

Jihad in Islamic Thought

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When discussing violence in the Islamic milieu, the word *jihad* inevitably comes to mind, especially in the modern world. Jihad is almost invariably translated as ‘armed combat’ or ‘fighting’ in both academic and non-academic circles, and even as ‘terrorism’ in politically charged contexts. Such a mono-valent understanding of jihad emerges primarily through consultation of the juridical literature and official histories that were produced after the eighth century CE and that are unduly privileged in academic discussions of this subject. However, jihad emerges as a much more complex term when a broader range of primary Arabic sources are consulted. Such sources include the Qur’an and Qur’an commentaries (*tafsir*), collections of Hadith, which refer to the sayings of the Prophet Muhammad, and legal works, all of which will be discussed in greater detail below. The central premise of this chapter is that a closer study of relevant Qur’anic verses and a comparison of early and late extra-Qur’anic sources drawn from the above genres allow one to chart both the constancies and the shifts in the spectrum of meanings assigned to the term jihad. This in turn allows us to understand how changing socio-political circumstances affected the way Muslim scholars of different stripes conceived of the boundaries between legitimate and illegitimate violence over time.

The Qur’anic Discourse

Any discussion of jihad must of course start with the Qur’an, the central sacred text of Islam which Muslims regard as divinely revealed scripture. Jihad is a broad term in the Qur’an and its basic meaning is ‘struggle’, ‘striving’ and ‘exertion’. When the word jihad (or its derivatives) is joined to the phrase *fi sabil Allah* (literally, ‘in the path of God’), the full expression in Arabic, *al-jihad fi sabil Allah*, means ‘struggling/striving for the sake of God’. The Qur’an uses a different term – *qital* – to refer specifically to ‘fighting’ or ‘armed combat’ that is permitted under certain conditions. *Harb* is the Arabic

word for war in general. The Qur'an uses this last term four times: to refer to illegitimate wars fought by those who wish to spread corruption on earth (5:64); to the thick of battle between believers and non-believers (8:57; 47:4), and in one instance to the possibility of war waged by God and His Prophet against those who would continue to practise usury (2:279). This term is never used with the phrase 'in the path of God' and has no bearing on the concept of jihad.

Muslim scholars divide the Qur'anic revelations into two main periods, corresponding to the two phases of the Prophet Muhammad's career. The first is the Meccan period, 610–22 CE, when Muhammad lived and preached in Mecca in the Arabian peninsula. The second is the Medinan period that began in 622 when Muhammad and his followers emigrated to Medina, a city to the north of Mecca about 200 miles away. This period lasted until the death of the Prophet in 632 CE. Islamic sources typically refer to the period before 610 as *al-Jahiliyya*, or 'the Age of Ignorance', the implication being that those the Qur'an regards as 'pagan Arabs' or 'Arab polytheists' were ignorant of the one God (Allah) who had sent his revelations periodically through history to select prophets. The 'Age of Ignorance' is characterised by Muslim historians as one that was marked by constant violent feuds among the various tribes that made up pre-Islamic Arabian societies. Extant pre-Islamic poetry and battle accounts corroborate this depiction. Pre-Islamic Arabs worshipped multiple deities and are said to have paid homage to as many as 360 idols housed in a cube-shaped shrine called the Ka'ba in Mecca. A prominent Meccan tribe, the Quraysh, into which Muhammad was born, was in charge of the Ka'ba and controlled the revenues that flowed in from the annual pilgrimage to it. Meccan hostility, and specifically Qurayshi hostility, to Muhammad's preaching of monotheism arose against this historical backdrop – not only did he rebuke the Meccans for their worship of idols, he also threatened to disrupt one of their principal sources of livelihood centred on the pilgrimage to the Ka'ba.¹

The Meccan Period

Although the term jihad is often used by both Muslim and non-Muslim scholars almost exclusively in a military sense and this understanding is

¹ In Islamic tradition, the Ka'ba is said to have been founded by Abraham and his son Ishmael; the removal of the idols from within it when Mecca fell to the Muslims in 630 represented, from the Muslim perspective, the return of the Ka'ba to the proper worship of the one God of Abraham.

then projected back to the Qur'an, a careful examination of Qur'anic verses themselves provides an important corrective to this perception. Jihad and related terms frequently occur in the Qur'an in a non-violent sense during both periods. During the Meccan period, when no fighting was permitted, Muslims were allowed to engage only in non-violent struggle against their pagan Meccan persecutors. In around 610, when Muhammad began publicly preaching his message of monotheism to the Meccans, he frequently faced hostile resistance from the latter. When the number of his followers began to grow, they too began to face persecution from the Meccan polytheists.

The Qur'an and the biographical literature on the Prophet detail some of these aggressive attacks on the early Muslims, which included eviction from their homes, physical torture, financial deprivation and forced starvation. Despite the growing aggression, Muslims were not granted permission to retaliate physically against their persecutors during this period. Instead the Qur'an counselled them to forgive those who caused them harm and to bear with patience the trials and tribulations that were visited upon them. Qur'an 42:43 states, 'Whoever is patient and forgives, that is indeed the best resolution of affairs.' Another verse (Qur'an 3:200) counsels, 'O those who believe, be patient and forbearing, outdo others in forbearance, be firm and revere God so that you may succeed.'

In these and other verses, the Qur'an highlights 'patient forbearance', termed *sabr* in Arabic, as a highly significant, non-militant dimension of struggling against wrongdoing (and, therefore, of jihad) in this early period. A cluster of verses (Qur'an 42:40–2) further amplify this non-violent aspect of jihad. They state:

The requital of evil is an evil similar to it: hence, whoever pardons and makes peace, his reward rests with God – for indeed, He does not love evil-doers. Yet surely, as for those who defend themselves after having been wronged – no blame whatever attaches to them: blame attaches but to those who oppress people and behave outrageously on earth, offending against all right; for them is grievous suffering in store!

Non-violent struggle against wrongdoing is not the same as passivity, however, which when displayed in the face of grave oppression and injustice is clearly marked as immoral in the Qur'an (4:95).

The term jihad itself is also used in the Qur'an during the Meccan period in a non-combative sense. Two important verses may be cited in this context as examples. The first is Qur'an 22:78, which states, 'Strive (*jahidu*) in regard to God a true striving as is His due'; the second is 29:69 which states, 'As for

those who strive in regard to Us (*jahadu fina*), we will surely guide them to Our paths. Indeed, God is with those who do good.’ Early exegetes from before the tenth century, like Muqatil ibn Sulayman (d. 767), understood the Arabic verbs *jahidu* and *jahadu* in Qur’an 22:78 and 29:69 respectively to refer to the general striving of believers to obey God in their actions and to please Him. They also emphasised that, since these verses are Meccan, they could not therefore be referring to the military jihad.

