

To proceed:

Indeed the truest speech is Allâh's Book and the best of guidance is the guidance of the Muhammad; the worst of affairs are the newly-introduced matters in the religion; surely every newly-introduced matter is innovation, all innovations are misguidance and all misguidance leads to Hell.

Topics:

'Principles of Jihâd'

From the work of Shaykh Fauzaan – may Allâh preserve him.

'Is Jihâd Obligatory on all Able Muslims Today?'

From the work of Shaykh Yahyaa an-Najmee – may Allâh bestow mercy on him.

'The Conditions and Imperatives of Jihâd in Brief'

From the work of Ibn Juzayy al-Maalikee – may Allâh bestow mercy on him.

'Analysis on the Condition of Ability before Jihâd and Rulings Guiding It'

From the work of Ash-Shaykh Al-Uthaymeen – may Allâh bestow mercy on him.

'Jihâd is Behind the Muslim Ruler'

From the work of Shaykh Fauzân – may Allâh preserve him.

'Jihâd Is Not Wanton Violence'

From the work of Shaykh Abdullâh Al-Bassaam – may Allâh preserve him.

'The 'Jihâd' in Northern Nigeria'

The compiler's analysis – may Allâh forgive him.

'Scholars' Verdicts on Evil Callers and Their Methodologies'

From a book written on Al-Qaeda.

'Suicide Bombing'

From the work of Ash-Shaykh Al-Uthaymeen – may Allâh bestow mercy on him.

Excellence of the Legitimate Jihâd

Compilation of the compiler – may Allâh pardon him.

Synopsis

Writing about Jihâd at this period of time – home and abroad – poses a serious challenge. Hardly will a day pass without the news of an attack somewhere in the world all in the name of Jihâd – genuinely claimed or not. Islam has become the most widely read about faith in the world – with negative intent or otherwise. Many have passed a brutal verdict against the faith which has over a billion people adhering to it. Islam has been condemned upon the tongues of the *judges* of the world.

Islam is a large family; there is no mistaking about that. Therefore, it should not be strange to you if you find within its tentacles those who somehow misunderstand or misapply it. The scholars of the Deen have always cried out that the first people to have misunderstood Islam, especially in this era, are the Muslims themselves. Had the Muslims understood Islam as it ought to be, the President of the United States would have been a Muslim because he would not have done otherwise. This is never a bogus claim – the King of Abyssinia in the time of the Prophet of Islam, salaLaahu alaihy wa sallam, actually embraced Islam so also was the Emperor of Byzantine who first embraced it but retracted fearing a revolt from his people. The Persian Emperor refused Islam and he met an ugly end. It is a trite statement that it was Islam that saw the end of the Roman and Persian influence in the world. Everything was not due to wars but the powerful message Islam was sailing with, that there is none worthy of worship but Allâh the Mighty Lord.

The simple message this writer is dishing out is that Islam is a beautiful religion full of beautiful teachings. No wonder it remains the fastest growing religion in the world even after the ignoble 9-11 saga.

Jihâd therefore, is one of the concepts of Islam. If simple matters of the Deen such as how to perform the common ablution before prayers is not properly understood by many Muslims, it should not be far to say Jihâd, as a big concept, a big concept indeed, is improperly applied.

It is the scholars that teach the Muslims their religion because they are the inheritors of our Prophet – *SallaLlâhu alahy wa sallam*; our Prophet – *SallaLlâhu alahy wa sallam* – did not leave anything to be inherited in terms of material wealth except knowledge. He – *SallaLlâhu alahy wa sallam* – had instructed before he died that Muslims should learn their religion from their scholars, not from the emotional youths nor the rebellious adults. And the scholars the Messenger of Allâh – *SallaLlâhu alahy wa sallam* – was referring to are those who hold to the book of Allâh – the Qur'ân and the Sunnah of His Messenger – *SallaLlâhu alahy wa sallam* – according to the understanding of early generations of Muslims. That indeed is the bedrock of *Salafiyyah*, the call to the era of the Prophet – *SallaLlâhu alahy wa sallam* – and his Companions – may Allâh be pleased with them all.

The past of Islam was indeed unlike its later part, except in some instances. Therefore, it is that glorious past Islam encourages the Muslims to seek, to be glorious in the later part.

Jihâd, like other concepts of Islam, must be learnt in the light of the glorious past and with the aid of the *rabbaanee* scholars of the Deen – dead and alive. After that, nobody should sue Islam again.

Thus that is the direction this write-up has taken. Its compiler is a *Tâlib* hence he has only gone through the works of the scholars and put them down. That is why he has severally quoted from some of their books.

Our hope is that the *maqâlah* will serve as an eye-opener for the emotional Muslim youths who have not really sat down to learn the Deen of Islam from the reputable scholars, and it will in the long run

serve as a means of correcting the non-Muslims' notion about Islam and its teachings most especially the concept of Jihâd.

Many thanks to those who have seen to the final preparation of the work though it was a bit tasking since it was planned to serve as the leading *maqâlah* for the maiden site – *simplysalafiyyah.com*

We ask Allâh the Mighty Lord to put blessings in the work, and may He make it solely for His Generous Face.

Aboo Aamir An-Nayjeeree

Rabiuth-Thaani, 1433.

Ede, Nigeria.

Principles of Jihâd

Said Ash-Shaykh Sâlih Al-Fauzân – may Allâh preserve him – in *Al-Mul'khas Al-Fiq'hi*:

Allâh legislated Jihâd in His path to exalt His Word, help His Deen and bring down His enemies; He also made it a law so as to serve as a test and trial for His slaves:

ذَلِكَ وَلَوْ يَشَاءُ اللَّهُ لَا نَتَصَّرَ مِنْهُمْ وَلَكِنْ لِيَبْلُوَ بَعْضَكُمْ بِبَعْضٍ وَالَّذِينَ قُتِلُوا فِي سَبِيلِ اللَّهِ فَلَنْ يُضِلَّ أَعْمَالُهُمْ . سَيَهْدِيهِمْ وَيُصْلِحُ بَأَهُمْ .

...but if it had been Allâh's will, He himself could certainly have punished them (without you). But (He lets you fight), in order to test you, some with others. But those who are killed in the way of Allâh, He will never let their deeds be lost. He will guide them and set right their state. [Muhammad: 4-5].

Jihâd in the path of Allâh has a great importance; it is the peak of the Islamic matters and one of the best acts of worship. Some scholars classify it as the sixth pillar of Islam.

Jihâd in the path of Allâh is a legislation derived from the Qur'ân, Sunnah and Ij'mâ (the Consensus of the Companions). Allâh the Majestic said:

كُتِبَ عَلَيْكُمُ الْقِتَالُ .

Jihâd (fighting in Allâh's Cause) is ordained for you (Muslims)... [Al-Baqarah: 216].

So also is the act of the Prophet – *SallaLlâhu alahy wa sallam* – and of course, his command by mouth. He – *SallaLlâhu alahy wa sallam* – said:

مَنْ مَاتَ وَلَمْ يَغْزُ وَلَمْ يُجِدْ بِهِ نَفْسَهُ مَاتَ عَلَى شُعْبَةٍ مِنْ نِفَاقٍ

'Whoever dies and did not fight (in Jihâd), and did not communicate with his heart that he would fight, he dies on a branch of *nifâq*.' [Muslim].

