyīr* and *tartīb*.¹⁹⁹ 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-Shaʿrāwī. Interestingly, there are other exegetes whose interpretations are submerged in this grey area even if they may clearly be considered as *takhyīr*²⁰⁰ or *tartīb*²⁰¹ 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

common element in almost all their arguments. 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 maṣlāḥah provides the ruler with the flexibility required to achieve the best interests for Muslims, 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 maṣlāḥah—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 Qurʿān 5: 33.

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 maṣlāḥah 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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203 Haytham, Maṣḥūm al-Irhaḥ, p. 188

to the dismissal of the tartīb approach as a workable system of punishment supported by the majority of scholars.\textsuperscript{205}

### 5.6.3 Execution

Execution is the first type of punishment mentioned in Qur’ān 5: 33.\textsuperscript{206} 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.\textsuperscript{207} 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.\textsuperscript{208} 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.\textsuperscript{209}

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

\textsuperscript{205} 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.

\textsuperscript{206} 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.

\textsuperscript{207} Al-Alūsī, Rūḥ al-Ma‘ānī, Vol. 6, p. 119.

\textsuperscript{209} Ibid.
committed a ḥadd-related crime. Thus, the forgiveness of the murder’s relatives does not waive the execution.\textsuperscript{210}

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.\textsuperscript{211} 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.\textsuperscript{212} Wajis claims that execution by the sword is a preferable method.\textsuperscript{213} However, the fifteen years since the writing of his thesis are enough time for other effective methods to have developed.\textsuperscript{214}

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.\textsuperscript{215} The Arabic lexeme ṣ-l-b occurs eight times in five different forms in the Qur’ān.\textsuperscript{216} Ṣalb, according to al-ʿAshfahānī, generally refers to hanging someone until death.\textsuperscript{217} Riḍā adds that the criminal is tied to

\begin{footnotesize}
\begin{enumerate}
\item[210] Indeed Qā’id’s discussion of this particular point is worth reading. Qā’id, Al-Ḥirābah, pp. 100-111.
\item[212] 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 Awas that, “Indeed, God has ordained goodness to everything. Thus, when you kill, kill well…” Abū Dawūd, Sunan Abū Dawūd, no. 2814, in Mawsūʿat al-Ḥadīth, p. 1433.
\item[216] Badawi and Abdel Haleem, Dictionary of Qur’anic Usage, p. 530.
\item[217] Al-ʿAshfahānī, Mufradāt Alfasẓ, p. 489.
\end{enumerate}
\end{footnotesize}
a wooden prop or a similar object with his arms stretched until death.\textsuperscript{218} Muhāribīn 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 \textit{ṣalb} may refer to death by hanging, arguing that this was practised in earlier times,\textsuperscript{219} but this lacks credence because it is divorced from the linguistic origin of the word \textit{ṣalb} (from \textit{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 \textit{ṣalb} with no conclusive evidence.

Al-Jaṣṣāṣ cites conflicting views as to whether \textit{ṣalb} is to be carried out before or after execution, but argues that \textit{ṣalb} is meaningless once the criminal is executed because it is forbidden to crucify the dead.\textsuperscript{220} This argument is in harmony with the general spirit of Islam, which is against mutilation. Thus, for the \textit{ṣalb} to be carried out, it should be before execution. Al-Jaṣṣāṣ reluctantly cites two views about the duration of \textit{ṣalb}, saying that it can be either three days or one.\textsuperscript{221} 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.\textsuperscript{222} Thus, although \textit{ṣalb} is

\textsuperscript{218} Riḍā, \textit{Tafsīr al-Qurʾān al-Ḥakīm}, Vol. 6, p. 356. Thus, \textit{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, \textit{Rebellion}, p. 47. For the lexical meaning of the English word ‘crucifixion’ see, The University of Birmingham, \textit{Collins COBUILD Advanced Learner’s English Dictionary} (Glasgow: HarperCollinsPublishers, 4\textsuperscript{th} ed., 2003), p. 338.

\textsuperscript{219} Darwazah, \textit{Al-Tafsīr al-Ḥadīth}, Vol. 9, p. 108.

\textsuperscript{220} Al-Jaṣṣāṣ, \textit{Āhkām}, Vol. 4, p. 58

\textsuperscript{221} Ibid.