Later scholars, however, among them the celebrated exegete Muhammad ibn Jarir al-Tabari (d. 923), assigned military meanings to these verses. After him, influential exegetes like Fakhr al-Din al-Razi (d. 1210) and Muhammad al-Qurtubi (d. 1273) attached both combative and non-combative meanings to these verses. Thus, with regard to Qur’an 22:78, they understand two types of exertion to be implied in the verse: (a) the spiritual exertion required to overcome one’s base desires in order to obey God; and (b) the general, physical exertion required to carry out one’s religious obligations, including military activity. With regard to Qur’an 29:69, al-Razi additionally understands the intellectual effort of the believer to increase in knowledge of God to be indicated in the verse.

Another critical Meccan verse is Qur’an 25:52, which states: ‘Do not obey the unbelievers and wage a mighty struggle (*jihad kabir*) with it.’ An overwhelming majority of the exegetes understand this striving to be carried out by means of the Qur’an, referred to in the pronoun ‘it’. One exegete explains that the Arabic phrase *jihad kabir* (‘a mighty struggle’) in the verse refers to jihad of the tongue, that is to say, the struggle to preach the message of Islam.²

The Medinan Period: Establishing Just Cause for Military Combat

In other verses, the Qur’an treats specific just causes (*casus belli*) for which recourse to military force may be sanctioned. According to the exegetical literature, roughly two years after the emigration to Medina, two Qur’anic verse (22:39–40) permitting fighting were revealed which led to the first major battle in Islamic history called the Battle of Badr (624). These verses state:

Permission [to fight] is given to those against whom war has been initiated, and indeed, God has the power to help them: those who have been driven from

2 For a detailed discussion of Qur’an 22:78, 29:69 and 25:52 and their exegeses, see Asma Afsaruddin, *Striving in the Path of God: Jihad and Martyrdom in Islamic Thought* (Oxford: Oxford University Press, 2013), pp. 16–25.

their homes unjustly for no other reason than their saying, 'Our Provider is God!' For, if God had not enabled people to defend themselves against one another, monasteries, churches, synagogues and mosques – in all of which God's name is abundantly glorified – would surely have been destroyed.

In Qur'an 42:40–3, previously cited, in which non-violent self-defence is allowed, the reasons are the wrongful conduct of the enemy and their oppressive and immoral behaviour on earth. Here, in Qur'an 22:39–40, another two explicit reasons are given: the initiation of fighting by the enemy and the wrongful expulsion of people from their homes for no reason other than their affirmation of belief in one God. Furthermore, these verses assert, if people were not allowed to defend themselves against aggressive wrongdoers, all the houses of worship – it is noteworthy that Jewish and Christian places of worship are included alongside Muslim ones – would be destroyed and thus the word of God extinguished. It is reasonable to infer from this verse that Muslims may resort to defensive combat also on behalf of non-Muslim monotheists who are the object of the hostility of polytheists.

Similar reasons which legitimate an armed response to the adversary are contained in another important group of verses – Qur'an 9:12–13 – which state:

If they break their pacts after having concluded them and revile your religion, then fight the leaders of unbelief. Will you not fight a people who violated their oaths and had intended to expel the Messenger and commenced [hostilities] against you the first time?

The overwhelming majority of exegetes stress that the violation of pacts by the polytheists, their denigration of Islam, hostile intent towards Muhammad and their initial act of aggression against Muslims had made fighting against them necessary. Therefore, when both just cause and right intention exist, fighting in self-defence against an intractable enemy may become obligatory. Qur'an 2:216 states: 'Fighting (*al-qital*) is prescribed for you, while you dislike it. But it is possible that you dislike a thing which is good for you, and that you love a thing which is bad for you. God knows and you know not.' Although this verse, when taken out of its historical context, may imply that fighting was henceforth to be considered obligatory for Muslims in perpetuity, the commentary literature makes clear that a majority of the medieval exegetes understood these verses to be applicable only to the time of the Prophet and his Companions and to have no further applicability.³

³ Ibid., pp. 65–71.

The Qur'an further states that it is the duty of Muslims to defend those who are oppressed and who call out to them for help (4:75), except against a people with whom the Muslims have concluded a treaty (8:72).

The Qur'an also has specific injunctions with regard to initiation of hostilities and conduct during war (*ius in bello*). Qur'an 2:190, which states 'Fight in the cause of God those who fight you, but do not commit aggression, for God loves not aggressors', forbids Muslims from commencing hostilities; fighting can only be undertaken in response to a prior act of aggression by the opposite side. The Qur'an further counsels (5:8), 'Let not rancor towards others cause you to incline to wrong and depart from justice. Be just, this is closer to piety.' The verse may be understood to complement 2:190 in spirit and intent, warning against succumbing to unprincipled and vengeful desire to punish and inflict disproportionate damage. Proportionality is explicitly stressed in Qur'an 2:194, which states 'Whoever attacks you attack him to the extent of his attack.'

Other verses in the Qur'an make clear that fighting is defensive and limited in nature and must cease when the other side lays down arms. Two significant verses (Qur'an 60:8–9) mandate kind and just interactions with those who are peaceful, regardless of their religious beliefs, in contrast to those who wilfully commit aggression:

God does not forbid you from being kind and equitable to those who have neither made war on you on account of your religion nor driven you from your homes; indeed God loves those who are equitable. God forbids you however from making common cause with those who fight you on account of your religion and evict you from your homes and who support [others] in driving you out.

Similarly, Qur'an 4:90 states: 'If they hold themselves aloof from you and do not wage war against you and offer you peace, then God does not permit you any way against them.'

Al-Tabari, in his exegesis of Qur'an 60:8–9, affirms that these verses clearly permit Muslims to be kind to all those who bear no ill-will towards them, regardless of their religion and creed. For God, he says, loves those who are equitable, who give people their due rights, are personally just to them, and do good to those who are good to them.⁴ These views were repeated by practically all the exegetes who came after him; among the later exegetes, al-Qurtubi is the most adamant in maintaining that the exhortation in Qur'an

⁴ Al-Tabari, *Jami' al-bayan 'an ta'wil ay al-qur'an* (Beirut: Dar al-Kutub al-'Ilmiyya, 1995), 12: 62–3.