Jihâd is the root word of *Jâhada* which means 'he strove hard in fighting his enemy.' According to the *Shariah*, it is fighting the enemy. Jihâd yet has a more general meaning than fighting.

Ibn Qayyim – may Allâh bestow His mercy on him – said: 'Jihâd is an individual obligation; whether with the heart, with the tongue or with the hand. It is imperative on all Muslims to make striving with one of these types of Jihâd.' End of quote (from the statement of Ibn Qayyim – may Allâh bestow mercy on him).

Jihâd is also connotatively used to refer to striving against the self, devil or the sinners. Striving against the self comes in from of learning the matters of the Deen, acting with them and teaching them to others.

As for striving against the devil, it is in terms of blocking the doubts that might come from him, and what he beautifies (for one) lustfully.

Striving against the infidels can be through the hand, wealth, tongue and heart. While striving against the sinners can be with the hand, tongue and heart as much as possible.

Jihâd is basically *far'd kafa'î* (a communal obligation); when the requisite people carry it out, its obligation is removed from the rest. It will become meritorious in their own case.

Jihâd is among the best of supererogatory acts; its excellence is great. Texts of the Qur'ân and Sunnah exhorting to it are many. One of them is the Statement of Allâh the Majestic:

﴿ إِنَّ اللَّهَ اشْتَرَى مِنَ الْمُؤْمِنِينَ أَنفُسَهُمْ وَأَمْوَالَهُمْ بِأَنَّ لَهُمُ الْجَنَّةَ
يُقَاتِلُونَ فِي سَبِيلِ اللَّهِ فَيَقْتُلُونَ وَيُقْتَلُونَ وَعَدًّا عَلَيْهِ حَقًّا فِي التَّوْرَةِ

وَالْإِنجِيلِ وَالْقُرْآنِ وَمَنْ أَوْفَىٰ بِعَهْدِهِ مِنْ اللَّهِ فَاسْتَبَشِرُوا بَبَيْعِكُمُ الَّذِي بَايَعْتُمْ
بِهِ ۚ وَذَٰلِكَ هُوَ الْفَوْزُ الْعَظِيمُ

Verily, Allâh has purchased of the believers their lives and their properties; for the price that theirs shall be the Paradise. They fight in Allâh's Cause, so they kill (others) and are killed. It is a promise in truth which is binding on Him in the *Taurât* (Torah) and the *Injeel* (Gospel) and the Qur'ân. And who is truer to His Covenant than Allâh? Then rejoice in the bargain which you have concluded. That is the supreme success. [Taubah: 111].

Is Jihâd Obligatory on all Able Muslims Today?

Shaykh Ahmad bn Yahyâ bn Muhammad An-Najmee – may Allâh bestow mercy on him – in the preface of his book, *Risaalatul-Ir'shaad ilaa bayaanil-haqq fee hukmil-jihad* [Maktabah Al-Fur'qaan, third edition], said it is erroneous to say that Jihâd is compulsory on all Muslims of the world today – who can go out for it – such that all of them will be regarded as sinning for not carrying out Jihâd against the infidels. He was apparently refuting the position of Dr Abdullâh Azzâm – may Allâh pardon him – who opined that the obligation of Jihâd takes precedence over that of prayers, Zakâh and fasting.

Shaykh Yahyâ An-Najmee – may Allâh bestow mercy on him – brought about ten points to refute the assertion that Jihâd is more obligatory than other pillars of Islam, and that it is obligatory upon every Muslim in this era.

This is the summary of his points as found on pages 6-7 of the book:

One: That whoever says Jihâd is obligatory on every Muslim is by implication saying whoever among the Muslims has not gone out for Jihâd has committed a *kufr* with which he goes out of the Deen. For

when Jihâd is like (or more than) the prayer in obligation, whoever leaves it has become a *Kâfir* because leaving the prayer is a Kufr act.

Two: The implication of the assertion is that whoever flees the battleground among the Muslim fighter (in a legitimate Jihâd) becomes a *kâfir* that has left the pale of the Deen. Whereas all the reputable Muslim scholars (old and present) have agreed that fleeing the battlefield is one of the Major Sins that do not take one out of the Deen.

Three: Just like the last point, the implication of the assertion is that whoever is guilty of a major sin is out of the pale of the Deen and will abide in the Hell forever. There is no doubt that this is the position of the *Khawaarij*.

Four: The implication of saying Jihâd is an individual obligation is that whoever believes so must go to the battlefield and should either come back victorious or die there because it will mean that he has not carried out what he claims he can do.

Five: Also the implication of the assertion is that all able men must go to the battlefield and leave the vulnerable women and children behind; so also their work – farm, workshop, business, etc. what will be the consequence of that? And if they say the ruler and his judges should stay back, it is only women and children that will remain with them.

Six: The implication of that also is that all the Muslims will have to go and gather in a Muslim town (where the war might be going on) and leave the rest of the Muslim lands for other enemies to plunder from the back.

Seven: The assertion also implies striving to carry out what one does not have the ability to do; that opposes the Book of Allâh, the Sunnah of His Messenger – *SallaLlahu alahye wa sallam* – and the Consensus of the People of Knowledge.

Eight: Whoever says Jihâd is absolutely an individual obligation has come with a law other than Allâh's and His Messenger's law. Allâh said:

﴿ وَمَا كَانَ الْمُؤْمِنُونَ لِيَنْفِرُوا كَافَّةً فَلَوْلَا نَفَرَ مِنْ كُلِّ فِرْقَةٍ مِّنْهُمْ طَائِفَةٌ

لِّيَتَفَقَّهُوا فِي الدِّينِ وَلِيُنذِرُوا قَوْمَهُمْ إِذَا رَجَعُوا إِلَيْهِمْ لَعَلَّهُمْ يَحْذَرُونَ

And it is not (proper) for the believers to go out to fight (Jihâd) all together. Of every troop of them, a party only should go forth, that they (who are left behind) may get instructions in (Islâmic) religion, and that they may warn their people when they return to them, so that they may beware (of evil). [Taubah: 122].

Thus whoever says Jihâd is everybody's obligation is saying all the Muslims must go out in Jihâd whereas the Prophet – *SallaLlahu alahye wa sallam* – only said:

مَنْ آمَنَ بِاللَّهِ وَرَسُولِهِ وَأَقَامَ الصَّلَاةَ وَصَامَ رَمَضَانَ كَانَ حَقًّا عَلَى اللَّهِ أَنْ يُدْخِلَهُ الْجَنَّةَ جَاهِدَ فِي سَبِيلِ اللَّهِ أَوْ جَلَسَ فِي أَرْضِهِ الَّتِي وُلِدَ فِيهَا

'[On the authority of Abu Hurairah – may Allâh be pleased with him:] Whoever believes in Allâh and His Messenger, observes the prayer and fasts in Ramadan, it becomes a duty upon Allâh to make him enter Jannah whether he carries out Jihâd in the path of Allâh or dies in the land where he was born.' [Al-Bukhârî and Ahmad].

Therefore from the purport of the hadith above, whoever says Jihâd is obligatory on each Muslim has come with what opposes the Messenger of Allâh – *SallaLlahu alahye wa sallam* – said above, and has made obligatory in this Deen what Allâh and His Messenger did not obligate.