\textsuperscript{222} 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, \textit{Ṣaḥīḥ al-Bukhārī}, no. 1315, in \textit{Mawsūʿat al-Ḥadīth}, p. 102.
meant to shame the criminal, there should be no violation of his dignity after his death.\(^{223}\)

Finally, it can be suggested that in order for \(\textit{\textit{salb}}\) 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 `Ukl and `Uraynah, 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 \(\textit{\textit{salb}}\), imam Mālik answers that he “…never heard of anyone who applied \(\textit{\textit{salb}}\) except `Abd al-Malik bin Marwān who crucified a man named al-Ḥārith because he claimed to be a prophet.”\(^{224}\)

### 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 \(\textit{\textit{muḥārib}}\) 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.\(^{225}\) Whatever justification is given, the most important issue is to carry out the punishment in a swift manner, inflicting the least

\(^{223}\) “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, \(\textit{\textit{Qur’an}},\) p. 179. Qur’ān 17: 70.


\(^{225}\) Al-Alūsī, \textit{\textit{Rūğ al-Ma‘āni}}, Vol. 6, p. 119. According to Mawil Izzi Dien, if the \(\textit{\textit{muḥārib}}\) only frightens the victim, then he is subjected to a discretionionary punishment and imprisoned. See, Izzi Dien, “Hadd”, in Netton, ed., \textit{\textit{Encyclopedia}}, p. 235.
pain. 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 Qurʾān 5: 33. Nafy (banishment) linguistically means exile. 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. Ibn al-ʿArabī argues that nafy here means imprisonment. For him, the criminal can easily spread corruption in exile, but it is difficult to do that in prison. 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. Al-Ṭabarānī combines both interpretations by claiming that nafy refers to banishing to another country and then having the criminal incarcerated there until he repents.

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228 Al-Shaʿrāwī, Tafsīr, Vol. 15, p. 3096.
229 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.
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, 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. 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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233 Badawi and Abdel Haleem, *Dictionary of Qur’anic Usage*, p. 137.
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.235 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.236 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.237 Riḍā’s view is perfectly harmonious with the main conditions for repentance. However, modern terrorist acts perpetrated against

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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, 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’ânic 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 Sunnî 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’ân 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 muḥāribîn.

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’ânic punishment. This chapter has attempted to read between the lines of these two approaches.

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The Qurʾān does not condone terrorism in any way, and in fact terrorism is the crime for which the Qurʾān 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.239 Furthermore, the discussion is a response to those who claim that the punishments referred to in Qurʾān 5: 33 target “...those who fight against Allah and Muhammad”240 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 Qurʾān provide workable mechanisms for those in authority if they want a moral and practical basis to combat terrorism.


CONCLUSION

This thesis has been an attempt to study terrorism from a Qur’ânic 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 tafsîr in general, and, in particular, al-tafsîr al-mawdî-‘î, the exegetical genre through which the issue of terrorism has been approached from a Qur’ânic 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’ânic perspective, as in Chapter One of this research remains a necessary procedure worthy of consideration by terrorism researchers.

The Arabic term ‘irhâb’ 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 irhâb has only been used in Arabic in the modern sense of terrorism since the 1980s.
As far as the Qur’ân 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’ân 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 ṭ-h-b and its lexemes in the Qur’ân 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’ân 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 ḍuwwah 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 ḍuwwah 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. Qurṭb’s extreme interpretation stands in sharp contrast to that of classical exegetes, especially al-Ṭabarî and al-Râzî, 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-Ṭabarî, al-Qurṭubî, Ibn al-ʿArabî, al-Suyūṭî, al-Jaṣṣāṣ, al-Râzî and al-Alî 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‘rāwī 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-muhkamah*, 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-nihāʾiyyah* 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 *Ẓilāl*, 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 *Ẓilāl* 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'rāwī with the members of the IG in Egypt, discussed in Chapter Three of this study. This initiative is evidence of how al-Sha'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'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 wasatiyyah (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‘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 11th 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 11th attacks in light of the Qur’ān.

Moreover, the findings of this study confirm that the September 11th 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\textsuperscript{th} 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\textsuperscript{th} 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\textsuperscript{th} 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 intīhār does not occur in the Qur’ān, although some modern exegetes interpret the Qur’ānic reference to qatl al-nafs as equivalent to intīhār. 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-Qaraḍāwī, those whose views are inconsistent, such Ṭanṭāwī, or selective, such as Takrīrī. 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’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.
ABBREVACIONS


1 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.


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