60:8 to be kind to those who had caused Muslims no harm was applicable to everyone who belonged in this category, regardless of their religious affiliation, and that the command was unambiguous and valid for all times.⁵

Another important verse – Qur'an 8:61 – requires Muslims to cease fighting as soon as the other side desists from fighting and makes peaceful overtures. The verse states, 'And if they should incline to peace, then incline to it [yourself] and place your trust in God; for He is all-hearing and all-knowing.' This point is stressed by al-Tabari, who comments that when a people enters into Islam, or pays the *jizya* (a kind of poll-tax), or establishes friendly relations with Muslims, then the latter should do the same 'for the sake of peace and peacemaking'.⁶

But there were other scholars and authorities in later centuries who wished to promote the view that the Qur'an mandates continuous warfare against non-Muslims as non-Muslims, and that fighting in the Qur'an was not only defensive but offensive as well. These changes in interpretation may be attributed to certain demographic and historical developments over time. Muslims became majority communities outside of the Arabian peninsula starting roughly in the late ninth century and they began to develop a growing sense of communal solidarity vis-à-vis non-Muslims. Such a sense of solidarity was often forged against the backdrop of continuing skirmishes with the Byzantine Christians through the Abbasid period which intensified during the bloody encounters with the crusaders from the late eleventh century onwards. By the Mamluk period (1250–1517), when the Muslim world was besieged by a new vicious enemy, the Mongols, readings of the Qur'an that sanctioned offensive warfare became predominant. Proponents of this position cite two verses in particular: Qur'an 9:5, which is understood to mandate fighting against all non-Abrahamic non-Muslims until they convert; and Qur'an 9:29, which is read to require fighting against the People of the Book until they either submit to Muslim rule, signified by their payment of the poll-tax (*jizya*), or embrace Islam. Since Qur'an 2:190, 60:7–9, 4:90 and 8:61, cited above and when taken together, clearly establish that fighting was contingent on the prior aggression of a hostile force and that peaceful people, regardless of their religion, could not be attacked under any circumstance, these more 'hawkish' scholars had to develop an interpretive tool or principle for effectively 'cancelling' these verses. This tool or principle is known in Arabic as *naskh*, which is usually translated as 'abrogation'. According to this

5 Al-Qurtubi, *al-Jami' li-ahkam al-qur'an*, ed. Abd al-Razzaq al-Mahdi (Beirut: Dar al-Kitab al-Arabi, 2001), 18: 54–5.

6 Al-Tabari, *Jami al-bayan*, 6:278.

principle of abrogation, later verses in the Qur'an, such as 9:5 and 9:29, may be understood as superseding earlier verses – such as 60:7–9 and 8:61 – whose texts taken together may appear contradictory. These views did not go uncontested; our brief discussion of these two verses below conveys the tenor of some of these contestations.

Qur'an 9:5 states:

When the sacred months have lapsed, then kill the polytheists (*al-mushrikin*) wherever you may encounter them. Seize them and encircle them and lie in wait for them. But if they repent and perform the prayer and give the *zakat*, then let them go on their way, for God is forgiving and merciful.

Prior to the Mamluk period (so, roughly speaking, before the mid thirteenth century) Muslim exegetes generally restricted the applicability of this verse to the Arab polytheists of the seventh century with whom there was no pact. Typically, the same exegetes did not maintain that Qur'an 9:5 had abrogated other verses in the Qur'an that counsel good relations with peaceful people, regardless of their religious affiliation. The twelfth-century exegete al-Zamakhshari (d. 1144), for example, identifies the intended polytheists in the verse as those who break their pledges and display *a priori* hostility to Muslims – thus, not polytheists as a rule. Like al-Tabari before him, he does not consider this to be an abrogating verse.⁷ Similarly, the thirteenth-century Andalusian scholar al-Qurtubi (d. 1273) considers the verse to be neither abrogated nor abrogating.⁸

It is also highly significant that none of the exegetes up to al-Qurtubi referred to it as the 'sword verse' (Ar., *ayat al-sayf*), which is the name given to it in later commentaries. We encounter this designation specifically for Qur'an 9:5 in the commentary of the fourteenth-century exegete Ibn Kathir (d. 1373).⁹ His commentary on the verse indicates that a partiality had developed by the Mamluk period for the derivation of an expansive general mandate from otherwise historically circumscribed Qur'anic verses (as understood by earlier exegetes) to fight or punish all those deemed enemies of Islam in the later period – these were the crusaders as well as the Mongols, against both of whom thirteenth- and fourteenth-century Muslim forces were at war.

7 Al-Zamakhshari, *al-Kashshaf 'an haqa'iq ghawamid al-tanzil wa-'uyun al-aqawil fi wujuh al-ta'wil*, ed. 'Adil Ahmad Abd al-Wujud and 'Ali Muhammad Mu'awwad (Riyad: Maktabat al-'Ubaykan, 1998), 3: 13–14.

8 Al-Qurtubi, *Jami'*, 8:70.

9 Ibn Kathir, *Tafsir al-qur'an al-'azim* (Beirut: Dar al-Jil, 1990), 2:322.

Qur'an 9:29 also came to be understood by a number of influential exegetes, from roughly the eighth century on, as granting permission to Muslims to fight a different group of non-Muslims – the People of the Book – who refuse to accept Islam or submit to Muslim political rule. The verse states: 'Fight those who do not believe in God nor in the Last Day and do not forbid what God and His messenger have forbidden and do not follow the religion of truth from among those who were given the Book until they offer the *jizya* with [their] hands in humility.'

The early eighth-century exegete Mujahid b. Jabr (d. 722) understands this verse to refer specifically to the Byzantines, who are said to have amassed their forces on the Syrian border in preparation for an attack on Muslims in the year 630. Arabic sources refer to the event as the Battle of Tabuk, although no battle was eventually fought since the Byzantine forces failed to materialise.¹⁰ Exegetes after Mujahid, however, identify the referents in this verse as Jews and Christians in general who are expected to pay the *jizya* humbly in return for their protection by Muslim rulers.¹¹ Al-Tabari acknowledges that the historical context for the revelation of this verse was the campaign of Tabuk. But unlike Mujahid, who specifically identifies the warring Byzantine Christians as the referent in this verse, al-Tabari treats Jews and Christians as undifferentiated collectivities; no distinction is made between hostile and peaceable factions within them. Furthermore, he stresses their legal subjugation and general doctrinal inferiority to Muslims.¹² Al-Tabari's views are consistently replicated by later exegetes, with the notable exception of al-Qurtubi, who pleads for respectful and compassionate treatment of the People of the Book.¹³

At the same time, al-Tabari and al-Qurtubi maintain that these same verses (9:5, 9:29) do not abrogate the peaceful, conciliatory verses in the Qur'an and dismiss the views of others who adhere to this position. Al-Tabari, for example, cites the example of Qatada b. Di'ama (d. 736), a Successor (i.e., a member of the second generation of Muslims), who maintained that Qur'an 8:61 (which exhorts Muslims to incline to peace when the other side does) had been abrogated by Qur'an 9:5. Al-Tabari dismisses this interpretation as insupportable on the basis of the Qur'an, the *Sunna* (the practices and custom of the Prophet Muhammad) or reason.¹⁴ The unabrogated status of the verse

¹⁰ Mujahid b. Jabr, *Tafsir Mujahid*, ed. Abd al-Rahman al-Tahir b. Muhammad al-Surati (Islamabad: Majma' al-Buhuth al-Islamiyya, n.d.), 99.