Someone might cite the following Verses of the Qur'ân to oppose the one earlier cited:

انْفِرُوا خِفَافًا وَثِقَالًا وَجَاهِدُوا بِأَمْوَالِكُمْ وَأَنْفُسِكُمْ فِي سَبِيلِ اللَّهِ

March forth, whether you are light (being healthy, young and wealthy) or heavy (being ill, old and poor), strive hard with your wealth and your lives In the Cause of Allâh. [Taubah: 41]

إِلَّا تَنْفِرُوا يُعَذِّبْكُمْ عَذَابًا أَلِيمًا

If you march not forth, He will Punish You with a painful torment [at-Taubah: 39]

The best way to answer that is to say that we must bring all the texts together such that it will mean that we have worked with all the texts. Thus, the Verse 122 earlier cited has reduced the effect of obligation in the other Verses.

There are other Verses that reduce the effect of the obligation:

لَا يَسْتَوِي الْقَاعِدُونَ مِنَ الْمُؤْمِنِينَ غَيْرُ أُولِي الضَّرَرِ وَالْمُجَاهِدُونَ فِي سَبِيلِ اللَّهِ بِأَمْوَالِهِمْ وَأَنْفُسِهِمْ فَضَّلَ اللَّهُ الْمُجَاهِدِينَ بِأَمْوَالِهِمْ وَأَنْفُسِهِمْ عَلَى الْقَاعِدِينَ دَرَجَةً وَكُلًّا وَعَدَ اللَّهُ الْحُسْنَىٰ وَفَضَّلَ اللَّهُ الْمُجَاهِدِينَ عَلَى الْقَاعِدِينَ أَجْرًا عَظِيمًا .
دَرَجَاتٍ مِّنْهُ وَمَغْفِرَةً وَرَحْمَةً ۗ وَكَانَ اللَّهُ غَفُورًا رَّحِيمًا

Not equal are those of the believers who sit (at home), except those who are disabled (by injury or are blind or lame, etc.), and those who strive hard and fight In the Cause of Allâh with their wealth and their lives. Allâh has preferred in grades those who strive hard and fight with their wealth and their lives above those who sit (at home). Unto each, Allâh has promised good (Paradise), but Allâh has preferred those who strive hard and fight, above those who sit (at home) by a huge reward. Degrees of (higher) grades from him, and Forgiveness and Mercy. and Allâh is ever Oft-Forgiving, Most Merciful. [Nisâ: 96-97].

Allâh the Majestic also said:

عَلِمَ أَنَّ سَيَكُونُ مِنْكُمْ مَرَضَىٰ ۖ وَءَاخَرُونَ يَضْرِبُونَ فِي الْأَرْضِ يَبْتَغُونَ مِنْ فَضْلِ اللَّهِ ۖ

وَأَآخَرُونَ يُقَاتِلُونَ فِي سَبِيلِ اللَّهِ

He knows that there will be some among you sick, others travelling through the land, seeking of Allâh's Bounty; yet others fighting In Allâh's cause. [Al-Muzammil: 20].

In the first Verse, Allâh made the promise of goodness for the Mujahedeen and those who were at home for one legitimate reason or the other. In the second Verse, Allâh mentioned those striving for their livelihood on the surface of the earth with the Mujahedeen, in terms of the ease He brought upon those observing the optional night prayers.

The Verses brought by those saying Jihâd is compulsory on every Muslim were revealed regarding the hypocrites whom the Messenger of Allâh induced to go out on Jihâd but stayed back and came up with flimsy excuses.

Our opinion [Shaykh Yahyâ] is that whoever the ruler specifically mentioned to go out for Jihâd must go out, as the Messenger of Allâh – *SallaLlahu alahye wa sallam* – said: 'When you are asked to go forth, then go forth.'

Nine: The assertion that Jihâd is obligatory on all Muslims will bring no benefit to the Muslims neither will it take their right back for them rather it may bring more harm because such an assertion is as a sin against Allâh and judging with other than His law.

Ten: That all the scholars have agreed that Jihâd is a communal obligation, proofs for that are very clear therefore whoever says the situation of the Muslims today has made Jihâd to be obligatory on every Muslim has made himself a lawgiver beside Allâh and His Messenger – *SallaLlahu alahye wa sallam*, and he has indeed been unjust to his soul and landed it in perdition.]

[Back to *al-Mulkhas*:]

Jihâd will however be individually obligatory (that is, become a *far'd ayni*) in the following circumstances:

One: When one is in the battlefield; it becomes imperative on a Muslim to fight, he cannot turn away at that point (except for stratagem).

Two: When the enemy brings fighting to one's country.

He will have to fight in the above two cases because the Jihâd therein will be regarded as Defensive Jihâd (*Jihâd Difâ'*) not Offensive Jihâd (*Jihâd Talab*). If he were to turn away from such a fighting, the enemy may deny the Muslims all their rights therefore maltreating them.

Three: When the Muslims need the presence of an individual (with a special skill) in the fighting or defence.

Four: When the ruler (of the Muslim state) commands the Muslims to go forth in Jihâd (*Talab* or otherwise). The evidence for this is the statement of the Messenger of Allâh – *SallaLlâhu alahy wa sallam*:

وَإِذَا اسْتَنْفَرْتُمْ فَانْفِرُوا

'When you are commanded (by the ruler) to set out (in Jihâd), go forth.' (Al-Bukhâri and Muslim).

Allâh the Majestic said:

إِذَا لَقِيتُمْ فِئَةً فَاثْبُتُوا

'When you meet (an enemy) force, take a firm stand against them ... [Al-Anfaal: 45].

Allâh the Majestic also said:

يَأَيُّهَا الَّذِينَ ءَامَنُوا مَا لَكُمْ إِذَا قِيلَ لَكُمْ أَنْفِرُوا فِي سَبِيلِ اللَّهِ أَنْتَقَلْتُمْ إِلَى الْأَرْضِ

'O You who believe! What is the matter with you, that when you are asked to march forth in the Cause of Allâh you cling heavily to the earth? [Taubah: 38].

Shaykhul-Islâm Ibn Taymiyyah – may Allâh bestow His mercy on him – said:

Jihâd can be with the hand; so also there is a type of Jihâd by the means of call (that is, Da'wah), (providing) proofs, (the use of) tongue, intellect, reflecting, and proficiency; this kind of Jihâd is imperative, according to the highest possible means. It is also imperative on those who are not out to fight to reciprocate that with doing goodness to the families and property of those who have gone out.' [*Al-Ikhtiyaaraat Al-Fiqhiyyah* p. 447].

It is obligatory on the ruler to observe his army carefully before they set out on Jihâd. He should stop whoever is not capable among men, even among the horses (nowadays, the weapons must be appropriate), among other things. Among the people he should stop from being part of the army is anybody with treacherous attitude – who can affect other people with his treachery, so also is anybody with any cowardly disposition who can make the mujahedeen develop cold feet in battles. So also is any person that may transmit information about the mujahedeen to the enemy; he too should be removed from the Islamic army, or any person that may cause confusion in the ranks of the Muslim warriors.

The ruler should appoint for the Islamic army a leader (Amir) who can administer the affairs of the mujahedeen according to the politics of the Shariah.