¹¹ Al-Tabari, *Jami' al-bayan*, 6:349–50 and others. ¹² Ibid., 6:349.

¹³ For this discussion of the exegeses of Qur'an 9:29, see Afsaruddin, *Striving in the Path of God*, pp. 75–9.

¹⁴ Al-Tabari, *Jami' al-bayan*, 6:278–9.

was similarly affirmed by a majority of exegetes after him.¹⁵ The invocation of the principle of abrogation by some scholars testifies to the determination of a number of jurists who, in different historical contexts, attempted to find scriptural sanction for war that might be fought offensively, thereby overriding the categorical Qur'anic prohibition against the initiation of fighting (2:190).

Martyrdom in the Qur'an

The Qur'an does not have a single word for 'martyr' or 'martyrdom', concepts that became linked to the idea of jihad as armed combat against the enemies of Muslims. The common Arabic word for martyr outside the Qur'an became *shahid*. It is telling that nowhere in the Qur'an is the term used in the sense of 'martyr'; rather it is only used to refer to a legal witness or eyewitness. Only in later extra-Qur'anic tradition does this word acquire the specific meaning of 'one who bears witness for the faith', particularly by laying down his or her life. Extraneous, especially Christian influence may be suspected here. There is evidence for the influence of the related Syriac word for martyr-witness *sahed* on the Arabic *shahid* and the latter's subsequent acquisition of the secondary meaning of 'martyr'.¹⁶

The Qur'an instead uses the phrase 'those who were/are slain in the path of God' (Ar., *man qutila fi sabil Allah*) to refer broadly to people who die for a righteous cause and/or in a righteous manner, which might include dying in battle but is not necessarily restricted to this meaning. One Qur'anic verse (3:169) typically seen to refer to the special status of the military martyr states, 'Do not think that those who were slain in the path of God are dead. They are alive and well provided for by their Lord.' In his exegesis of this verse, al-Tabari relates it specifically to those Companions killed at the Battle of Uhud, fought in the year 625 after the emigration (Ar., *hijra*) to Medina. The verse served to inform Muhammad that he should not regard them as dead, that is, devoid of feeling and the ability to feel pleasure. Rather, they are to be regarded as being alive in the presence of God, exulting and rejoicing in what God grants them from his generosity and mercy.¹⁷

A different Qur'anic verse (22:58), however, contains a clear stricture against the glorification of military martyrdom. It states, 'Those who

¹⁵ Afsaruddin, *Striving in the Path of God*, pp. 90–3.

¹⁶ Arthur Jeffrey, *The Foreign Vocabulary of the Qur'an* (Baroda: Oriental Institute, 1938), p. 187.

¹⁷ Al-Tabari, *Jami' al-bayan*, 3:513.

emigrated in the path of God and then were slain or died [of natural causes], God will provide handsome provisions for them; indeed God is the best of providers.’ Al-Tabari – again, late ninth century – held that the verse was specifically revealed in regard to certain Companions who debated the status of those who had perished in ‘the path of God’. Some were of the opinion that the one who was slain and the one who died naturally were of the same status while others assigned greater merit to the one who was slain. God revealed the verse, in al-Tabari’s view, to inform Muhammad that both the one who is slain and the one who dies in the path of God attain the same reward in the hereafter.¹⁸

Later exegetes offer a similar view. Al-Razi (late twelfth century) cites a Hadith in explanation of this position: ‘The one who is slain in the path of God the Exalted and the one who dies [of natural causes] in the path of God are the equal of one another in regard to the blessings and reward [that they are entitled to].’¹⁹ In his exegesis of Qur’an 22:58, al-Qurtubi notes that some scholars were of the opinion that the one who is slain in the path of God is better than the one who dies of natural causes, but the revelation of this verse affirmed that both were equal in status and thus equally assured of a handsome provision in the hereafter. Al-Qurtubi, writing in the thirteenth century, notes that Islamic law, however, came to view the status of the battlefield martyr as superior, this in spite of Qur’an 22:58 that makes no *prima facie* distinction in status between the naturally deceased and the fallen in battle. It should be noted that this superior status is reflected in the special funerary practices (e.g., bathing the body and manner of praying over the deceased) that developed over time in Islamic jurisprudence and that are reserved exclusively for the military martyr.²⁰

Jihad in the Hadith Works

After the Qur’an, the Hadith literature containing the teachings of the Prophet Muhammad is the most important source of law, ethics and morality for Muslims. Hadith works typically have a special section devoted to the topic of jihad, usually in a military sense. Two early Hadith works from the first half of the ninth century are particularly helpful in tracing the debates among early Muslims concerning the purview of jihad and martyrdom. These works, each entitled *Musannaf*, by Abd al-Razzaq al-San‘ani (d. 827)

¹⁸ Ibid., 9:182.

¹⁹ Al-Razi, *al-Tafsir al-kabir* (Beirut: Dar Ihya’ al-Turath al-‘Arabi, 1999), 8: 244.

²⁰ Al-Qurtubi, *Jami’*, 4:262–7.

and Ibn Abi Shayba (d. 849) contain reports attributed not only to Muhammad but also to his Companions (that is, his closest associates), as well as to the next generation of Muslims (the Successors), who speak on their own authority. As a result, these works preserve for us a broader range of highly significant reports containing multiple, contested perspectives on jihad and martyrdom that are often missing from later works.

The multiple ways of carrying out jihad are heralded in a noteworthy report recorded in Abd al-Razzaq's *Musannaf*. It has a number of the Companions sitting with the Prophet when a man of muscular build, apparently a pagan from the tribe of Quraysh, comes into view. Some of those gathered exclaimed, 'How strong this man looks! If only he would exert his strength in the way of God!' The Prophet asked, 'Do you think only someone who is killed [that is, in battle] is engaged in the way of God?' He continued, 'Whoever goes out in the world seeking licit work to support his family is on the path of God, and whoever goes out in the world seeking licit work to support himself is on the path of God. Whoever goes out seeking worldly increase has gone down the path of the devil.'²¹

The report is noteworthy for at least two reasons. First, it contains a clear rebuttal to those who would understand the idea of 'striving in the way of God' primarily in military terms. It praises instead the daily struggle of the individual to live his or her life 'in the way of God' which endows even the most mundane of licit activities with moral and spiritual significance. Second, the report emphasises the importance of sincere personal intention in determining the moral worth of an individual's act. One may therefore understand the report to be counselling caution against assuming that what appears to be a pious activity to humans – such as the claim to be waging a true jihad – will be deemed as such by God, who alone can know the true intention of the individual.

There are several reports in the *Musannaf* of Abd al-Razzaq that record the displeasure of certain Companions at the perceived military adventurism of the Umayyads, the first Arab-Islamic dynasty (661–750 CE) whose capital was in Damascus, Syria. Pious Muslims tended to regard the Umayyad rulers as immoral and unscrupulous. One report specifically warns the pious not to join in the military campaigns of those 'who fight seeking [the gains of] the world' – here a pointed reference to the Umayyads – for then they would forfeit their 'portion in the hereafter'.²²

21 Abd al-Razzaq, *Musannaf*, 5:183.

22 Ibid., 5:189.

We often see a regional division, one partly reflecting the shift to Abbasid rule in 750, between the supporters and opponents of the Umayyads, with mostly Syrian scholars expressing support for them, while non-Syrian scholars, often based in Mecca and Medina (called the Hijaz), expressing opposition to them.²³ The former group tended to support offensive jihad while the latter was against it. Thus pious Hijazi scholars like Abd Allah ibn Umar (d. 693) and Ata ibn Abi Rabah (d. 733) are on record as having opposed what must have appeared to them as unseemly glorification of military activity in pro-Umayyad circles, at the expense of the cultivation of the usual religious virtues and duties. According to one significant report, Abd Allah ibn Umar was once asked by a young man why he did not take part in the military jihad. Ibn Umar is said to have first turned away from him, and then responded after his initial silence:

Indeed Islam is founded upon four supports – performance of prayer, giving of the required alms – and no distinction is made between the two; fasting during the month of Ramadan; and pilgrimage to the Ka’ba for the one capable of undertaking it. Jihad and non-obligatory charity (Ar., *sadaqa*) are among the good voluntary activities.²⁴

The report critiques the promotion of the combative jihad by some as a religious obligation and asserts instead that fighting is at best a voluntary and optional activity. Early reports such as this convey to us that a cult of the military jihad and martyrdom that clearly took shape during the Umayyad period did not go unchallenged, nor was it fully formed during the first and second centuries of Islam.

In contrast to these Hijazi scholars, Syrian scholars, like Makhul al-Shami (d. c. 730) who was close to the Umayyads, tended to champion military activity as religiously mandated. According to a noteworthy report contained in Ibn Abi Shayba’s *Musannaf*, Makhul is said to have sworn for ten days while facing Mecca that ‘fighting is incumbent upon you’.²⁵ No doubt he was influenced by the fact that the Umayyads were engaged in constant border warfare with the Byzantines and there was a perceived need to justify these military campaigns on a theological and legal basis. It would not be an exaggeration to state that expressing support for expansionist war during

23 Cf. Roy Mottahedeh and Ridwan al-Sayyid, ‘The Idea of the *Jihad* in Islam before the Crusades’, in Angeliki E. Laiou and Roy Parviz Mottahedeh (eds.), *The Crusades from the Perspective of Byzantium and the Muslim World* (Washington, DC: Dumbarton Oaks Research Library and Collection, 2001), pp. 23–9.

24 Abd al-Razzaq, *Musannaf*, 5:189. 25 Ibn Abi Shayba, *Musannaf*, 4:237.

this time was tantamount to proclaiming one's support for the Umayyad government and its imperial ambitions.

With regard to the notion of martyrdom that is connected with the military jihad, we find that there are multiple, competing definitions of who qualifies as a martyr, invariably called *shahid* in the Hadith literature in contrast to the Qur'an. The *Musannaf* of Abd al-Razzaq contains a number of reports that relate competing definitions of the notion of shahid. One report attributed to the famous Companion Abu Hurayra states that the shahid is one who, were he to die in his bed, would enter heaven.²⁶ Another report also recorded by Abd al-Razzaq declares that there are four types of shahada or martyrdom for Muslims: the plague, parturition or delivery of a child, drowning, and a 'stomach ailment'.²⁷ Significantly, in this early report, there is no mention of martyrdom being earned on account of dying on the battlefield. An expanded version of the report, however, quotes the Prophet as adding to this list, 'one who is killed in the way of God'.²⁸ It is this expanded version containing all five definitions of a shahid that is frequently recorded in later Hadith collections.

Another eighth-century Hadith compilation records multiple significations of the term shahid. The *Muwatta* of the famous jurist Malik b. Anas (d. 795, the eponymous founder of the Maliki school of law) records that the Prophet identified seven kinds of martyrs alongside those who died fighting in God's way.

He who dies as a victim of an epidemic is a martyr; he who dies from drowning is a martyr; he who dies from pleurisy is a martyr; he who dies from diarrhea is a martyr; he who dies by [being burned in] fire is a martyr; he who dies by being struck by a crumbling dilapidated wall is a martyr; and the woman who dies in childbed is a martyr.²⁹

This report therefore draws attention to the suffering of the believer – whether on account of debilitating illnesses or other afflictions in life, including undertaking the arduous task of defending Muslims on the battlefield – as the core ingredient of martyrdom rather than the manner of dying itself.

Compared to the two earlier *Musannafs*, later Hadith compilations, starting with the famous collection of al-Bukhari (d. 870) called *Sahih* (referring to 'sound,' therefore, reliable Hadiths) record more reports attributed to the

²⁶ Abd al-Razzaq, *Musannaf*, 5:268. ²⁷ *Ibid.*, 5:271 ²⁸ *Ibid.*, 5:270–1.

²⁹ Malik b. Anas, *Al-Muwatta*, ed. Bashshar 'Awad Ma'ruf and Mahmud Muhammad Khalil (Beirut: Mu'assasat al-Risala, 1994), 1: 366–7.

Prophet that contain effusive praise of the military jihad with generous posthumous rewards promised to the military martyr. One such report states that there is an 'abode of martyrs' (*dar al-shuhada*) that is the best and most excellent of abodes in the hereafter.³⁰ Another Hadith quotes the Prophet as saying that 'Coming and going in the path of God (referring to military activity) is better than the world and what is in it.'³¹

Other hierarchies of moral excellence are suggested in various reports contained in the *Sahih* of another famous Hadith compiler, Muslim ibn al-Hajjaj (d. 875), a collection considered very close in rank to that of al-Bukhari. According to one such report, faith in God and striving (jihad) in the path of God are equally the most meritorious of actions. Here jihad is clearly military in nature, for the report continues with an unnamed man asking if all his sins would be forgiven if he were slain in the path of God. The answer was in the affirmative, with the exception of personal debts. Several variants of this well-known Hadith are given.³² One Hadith recorded by Muslim ibn al-Hajjaj states that fighting in the path of God on horseback was the best way to earn one's livelihood.³³

Some Hadiths warn, however, that the exalted status of the warrior should not lead to the deliberate courting of martyrdom on the part of the faithful by seeking to confront the enemy. One such report relates that the Prophet during a military campaign would customarily wait till the sun had tilted towards the west and then address his troops thus, 'Do not wish to meet the enemy, O People, and ask forgiveness of God. When you meet them, be forbearing and know that paradise lies below the shade of the swords.' Other variants are given.³⁴