The mujahedeen must obey the leader (appointed by the ruler of the Muslims) in goodness; they must be committed to him, patient with him. The proof for all this is the statement of Allâh the Majestic:

يَتَأْتِيهَا الَّذِينَ ءَامَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَأُوَلِي الْأَمْرِ مِنْكُمْ

O you who believe! Obey Allâh and obey the Messenger, and those of you (Muslims) who are in authority... [Nisâ: 59]

Jihâd is legislated in Islam for attainment of lofty goals and noble aims.

Allâh legislated the concept of Jihâd to free the slaves from servitude to false-gods and idols, for worship of Allâh Alone without ascribing partners with Him. It is Allâh that created and it is He that provides for His slaves.

Allâh the Mighty said:

وَقَاتِلُوهُمْ حَتَّى لَا تَكُونَ فِتْنَةٌ وَيَكُونَ الدِّينُ كُلُّهُ لِلَّهِ

And fight them until there is no more Fitnah (disbelief and polytheism: i.e. worshipping others besides Allâh) and the religion (worship) will all be for Allâh Alone. [Al-Anfaal: 39].

Allâh also legislated the concept of Jihâd to remove oppression and to take back the rights to their owners. Allâh the Majestic said:

أُذِنَ لِلَّذِينَ يُقَاتِلُونَ بِأَنَّهُمْ ظَلِمُوا وَإِنَّ اللَّهَ عَلَىٰ نَصْرِهِمْ لَقَدِيرٌ . الَّذِينَ أُخْرِجُوا

مِنْ دِيَارِهِمْ بِغَيْرِ حَقٍّ إِلَّا أَنْ يَقُولُوا رَبُّنَا اللَّهُ

Permission to fight is given to those (i.e. believers against disbelievers), who are fighting them, (and) because they (believers) have been wronged, and surely, Allâh is able to give them (believers) victory. Those who have been expelled from their homes unjustly only because they said: "Our Lord is Allâh." [Al-Hajj: 39-40].

Allâh legislated the Jihâd to bring ignominy (and disgrace) upon the infidels, punish them and weaken their strength. Allâh the Mighty said:

قَاتِلُوهُمْ يُعَذِّبَهُمُ اللَّهُ بِأَيْدِيكُمْ وَيُخْزِهِمْ وَيَنْصُرْكُمْ عَلَيْهِمْ وَيَشْفِ صُدُورَ قَوْمٍ
مُؤْمِنِينَ . وَيُذْهِبَ غَيْظَ قُلُوبِهِمْ وَيَتُوبُ اللَّهُ عَلَىٰ مَنْ يَشَاءُ ۗ وَاللَّهُ عَلِيمٌ حَكِيمٌ .

Fight against them so that Allâh will punish them by your hands and disgrace them and give you victory over them and heal the breasts of a believing people. And remove the anger of their (believers') hearts. Allâh accepts the repentance of whom He wills. Allâh is All-Knowing, All-Wise. [At-Taubah: 14-15].

As a condition for fighting, the enemy must have been invited (to believing that Allâh is One, then to carry out other Pillars of Islam) this was how the Messenger of Allâh – *SallaLlâhu alahy wa sallam* – used to invite people to Islam before fighting them. He would write letters to the kings and would tell the leaders of the Muslim warriors that they should first invite people to Islam before fighting them. If the people answered them good otherwise they would be fought this is because the purpose of fighting in Islam is to remove unbelief and polytheism (from Allâh's land), and to make the people embrace the religion of Allâh, thus if the latter occur without fighting then there is no need for fighting. Allâh knows best.

Jihâd has various rules guiding its execution as can be found in the well-explained voluminous works of the Scholars.

For instance if the parents (or one them) of the would-be mujâhid were in need of their son's service, the son cannot partake in a voluntary Jihâd except with their permission. The Messenger of Allâh – *SallaLlâhu alahy wa sallam* – said (to the son who wanted to partake in a Jihâd but whose parents were alive that):

'Strive to serve them...' [At-Tirmidhî regarded the hadith to be sound].

The above is so because doing goodness to both parents is an individual obligation, and Jihâd, a communal obligation. The principle is 'an individual obligation takes precedence over a communal obligation.'

(In the cause of the Jihâd,) it is not permissible to kill children, women, clergy people, old men near death, people with permanent sickness, blind people who are daft who do not take part in the fight one or the other. Those people are better taken (by the Muslim warriors) as slaves in captivity.

It is permissible for the ruler of the Muslims to enter into a treaty with the infidels, as may be necessary, upon such terms as non-hostility for a given period of time. An example of that is when there is a benefit in entering into the treaty perhaps because of weakness of the Muslims wherein delaying Jihâd will be appropriate; but when the Muslims are in a position of strength and can carry out the Jihâd, there may be no need for a treaty with the infidels.

[The infidels which the Muslim state has a treaty with are called *mu'aahaduun* (sing. *mu'aahad*), and it is a grave offence to kill any of them; said the Messenger of Allâh – *SallaLlâhu alahy wa sallam* –:

مَنْ قَتَلَ مُعَاهِدًا لَمْ يَرِحْ رَائِحَةَ الْجَنَّةِ وَإِنَّ رِيحَهَا تُوجَدُ مِنْ مَسِيرَةِ أَرْبَعِينَ عَامًا

'Whoever kills a *mu'aahad* (a non-Muslim under a treaty with the Muslim state), he will not smell the fragrance of Jannah, and the fragrance of Jannah can be smelt from a distance of forty years' (al-Bukhâri: 3166.)]

[Shaykh Uthaymeen – may Allâh bestow mercy on him – said in *Shar'h Fat'hi Dhil-Jalaal* (p.521): '*Al-Mu'aahad* is the person we have entered into an agreement of no-fighting with; they are of three types: *Must'aman* (an example is a non-Muslim trader who comes to the

Islamic state, the diplomatic corps of a non-Muslim state in an Islamic country, a seeker of knowledge, etc.), *Dhimmi* (a Christian, a Jew or a Majuusi living under an Islamic state and paying his security tax, *Jizyah* to the Islamic state) and a Mu'aahad (an enemy state which the Islamic state has a non-hostility agreement with).' End of quote.]

[There is an implied contract between Muslims and non-Muslims that happen to live in a country where there is no Islamic rule that they will not hurt one another. Hence, it is not permissible for any Muslim to hurt a non-Muslim living in a non-Islamic state otherwise there will be chaos. That is the view of our Shaykh, Ash-Shaykh Sharaf Raaji – may Allâh preserve him].

[Back to *Al-Mulkhas*:]

The Prophet – *SallaLlâhu alahy wa sallam* – indeed had a treaty with the unbelievers at Hodaybiyyah, so also was his treaty with the Jews in Madeenah.

If the Muslim ruler however fears treachery from the infidels, he should announce the end of the treaty with them before he fights them. The proof for that is the Word of Allâh the Majestic:

وَأَمَّا تَخَافُ بِمِنْ قَوْمٍ خِيَانَةً فَانْبِذْ إِلَيْهِمْ عَلَىٰ سَوَاءٍ ۗ إِنَّ اللَّهَ لَا يُحِبُّ الْخَائِبِينَ

If you fear treachery from any people throw back (their covenant) to them (to be) on equal terms. Certainly, Allâh likes not the treacherous. [Al-Anfaal: 58].