These and other Hadiths that document the merits of the military jihad tended to reappear, usually verbatim, in nearly all subsequent compilations after al-Bukhari and Muslim. Because jihad from the ninth century onwards is customarily discussed in the context of international law, we also see more legal Hadiths dealing with issues of prisoners of war, division of spoils and other related matters included in standard compilations. Notions of jihad as a moral and spiritual struggle, however, continue to be preserved along with the notion of jihad as military activity in most Hadith collections. In a number of these reports that focus on jihad as a moral and spiritual endeavour, the

30 Al-Bukhari, *Sahih*, ed. Qasim al-Shamma'i al-Rifa'i (Beirut: Dar al-Qalam, n.d.), 4:409.

31 Ibid., 4:410.

32 Muslim ibn al-Hajjaj, *Sahih*, 3:1,192-3, ed. Nasiruddin al-Khattab as *The English Translation of Sahih Muslim* (Riyadh: Darussalam, 2007)

33 Ibid., 3:1,195. 34 Ibid., 4:481-2.

emphasis is on charity and prayer and on non-militant acts of courage such as, for example, speaking truth to a tyrant even at the cost of imperilling one's life or facing other negative consequences.³⁵ These meanings are consistent with the famous prophetic Hadith which describes the various means of carrying out jihad: by the hand, by the tongue and, silently, by the heart (that is, with intent).³⁶

A particularly well-known Hadith quotes the Prophet as remarking on his return from a military campaign, 'We have returned from the lesser jihad (that is, physical, external struggle) to the greater jihad (that is, spiritual, internal struggle).'³⁷ The report underscores the two principal modes of carrying out jihad and reflects a hierarchical ordering of their merits, with the internal, spiritual struggle taking precedence over the external, physical one. This terminology – spiritual struggle (Ar., *jihad al-nafs*) versus military struggle (Ar., *jihad al-sayf*) – became quite prevalent in later edifying, particularly mystical (Sufi) literature and represents an evolution of the Qur'anic terms *sabr* and *qital* which, as we recall, refer to 'patient forbearance' and 'fighting' respectively.

So far we have discussed jihad and martyrdom as conceptualised by prominent Sunni scholars. Among the Shi'a, the other major branch of Islam, 'redemptive suffering' and non-violent martyrdom loom large because of the trajectory of Shi'i history.³⁸ The largest Shi'i group, the Twelver Shi'a (Ar., *Ithna Ashariyya* or *Imamiya*), holds that all twelve of their religious leaders, known as imams, a line of male descendants of the Prophet, were martyred, starting with Ali ibn Abi Talib (d. 661), Muhammad's cousin and son-in-law. The events at Karbala (680), during which a small band of Ali's descendants were ruthlessly massacred by the Umayyad army, created a special reverence for martyrdom among the Shi'a, especially in relation to the family of the Prophet (Ar., *ahl al-bayt*), and more broadly in relation to believers who are assumed to have been oppressed and wrongly killed. In the absence of their rightful imam from 941 CE onwards, the military jihad fell into abeyance for the large majority of the Shi'a in the premodern period. Consequently, martyrdom was conceptualised primarily as death resulting

35 Abu Da'ud, *Sunan* (Beirut: Dar Jil, 1988), 4:122.

36 This is a Hadith reported by Muslim ibn al-Hajjaj and included by al-Nawawi in his *Forty Hadith*, trans. Ezzeddin Ibrahim and Denys Johnson-Davies (Cambridge: Cambridge University Press, 1997), p. 110.

37 For further attestations of this Hadith, see John Renard, 'Al-Jihad al-Akbar: Notes on a Theme in Islamic Spirituality', *Muslim World* 78 (1988), 225–42.

38 Cf. M. Ayoub, *Redemptive Suffering in Islam* (The Hague: Mouton, 1978).

from suffering and persecution, rather than from military exploits on the battlefield.³⁹

Jihad in Legal Works

Medieval Muslim jurists, usually in contradistinction to exegetes of the Qur'an, Hadith scholars and ethicists, primarily discussed jihad as one of the obligations of the Muslim ruler and of his Muslim subjects in the context of external relations with non-Muslim polities. The law of nations or international law (Ar., *siyar*) as an integral part of Islamic law developed early due to this pragmatic juridical concern for the intricacies of political relations with the broader non-Muslim world, as well as with religious minorities within Islamic realms. Within these legal-administrative contexts, jihad is primarily military in nature. Realpolitik, rather than religious doctrine, frequently coloured legal treatments of jihad and allowed for distinctive – and contested – juridical perspectives to emerge on this topic, shaped by the historical and political contingencies in which they were progressively articulated.

The gradual formulation of fairly monolithic classical juridical views of jihad owes considerable impetus to the rise and consolidation of the imperial Umayyad and Abbasid states and the establishment of a strong military during these periods. This is reflected in the way that some jurists working in the heartlands of Syria and Iraq, such as the previously mentioned Makhul al-Shami, in the eighth century, and the later jurist al-Shafi'i, in the ninth century (see further below), were often willing to defer to realpolitik. As a result, they were willing to interpret the military purview of jihad in ways that were at times downright contradictory to Qur'anic injunctions, for example, in their endorsement of offensive military campaigns. Support for statist policies of territorial expansion provided the impetus, at least partially, for this juridical development. Other early jurists, like Abu Salama ibn Abd al-Rahman (d. c. 722) and Sufyan al-Thawri (d. 777), not known to be close to ruling elite circles, would endorse only a defensive jihad in response to a prior act of aggression by enemy forces.

By the Abbasid period (750–1250), the term jihad had essentially become conflated with qital ('fighting'), collapsing the distinction that the Qur'an frequently maintains between the two. As the jurists and religious scholars of all stripes became consolidated as a scholarly class and acquired considerable

³⁹ Following the Islamic Revolution in Iran in 1979 and during the Iranian war with Iraq in the 1980s, leading Shi'i voices revived the notion of military martyrdom, using it to mobilise the Iranian population against national enemies.

religious authority by the tenth century, they arrogated to themselves the right to define jihad authoritatively and circumscribe the range of activities prescribed by it. To this end, they did not hesitate to wield the powerful theory of abrogation (*naskh*) at their disposal. As a result, some of the jurists effectively rendered null and void the positive injunctions contained in specific Qur'anic verses that explicitly permitted the conclusion of truces with foes and counselled peaceful co-existence with in particular the 'People of the Book'.