The meaning of the Verse is: '**Announce the end of the treaty such that you and they will be aware of the development.**'

The Muslim ruler can also grant security to the People of the Book (the Christians and Jews) and the Majuus (the Zoroastrians) – [in the Islamic state]. The implication of that is that they can be allowed to practise their religion upon the condition that they will pay *Jizyah* (security tax) to the Muslim state and will adhere to the rulings of Islam (such as not engaging in illicit acts like drinking

liquor, gambling, fornication, etc.). The proof for that is the statement of Allâh the Majestic:

قَاتِلُوا الَّذِينَ لَا يُؤْمِنُونَ بِاللَّهِ وَلَا بِالْيَوْمِ الْآخِرِ وَلَا يُحَرِّمُونَ مَا حَرَّمَ اللَّهُ
وَرَسُولُهُ وَلَا يَدِينُونَ دِينَ الْحَقِّ مِنَ الَّذِينَ أُوتُوا الْكِتَابَ حَتَّى يُعْطُوا الْجِزْيَةَ
عَنْ يَدٍ وَهُمْ صَاغِرُونَ

Fight against those who believe not in Allâh, nor in the Last Day, nor forbid that which has been forbidden by Allâh and his Messenger and those who do not acknowledge the Religion of Truth (i.e. Islâm) among the People of the Scripture (Jews and Christians), until they pay *Jizyah* with willing submission, and feel themselves subdued. [At-Taubah: 29].

[The non-Muslims living under the Islamic state are called *Ahlu Dhimmah* (People under Protection of the Muslim State), for further reading on the rulings pertaining to them, you can read Ibn Qayyim's *Ahkaam Ahlidh-Dhimmah*.]

[Back to *Al-Mulkhas*:]

Jizyah is the wealth taken from them indicating subjugation over them. It is collected from them annually for them to replicate the Muslims not fighting them and allowing them to stay in the Islamic country (each *Dhimmi* has to bring the tax with his hand to the government department responsible for the collection of the *Jizyah*).

Jizyah is not to be taken from children nor women nor mad people nor people with permanent ailment nor old men close to their death nor blind people without power of reasoning nor poor people who cannot pay it.

[End of quoting from *Al-Mulkhas Al-Fiq'hi* pp. 263-267].

The Conditions and Imperatives of Jihâd in Brief

Ibn Juzayy Al-Mâlikî – may Allâh bestow mercy on him – in *Al-Qawaaneen Al-Fiq'hiyyah* [p.112] summarizes the conditions for Jihâd as follows:

One, that the fighters should be Muslims.

Two, they should have come of age.

Three, they should be of sound mind.

Four, they should not be under bondage.

Five, they should be males.

And five, they should have the ability to carry out the Jihâd with their limbs and wealth (such as possession of good weapons).

As for what are imperatives thereof:

One, good intention (to exalt Allâh's Words).

Two, obedience to the ruler.

Three, not stealing from the war booty.

Four, respecting the terms of treaty (with the enemy).

Five, remaining steadfast in the battlefield.

Five, avoiding corrupt practices.

Six, there is nothing wrong in fighting behind a sinful ruler (so far he is a Muslim).

Analysis on the Condition of Ability before Jihâd and Rulings Guiding It

[This section is taken from the words of Shaykh Sâlih Uthaymeen – may Allâh bestow mercy on him – in *Fat'hul-Dhil-Jalaal Wal-Ikraam Shar'h Buluugh Al-Maraam*]:

You should know that every obligatory act has a condition (among others): The ability to carry it out. The proof for that are various texts in the Book of Allâh and the Sunnah of His Messenger – *SallaLlâhu alahy wa sallam* –; another proof is what happens around us (*Al-Waaqi*).

As for what has come in the Qur'ân, Allâh the Majestic said:

لَا يُكَلِّفُ اللَّهُ نَفْسًا إِلَّا وُسْعَهَا

Allâh burdens not a person beyond his scope. [Al-Baqarah: 286].

Allâh the Majestic also said:

فَاتَّقُوا اللَّهَ مَا اسْتَطَعْتُمْ

So keep your duty to Allâh and fear Him as much as you can
[Taghaabun: 16].

He the Mighty also said:

وَجَاهِدُوا فِي اللَّهِ حَقَّ جِهَادِهِ ۗ هُوَ اجْتَبَاكُمْ وَمَا جَعَلَ عَلَيْكُمْ فِي الدِّينِ مِنْ حَرَجٍ

Strive hard in Allâh's Cause as you ought to strive. He has chosen you (to convey His Message of Islâmic monotheism to mankind by inviting them to his religion, Islâm), and has not laid upon you in Religion any hardship [Hajj: 78].

The meaning of the (last) Verse is that 'if you are commanded of Jihâd and there is no incapacity in carrying it out, no problem; but if there is, the obligation is removed.' Therefore, there is no way the conditions of capacity and ability must not be met (in carrying out Jihâd).

From the Sunnah; the Prophet – *SallaLlâhu alahy wa sallam* – said:

إِذَا أَمَرْتُكُمْ بِأَمْرٍ فَأْتُوا مِنْهُ مَا اسْتَطَعْتُمْ

'When I command you of a matter, carry it out as you can...'

[Recorded by Muslim (1337)].

The statement of the Prophet – *SallaLiâhu alahy wa sallam* – above applies to all matters (of the Deen) whether matters of worship or Jihâd.

Another proof for capacity and ability in carrying out Jihâd (as an obligation) is what happened in the life of the Messenger of Allâh – *SallaLiâhu alahy wa sallam* –. When he – *SallaLiâhu alahy wa sallam* – was in Makkah, he was calling people to Tauheed and to Prayer. He was upon this for about thirteen years; he was not commanded to carry out the Jihâd despite the great harm he and his followers were encountering from the unbelievers, and despite the less burden. The bulk of the pillars of the Deen became obligatory when he – *SallaLiâhu alahy wa sallam* – arrived in Madeenah. Were they (however) commanded to fight (in Makkah)? No! Why? Because they were not capable; they were fearing for themselves. It is well known that the Prophet – *SallaLiâhu alahy wa sallam* – left Makkah fearing for himself; that was why Allâh the Majestic did not command that there should be fighting except after the Ummah of Islam had become a powerful state. [After that it was revealed:]

أُذِنَ لِلَّذِينَ يُقَاتِلُونَ بِأَنَّهُمْ ظَلِمُوا وَإِنَّ اللَّهَ عَلَىٰ نَصْرِهِمْ لَقَدِيرٌ

Permission to fight is given to those (i.e. believers against disbelievers), who are fighting them, (and) because they (believers) have been wronged, and surely, Allâh is Able to give them (believers) victory [Hajj: 39].

[Then Shaykh Uthaymeen – may Allâh bestow mercy on him – said:]

If someone were to ask; why don't we fight the US, Russia, France and the UK now?

The answer to that is to say we would not fight them because we do not have the ability. We have outdated weapons which if

compared with theirs, are like knives with missiles; the former will be of no use. How can we then fight them?

Therefore I say, it is of utmost stupidity that someone should say that we should fight the US, France, the UK and Russia now. This not justifiable under the Wisdom of Allâh the Majestic and neither under His Shariah. But what is imperative upon us is to carry out what Allâh has commanded us to do:

وَأَعِدُّوا لَهُمْ مَا اسْتَطَعْتُمْ مِنْ قُوَّةٍ

And make ready against them All You can of power [Al-Anfaal: 60].