In deference to hard-headed political realism, a major legal development occurred in the ninth century when the Abbasid era jurist Muhammad ibn Idris al-Shafi'i (d. 820) hypothetically divided the world into *dar al-islam* ('the abode of Islam') and *dar al-harb* ('the abode of war', referring to non-Muslim territories). He also allowed for a third realm called the *dar al-ahd* ('the abode of treaty') or *dar al-sulh* ('the abode of reconciliation'), to which abode non-Islamic states that had entered into a peace treaty with the Islamic state by rendering an annual tribute might be admitted.⁴⁰ None of these concepts has any basis in the Qur'an or in the Hadith literature. Rather, they were the result of al-Shafi'i's independent legal reasoning (Ar., *ijtihad*). In the absence of actual hostilities, the Shafi'i school of law posited an existing state of 'cold war' between the abodes of Islam and war, which required constant vigilance on the part of the former against the latter.⁴¹ Many jurists after al-Shafi'i would enshrine this concept in their writings by averring that one of the duties of the caliph was to launch the military jihad at least once a year; although others were of the opinion that this duty could be fulfilled by simply being in an adequate state of military preparedness to forestall enemy attacks.⁴²

Al-Shafi'i's perspectives on jihad were, in many ways, a marked departure from earlier juristic thinking and reflect a certain hardening of attitudes towards non-Islamic states by his time. This is quite evident when his views are compared with those of jurists from the earlier Hanafi school of law. Early Hanafi jurists, for example, did not subscribe to a third abode of treaty, as conceived of by al-Shafi'i, but were of the opinion that the

40 Al-Shafi'i, *Kitab al-umm* (Cairo: Maktaba al-Kubra al-Amiriyya, 1903), 4: 103–4.

41 Al-Shafi'i, *al-Risala*, ed. Ahmad Shakir (n. pl., 1891), pp. 430–2.

42 Majid Khadduri, *War and Peace in the Law of Islam* (Baltimore: Johns Hopkins University Press, 1955), pp. 64–5. See also al-Mawardi's famous treatise, *The Ordinances of Government*, trans. Wafaa H. Wahba (Reading: Garnet, 1996), pp. 16–17. For a nuanced discussion of the different juridical interpretations of these 'abodes', see al-Dawood, *The Islamic Law of War: Justifications and Regulations* (New York: Palgrave Macmillan, 2011).

inhabitants of a territory which had concluded a truce with the Muslims and paid tribute to the latter became part of the abode of Islam and entitled to the protection of the Islamic government.⁴³ The Hanafis also adhered to the position that non-believers could only be fought if they resorted to armed conflict, and not simply on account of their disbelief.⁴⁴ This remained a principle of contention between later Shafi'i and Hanafi jurists.

Thus we find that the eleventh-century Shafi'i jurist Ali ibn Muhammad al-Mawardi (d. 1058), in his famous legal work *The Ordinances of Government*, articulates a theory of offensive jihad by applying the hermeneutic principle of abrogation to Qur'an 2:190 which, as we learned before, categorically prohibits Muslims from commencing hostilities. Al-Mawardi was aware of the position of the early Meccan jurist Ata ibn Abi Rabah (d. 733), who had asserted on the basis of this verse that it was *never* permissible to fight those who do not fight. Al-Mawardi, however, takes exception to this view and comments instead that Qur'an 2:190 may be understood to be abrogated by later verses, such as Qur'an 9:5, which, in his understanding, permits offensive warfare. But al-Mawardi considers the obligation to fight the non-Muslim enemy as a collective rather than an individual one: as long as there is a sufficient number of Muslims carrying out the military jihad, others are exempt from undertaking it themselves. This view became prevalent in the other Sunni schools of law as well.

Early and later jurists, however, typically held firm on the issue of just conduct (*ius in bello*) during battle and emphasised the immunity of non-combatants based on precedents set by the Prophet and his Companions, as well as by other early Muslims. Thus the previously mentioned eighth-century jurist Malik ibn Anas quoted a report from Abu Bakr (d. 634), the first caliph, in which he famously proscribes attacking different groups of civilians, and forbids the burning of fruit-bearing trees and the unnecessary killing of animals.⁴⁵ Malik then cites a Hadith in which Muhammad explicitly forbids the killing of women and children.⁴⁶ And he adds a much-quoted report in which the Prophet expresses remorse and displeasure on seeing a slain woman during one of his campaigns and prohibits the killing of women and children.⁴⁷ The Prophet's injunction forbidding deception in the division

43 See *The Islamic Law of Nations: Shaybani's Siyar*, trans. and ed. Majid Khadduri (Baltimore: Johns Hopkins University Press, 1966), pp. 12–13; Khadduri, *War and Peace*, p. 145.

44 As did the Hanafi jurist Ahmad al-Tahawi (d. 933) in his *Kitab al-Mukhtasar*, ed. Abu al-Wafa al-Afghani (Cairo: Dar al-Kitab al-'Arabi, 1950), p. 281; cited by Khadduri, *Islamic Law*, p. 58.

45 Malik b. Anas, *Muwatta'*, 1:306–7. 46 Ibid., 1:357–8. 47 Ibid., 1:358.

of spoils, the commission of treachery and mutilation is also widely reported in the legal literature.⁴⁸ To the list of women and children who enjoy non-combatant status are added the elderly, the blind and the chronically ill in general, as well as non-combatant men such as farmers, slaves, hermits and monks whose dwelling-places cannot be attacked. If any of these non-combatants engage in warfare, however, then they may be fought.⁴⁹ If the enemy uses women and children as human shields, they may be attacked if there is no other recourse, as is the case for Muslim prisoners used in the same manner.⁵⁰

Hiraba was the term (borrowed from Qur'an 5:33–4) used by the premodern jurists to refer to illegitimate violence, whether on the basis of intent, or on the basis of conduct during its commission, or both, and its perpetration by extra-state rogue elements.⁵¹ A legitimate military jihad could only be proclaimed by the recognised ruler of the Muslim polity – the caliph or, in later periods, the sultan. In the premodern juridical literature, *hiraba* was typically associated with brigandage and highway robbery, piracy, sedition, and the more general concept of 'causing corruption on earth'. In modern parlance, *hiraba* may be considered to be the equivalent of 'terrorism', whose perpetrators show callous disregard for the sanctity of civilian life and instil widespread fear among the general population.⁵²

Conclusion

The various sources of Islamic thought maintain a clear distinction between legitimate and illegitimate violence. Although the Qur'an and Hadith are frequently invoked to establish these parameters, jurists, in particular from the eighth century on, often appealed to *realpolitik* to subvert particularly Qur'anic injunctions in order to expand the boundaries of legitimate violence. Given the predominance of Islamic law in determining relations between Muslims and non-Muslims at the state and international level, the Qur'anic jihad with its multiple meanings became reduced over time to refer

48 Sahnun, *al-Mudawwana al-kubra*, ed. Hamdi al-Damardash Muhammad (Beirut: al-Maktaba al-'Asriyya, 1999), 2:585–7; al-Sarakhsi, *Kitab al-mabsut*, ed. Muhammad Hasan Muhammad Hasan Isma'il al-Shafi'i (Beirut: Dar al-Kutub al-'Ilmiyya, n.d.), 10: 6–8.