This is what is imperative, that we should prepare for them what we can of power; and the best of power is Faith (in Allâh) and fear (of Him); with both, we shall be able to overpower our desires, weakness, love for the world; indeed we love the world and we detest death... and among what is important that we should prepare for our enemy is that we should not be divided while we are under a single banner or many banners. How many countries make up the Islamic Nation today? Many countries! While in the advent of Islam it was just a single nation. The countries have become plenty today. Are the (Muslim) countries united or divided? They are indeed very divided to the highest degree. And even in the case of one country, are its people united? The best answer to that is the negative. Most Islamic countries are filled with parties – political and religious, moral and methodological. Go out of your country and see the profound amazement; each village (posing as a country) sees itself as an independent country on its own belief, methodology, acts and judicial system; how then can we become victorious over our enemy?

[End of quoting from, *Fat'hul Dhill-Jalaal Wal Ikraam Bi Shar'h Buluughil-Maraam*, pp. 437-439].

Jihâd is behind the Muslim ruler

[Shaykh Sâlih Al-Fauzân – may Allâh preserve him – said why commenting on *Shar'h Sunnah* of Al-Imâm Bar'bahâri wherein the Imaam said one of the aspects of *Aqeedah* (creed) of *Ahlus-Sunnah Wal Jama'ah* is that **Hajj and Battles are Observed behind the Ruler...**]:

Observance of Jihâd on the path of Allâh is among the prerogatives of the ruler; it is the ruler that issues command thereof, he is the one that orders the flags of battle, he chooses the soldiers and fighters, he appoints the commanders, assembles the small army and the large ones, he arms the mujahedeen, he directs them which enemy to fight and where they will find them. Thus, Jihâd is the prerogative of the ruler; Jihâd is not a show of anarchy. Whoever wants to bear the arm, fight and attack and say: 'I am a mujâhid on the path of Allâh.' That is not Jihâd on the path of Allâh; Jihâd on the path of Allâh is guided by the principles of the Shariah. When anarchy comes into Jihâd, it becomes a despoliation and therefore its harms will become greater than its benefit. The harms that will come from such a Jihâd will be greater. Affairs (in Islam) have principles that guide them. The issue of Jihâd is a great one; it requires discipline and respect for the specifications of the Shariah that are mentioned in the Qur'ân and Sunnah, so also in the words of the people of knowledge. It should not be a show of anarchy such that it will be promoted by one of the callers to *Fitnah*. Those people who are extremists or fanatics, or at best ignoramuses, who do not know, do say: 'We fight in the path of Allâh.' Rather this their Jihâd is of harm to Islam and the Muslims; this is not Jihâd because it is not guided by the rules of Jihâd which absence of those (rules) makes the activity a corruption (in the land). Every act (in Islam) whereby its bounds are exceeded will come to have a negative effect. They do say to whoever decries their act: 'You prevent Jihâd in the path of Allâh.' We will reply them: 'We do not prevent Jihâd in the path of Allâh but (what we say is) that Jihâd should be guided by the rules of the Shariah. What you carry out is anarchy not Jihâd; Allâh never commanded this.'

[*Shar'hu Sunnah* of Bar'bahâri pp. 108-109].

Sidenote:

From the foregoing, it can be understood that Islam is a comprehensive religion. It covers simple acts of worship such as ablution for the ritual prayers, to the bigger acts such as the pilgrimage to the House of Allâh. These acts of worship – minor and major – have rules guiding them which if not followed the acts may become a nullity.

Therefore noble as the cause of Jihâd is, in Islam, it has rules guiding it too which if not adhered to make a person's striving a wasted effort. The Messenger of Allâh – *SallaLlâhu alahy wa sallam* – indeed warned the Muslims to shun baseless practices in Islam. He – *SallaLlâhu alahy wa sallam* – said, on the authority of Al-Ir'bâdh bn Sâriyah – may Allâh be pleased with him,

كُلُّ بِدْعَةٍ ضَلَالَةٌ

'Every innovation (in Islam) is misguidance.'

Also on the authority of Aaisha – may Allâh be pleased with her – he – *SallaLlâhu alahy wa sallam* – said:

مَنْ عَمِلَ عَمَلًا لَيْسَ عَلَيْهِ أَمْرُنَا فَهُوَ رَدٌّ

'Whoever does an act devoid of our authority will have it rejected.'

Just like other acts of worship, Jihâd comes within what can be improperly carried out. In other words, *bida'*, as innovations are technically referred to, can make a Jihâd activity an effort in futility.

There is no doubt that Jihâd – in the world today – has been improperly handled by those who say they have enthusiasm for the Islamic growth.

Jihâd is never instituted in Islam to cause chaos and anarchy rather it is made permissible to effect the contrary of both. Allâh the Mighty said:

وَلَوْلَا دَفَعُ اللَّهُ النَّاسَ بَعْضَهُمْ بِبَعْضٍ لَفَسَدَتِ الْأَرْضُ وَلَكِنَّ اللَّهَ ذُو فَضْلٍ

عَلَى الْعَالَمِينَ

And if Allâh did not check one set of people by means of another, the earth would indeed be full of mischief. But Allâh is full of bounty to the 'Alamîn. [Al-Baqarah: 251].

In another Verse, Allâh the Majestic said:

وَلَوْلَا دَفَعُ اللَّهُ النَّاسَ بَعْضَهُمْ بِبَعْضٍ هَدَمَتْ صَوَامِعُ وَبِيَعٌ وَصَلَوَاتٌ وَمَسَاجِدُ يُذَكَّرُ فِيهَا اسْمُ اللَّهِ كَثِيرًا وَلَيَنْصُرَنَّ اللَّهُ مَنْ يَنْصُرُهُ إِنَّ اللَّهَ لَقَوِيٌّ عَزِيزٌ

For had it not been that Allâh checks one set of people by means of another, monasteries, churches, synagogues (that is, in the time of Mûsa and Eesa respectively), and mosques (in the time of the Muslims), wherein the Name of Allâh is mentioned much would surely have been pulled down. Verily, Allâh will help those who help His (Cause). Truly, Allâh is All-Strong, All-Mighty. [Hajj: 40].

Said Al-Imâm Al-Qurutubî – may Allâh bestow mercy on him – in his *Tafsîr* of the Verse: 'That is, had Allâh not legislated for His Prophets and the believers fighting of the enemy, the people of *Shir'k* (polytheism) would have taken control, and would have destroyed what the devout people had built as places of worship. But, Allâh checked that by legislating fighting so that the devout people would be able to concentrate in their acts of worship. Thus Jihâd had been a matter present in the gone nations; through it, the laws (of Allâh) became beneficial...'

In another Verse Allâh the Majestic said:

لَقَدْ أَرْسَلْنَا رُسُلَنَا بِالْبَيِّنَاتِ وَأَنْزَلْنَا مَعَهُمُ الْكِتَابَ وَالْمِيزَانَ لِيُقُومَ النَّاسُ
بِالْقِسْطِ وَأَنْزَلْنَا الْحَدِيدَ فِيهِ بَأْسٌ شَدِيدٌ وَمَنْفَعٌ لِلنَّاسِ وَلِيَعْلَمَ اللَّهُ مَنْ يَنْصُرُهُ
وَرُسُلَهُ بِالْغَيْبِ إِنَّ اللَّهَ قَوِيٌّ عَزِيزٌ

Indeed, We have sent Our Messengers with clear proofs, and revealed with them the scripture and the balance (justice) that mankind may keep up justice. And We brought forth iron wherein is mighty power (in matters of war), as well as many benefits for mankind, that Allâh may test who it is that will help Him (His Religion), and his Messengers in the unseen. Verily, Allâh is All-Strong, All-Mighty. [Hadîd: 25].

Ibn Kathîr – may Allâh bestow mercy on him – said, commenting on the meaning of the statement: ' And We brought forth iron wherein is mighty power,' that is, 'We made the steel a corrective tool for whoever rejects the truth; whoever opposes it after the proof had been made clear to him.'

Jihâd of today has fallen in the wrong hands. Jihâd – the actual fighting of the enemy, is not basically the business of individuals rather the Muslim state, it is in some rare cases where the individuals may go ahead fighting it even without the state support. Scholars of the Deen have said such cases include a situation where a Muslim land comes under attack of the enemy. Jihâd at that point will be regarded as *Jihâd Difâ'* (Defensive Jihâd) unlike if it were *Jihâd Talab* (Offensive Jihâd) where it is the Muslim state that must wage it for some of the purposes that have been mentioned earlier on.

The statement of the Messenger of Allâh – *SallaLlâhu alahy wa sallam* – :

الإِمَامُ جُنَّةٌ يُفَاتَلُ مِنْ وَرَائِهِ وَيُتَّقَى بِهِ

'The ruler is a shield; fighting takes place behind him, and he is used as a barrier (from attack)...' [Bukhâri and Muslim].

The statement illustrates that Jihâd is usually from the command of the ruler of the Muslims.

Said Ash-Shaykh Al-Albâni – may Allâh bestow mercy on him: 'Jihâd is not the duty of individuals rather rulers of the Muslims.' [*Silisilatul-huda wa nûr*: Tape 80].

Also declared Ash-Shaykh Al-Albâni – may Allâh bestow mercy on him: 'Every Jihâd carried out by individuals or groups will never yield the fruits of the (real) Jihâd.' [*Silisilatul-huda wa nûr*: Tape 720].

Said Shaykhul-Islâm Ibn Taymiyyah – may Allâh bestow mercy on him: 'It will be very hard to see a group of persons who carried out a rebellion against the ruler except that the harm therewith will be greater than the evil they wanted to remove.' [*Majmû'u Fatâwâ* 28/179 as quoted in *al-fâidah min fatâwal-ulamâ fee mudda'ee al-Islâh wa tandheem al-qâidah*].

Said Ibn Qayyim Al-Jauziyyah – may Allâh bestow mercy on him: 'Indeed the Prophet – *SallaLlâhu alahy wa sallam* – legislated for his Ummah the obligation of forbidding evil to effect peace and harmony as loved by Allâh and His Messenger – *SallaLlâhu alahy wa sallam*. But if the act of denouncing the evil will bring what is greater in evil and what might be more displeasing to Allâh and His Messenger – *SallaLlâhu alahy wa sallam* –, it is not imperative to denounce such evil even if Allâh might detest the act and its people.

'An example of that is when the kings and rulers are denounced by carrying out a rebellion against them. That is the basis of every harm and trial till the end of time ... whoever therefore ponders over what happened to Islam in terms of major and minor trials will come to know that they were due to non-compliance with this basis, and failure to show restraint over an evil which (some) people sought to change at all cost from which greater harm set in. Indeed the Messenger of Allâh – *SallaLlâhu alahy wa sallam* –, used to see a lot of major evils in Makkah and he was not able to change them.' [*I'lâmul-Wuwaqqi'een* 3/15-16 as quoted in *al-fâidah min fatâwal-ulamâ fee mudda'ee al-Islâh wa tandheem al-qâidah*].

Said Al-Muallimee – may Allâh bestow mercy on him: 'Muslims have put rebellion into practice; they saw nothing but (greater) harm from it.' [Tankeel 1/93-94 as quoted in *al-fâidah min fatâwal-ulamâ fee mudda'ee al-Islâh wa tandheem al-qâidah*].

Shaykh Al-Albâni – may Allâh bestow mercy on him – variously stated in his speeches on Jihâd that there must be proper understanding of Jihâd by those who partake in it. He often advised on *At-Taribiyyah* (proper Islamic education) and *At-Tasfiyyah* (purifying the Deen from the dirt that has entre it such as shirk and innovations) upon all the members of the Ummah.

Jihâd Is Not Wanton Violence

Said Ash-Shaykh Abdullah Al-Bassaam – may Allâh preserve him:

Some Western commentators do say Islam is violent and oppressive; that it got spread with the sword and that it compels and forces people to embrace it.

The answer to that is to say this view is erroneous. It is either borne out of sheer ignorance about the Deen of Islam; its conquests, battles and texts. Or that the view is borne out of bigotry, and enmity towards the religion.

The truth however is that the religion of Islam rose upon calling with wisdom and beautiful exhortation; Islam promotes and calls to peace, indeed the word *salam* (peace) is derived from *Islam*.

Whoever ponders over the texts of the Noble Qur'ân and Purified Sunnah which include the directives of the Messenger of Allâh – *SallaLlâhu alahy wa sallam* – to the commanders of his army; among that too is the life history of the Messenger of Allâh – *SallaLlâhu alahy wa sallam* – himself regarding wars; whoever studies all those pertinently, will come to know that Islam came with wisdom, mercy, peace and harmony; it came with making the affairs better not corrupting them.

Read the Word of Allâh the Majestic:

لَا إِكْرَاهَ فِي الدِّينِ ۖ قَدْ تَبَيَّنَ الرُّشْدُ مِنَ الْغَيِّ

There is no compulsion in religion. Verily, the Right Path has become distinct from the wrong path. [Al-Baqarah: 256].

And this other Word of Allâh:

وَلَوْ شَاءَ رَبُّكَ لَأَمَنَّ مَنْ فِي الْأَرْضِ كُلَّهُمْ جَمِيعًا ۚ أَفَأَنْتَ تُكْرَهُ النَّاسَ حَتَّىٰ يَكُونُوا

مُؤْمِنِينَ

And had your Lord willed, those on earth would have believed, all of them together. So, will you then compel mankind, until they become believers. [Yûnus: 29].

Allâh the Majestic also said:

لَا يَنْهَىٰكُمْ اللَّهُ عَنِ الَّذِينَ لَمْ يُقَاتِلُوكُمْ فِي الدِّينِ وَلَمْ يُخْرِجُوا مِنْ دِيَارِكُمْ أَنْ تَبَرُّوهُمْ

وَتُقْسِطُوا إِلَيْهِمْ ۚ إِنَّ اللَّهَ يُحِبُّ الْمُقْسِطِينَ

Allâh does not forbid you to deal justly and kindly with those who fought not against you on account of religion and did not drive you out of your homes. Verily, Allâh loves those who deal with equity. [Al-Mumtahanah: 8]

He the Majestic still said:

وَقَاتِلُوا فِي سَبِيلِ اللَّهِ الَّذِينَ يُقَاتِلُونَكُمْ وَلَا تَعْتَدُوا

And fight In the Way of Allâh those who fight you, but transgress not the limits [Al-Baqarah: 190].