49 Ibn Qudama, *Kitab al-mughni*, ed. Abd Allah b. Abd al-Muhsin al-Turki and Abd al-Fattah Muhammad al-Hilw (Cairo: Hajar, 1990), 13:178–80.

50 Ibid., 13:141.

51 The classic study of this phenomenon is Khaled Abou El Fadl, *Rebellion and Violence in Islamic Law* (Cambridge: Cambridge University Press, 2001).

52 For this comparison, see Sherman Jackson, 'Domestic Terrorism in the Islamic Legal Tradition', *Muslim World* 91 (2001), 293–310.

essentially to armed combat in legal and administrative literature. Similarly, the concept of martyrdom, which is a much more expansive one in the early period, became progressively restricted to military martyrdom and a specific cult arose around this concept, despite Qur'anic strictures against the very construction of such a cult. These developments were contested and debated particularly in non-juridical circles. A careful engagement with a range of sources allows us to retrieve these premodern debates and to interrogate the monolithic understanding of jihad, and therefore of legitimate violence, that is prevalent within Islamic thought today.

Bibliographical Essay

The Qur'an – the earliest recorded text we have dating from the first century of Islam or the seventh century CE – is the point of departure for discussion of the earliest diverse meanings of the concept of jihad. One of the best English translations is by M. A. S. Abdel Haleem, simply titled *The Qur'an* (Oxford: Oxford University Press, 2008).

Key Qur'anic verses that deal with jihad were interpreted in multiple ways by succeeding generations of Muslim scholars. These diverse interpretations become very evident in Qur'an commentaries produced in different historical circumstances. The exegetical works consulted in this study include the very early ones by Mujahid ibn Jabr (d. 722) composed during the Umayyad period and Muqatil ibn Sulayman (d. 767) from the early Abbasid period; the acclaimed classical commentary of Muhammad ibn Jarir al-Tabari (d. 923) and of al-Zamakhshari (d. 1144), both from the height of the Abbasid period; the commentary of the formidable polymath Fakhr al-Din al-Razi (d. 1210) from the Seljuq period, and of the Andalusian exegete al-Qurtubi (d. 1273) in the thirteenth century. The exegesis of the popular commentator from the Mamluk period, Ibn Kathir (d. 1373), is also a highly important source for understanding both the symbolic and the concrete roles of the military jihad during this fraught period when the Muslim world was under attack by ferocious enemies. For an overview of some of these commentaries in English in reference to select Qur'anic verses concerning jihad, the recently published *The Study Qur'an: A New Translation and Commentary* (New York: HarperOne, 2015) is to be highly recommended.

Hadith works containing sayings attributed to the Prophet Muhammad also preserve a variety of perspectives on jihad as well as on the related concept of martyrdom. The early Hadith work *al-Musannaf* of Abd al-Razzaq (d. 827) and the similarly titled Hadith collection of Ibn Abi Shayba (d. 849) contain a number of very early reports which relate multiple combative and non-combative definitions of jihad as well as of martyrdom, which are not always reproduced in later compilations. The two later more famous Hadith collections called the *Sahih* of al-Bukhari (d. 870) and the *Sahih* of Muslim b. al-Hajjaj (d. 875) appear more streamlined in comparison with the two *Musannafs*, since many of the earlier reports of doubtful reliability were winnowed out in accordance with these two compilers' more stringent standards of codification. The *Sahih* of al-Bukhari is available in translation by Muhammad Muhsin Khan, as *The Translation of the Meanings of Sahih al-Bukhari* (multiple editions), and the *Sahih* of Muslim by Nasiruddin al-Khattab as

The English Translation of Sahih Muslim (Riyadh: Darussalam, 2007). These and other English translations of both Hadith works are available online as well. The Hadith work of the early jurist Malik ibn Anas (d. 795), the *Muwatta*, widely regarded as the first work of Islamic law, is another important repository of early perspectives on the meanings of jihad and martyrdom. The *Muwatta* is available in an English translation by Aisha Bewley as *Al-Muwatta of Imam Malik ibn Anas* (Granada: Madinah Press, 1991). For specifically Shi'i perspectives on martyrdom in the absence of their rightful religious leader (imam), Mahmoud Ayoub's *Redemptive Suffering in Islam* (The Hague: Mouton, 1978) remains a masterful study.

A number of influential jurists during the Abbasid period approached the topic of the military jihad from the perspective of the state and interpreted relevant religious texts in accordance with their primary objective of guaranteeing its security against the encroachment of external enemies. This perspective is quite evident in the classical legal texts of the master jurist al-Shafi'i (d. 820) titled *Kitab al-umm* and *al-Risala*. The latter work is available in a new translation by Joseph E. Lowry, *The Epistle on Legal Theory* (New York: New York University Press, 2013). Deference to realpolitik is also strongly evident in later legal treatises, such as *al-Ahkam al-Sultaniyya* of al-Mawardi (d. 1058), which has been translated by Wafaa Wahba as *The Ordinances of Government* (Reading: Garnet, 2000). Further such works include *al-Mudawwana al-kubra* of Sahnun (d. 845), the *Kitab al-mabsut* of al-Sarakhsi (d. 1096) and the *Kitab al-mughni* of Ibn Qudama (d. 1223).

Modern studies that shed extensive light on how the understanding of jihad as both a legal and an ethical term evolved through variegated historical circumstances include Majid Khadduri's *War and Peace in the Law of Islam* (Baltimore: Johns Hopkins University Press, 1955); Ahmad Mohsen al-Dawoody's *The Islamic Law of War: Justifications and Regulations* (New York: Palgrave Macmillan, 2011) and my own *Striving in the Path of God: Jihad and Martyrdom in Islamic Thought* (Oxford: Oxford University Press, 2013). The essay by Roy Mottahedeh and Ridwan al-Sayyid titled 'The Idea of the Jihad in Islam before the Crusades', in Angeliki E. Laiou and Roy Parviz Mottahedeh (eds.), *The Crusades from the Perspective of Byzantium and the Muslim World* (Washington, DC: Dumbarton Oaks Research Library and Collection, 2001), pp. 23–9, also provides a valuable synopsis of multiple interpretations of jihad in the early period. Khaled Abou El Fadl's *Rebellion and Violence in Islamic Law* (Cambridge: Cambridge University Press, 2001) and Sherman Jackson's 'Domestic Terrorism in the Islamic Legal Tradition', *Muslim World* 91 (2001), 293–310, are particularly helpful for understanding how internal political rebellion and domestic terrorism respectively were dealt with by Muslim jurists in the premodern period.

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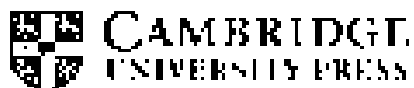
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