There are various other Verses of the Qur'ân in this direction.

As for what has come in the Sunnah of the Messenger of Allâh – *SallaLiâhu alahy wa sallam* –, all the acts of the Prophet –

SallaLiâhu alahy wa sallam – in wars and his directives to his army commanders indicate that.

For instance, the Messenger of Allâh – *SallaLiâhu alahy wa sallam* – said in the hadith of Buraydah (may Allâh be pleased with him) which can be found in Sahîh Muslim that the Messenger of Allâh – *SallaLiâhu alahy wa sallam* – was such that anytime he wanted to send an army on an expedition, he would exhort its commander to specifically have the fear of Allâh in him, so also he would exhort those who were with the commander. Then he – *SallaLiâhu alahy wa sallam* – would say:

اغزُوا بِاسْمِ اللَّهِ فِي سَبِيلِ اللَّهِ مَنْ كَفَرَ بِاللَّهِ لَا تَغْلُوا وَلَا تَغْدِرُوا وَلَا تُمَثِّلُوا وَلَا تَقْتُلُوا وَلِيدًا

'Go forth in the Name of Allâh on the path of Allâh, fight those who disbelieve in Allâh, do not steal from the war booty, do not be treacherous (in your treaty with the enemy), do not mutilate (the dead bodies of your enemy), and do not kill children...'

In another narration agreed upon by Al-Bukhaari and Mulsim, the Messenger of Allâh – *SallaLiâhu alahy wa sallam* – forbade killing of women and children (in battles).

And he – *SallaLiâhu alahy wa sallam* – said,

اخرجوا باسم الله قاتلوا من كفر بالله لا تغدروا ولا تمثلوا ولا تغلوا ولا تقتلوا الولدان ولا أصحاب
الصوامع

'Go forth in the Name of Allâh, fight in the path of Allâh those who disbelieve in Allâh; but do not break the treaty, do not steal from the booty, do not mutilate, do not kill children nor the clergy people in churches.' [recorded in *Mushkilu'Aathaar* of Al-Imam At-Tahâwi. There is Ibrâhim bn Ismail bn Abee Habîbah Al-Ash'halî in the chain; this fellow is declared weak by Ibn Hajar and Adh-Dhahabee. Perhaps with similar wordings of the hadith in other authentic routes, the hadith can become *hasan* on the least. – Compiler].

Somewhere else he – *SallaLiâhu alahy wa sallam* – said,

وَلَا تَقْتُلُوا شَيْخًا فَانِيًّا

'Do not kill an elderly person who is close to his death.' [Ash-Shaykh al-Albâni declared the hadith weak in *Da'eef Al-Jâmi* (1346) and *Al-Mishkaat* (3956); meanwhile there are similar narrations expressing the purport of the hadith; Allâh knows better. – Compiler].

Abu Bakr As-Sidîq – may Allâh be pleased with him – enjoined upon Yazid bn Abee Sufyân – may Allâh be pleased with both – when he sent him as an army commander to wage war against one-fourth of the Greater Syria, he said to him:

'I counsel you upon ten manners (to be observed in the war): Do not kill women nor children, nor old people; do not cut economic trees of the town nor destroy its dwellings nor slaughter its sheep nor camel, except for consumption; do not drown the date-palm nor burn it; do not steal from the booty and do not act cowardly.' [Mâlik recorded the narration in *Al-Muwata'* (808).]

Therefore whoever ponders upon the biography of the Messenger of Allâh – *SallaLiâhu alahy wa sallam* –, would come to realize that he never forced anybody to accept Islam; he would only fight whoever fought him, as for whoever entered into a truce with him, he would not fight him so far the latter respected the terms of the truce. In fact, the command of Allâh is that he should respect the terms of any treaty with the unbelievers so far the latter do not break the terms too. Allâh the Majestic said:

فَمَا اسْتَقِيمُوا لَكُمْ فَأَسْتَقِيمُوا لَهُمْ إِنَّ اللَّهَ يُحِبُّ الْمُتَّقِينَ

So long, as they are true to you, stand you true to them. Verily, Allâh loves *Al-Muttaqûn* (the pious). [Taubah: 7].

When the Messenger of Allâh – *SallaLiâhu alahy wa sallam* – arrived in Madeenah, he entered into an agreement of peace with the Jews and allowed them to be upon their religion. When the Jews however waged a war against him (by supporting the

unbelievers in Makkah) and broke their treaty, he too fought them in their abodes...

The purpose of the foregoing is that the Messenger of Allâh – *SallaLlâhu alahy wa sallam* – never forced anybody to embrace Islam, people rather entered Islam out of their own choice. In fact, the bulk of the people on earth entered Islam when the guidance became plain to them that Muhammad was indeed the Messenger of Allâh – *SallaLlâhu alahy wa sallam*.

[Adapted from the introduction to the Book of Jihâd in *Bulûghul-Marâm*, pp. 423-425].

The 'Jihâd' in Northern Nigeria

Whoever has carefully studied the texts of the Qur'ân, the Sunnah and the statements of the veritable scholars of the Deen, as expounded above, will never fall into the wrong conclusion that the anarchy and chaos going on presently in the Northern part of Nigeria is a Jihâd. It is also a blatant erroneous supposition to say the matter is that of a *Jihâd Difaa* ('Defensive Jihâd'), as some enthusiastic Muslim folks opine on some Internet forums.

We have brought the statements of the scholars indicating that there is a *Jihâd Difaa* when a Muslim Community comes under the attack of the enemy. This is unlike when two or three persons in a community come under attack; that case is different. There may be a group of criminals – posing as religious charlatans, who create chaos and pandemonium about, whom the government of the time (Islamic or otherwise) may feel it is necessary to bring their activities to check; for the group to say it is carrying out a Jihad (*Difaa* or *Talab*, or whatsoever) when it comes under attack is to make a claim of what is not Islamically justifiable.

The recent Jihad in Dammaaj, Yemen, where a Muslim community came under attack of the *Houthis* (a Shia sect) and the attack was repelled is an example of a *Jihâd Difâ*. Virtually all the scholars of Sunnah of the time say the Jihad is appropriate; that is a *Tazkiyyah* (testimonial) for it.

No reputable scholar of Sunnah, to the best of the knowledge of this writer, gave any *Tazkiyyah* for the 'Jihâd' in the Northern Nigeria despite its notoriety. Rather it courted a widespread condemnation from scholars, local and abroad. Those close to the scholars are aware of this. For long had Shaykh Ja'far Mahmud of Kano – may Allâh bestow his mercy on him, tried to persuade the leaders (not rulers, take note) of the 'Northern Jihâd' to tread it softly. You would recall that Shaykh Ja'far was brutally murdered by yet-to-be-identified gunmen on the eve of 2003 general elections.

No scholar dare talk about the 'Northern Jihâd' now for the fear of being killed. How many Muslims – scholars and laity – have been killed since the beginning of 'the Jihâd to make all Nigeria Shariah compliant!'

Those who try to equate the Dammâj experience with the event in the Northern Nigeria are but making a serious mistake. One, the Dammâj people are known to be scrupulous people as far as the correct disposition to Islam is concerned. They are never known as lawless people, in fact, they remain committed to the crumbling central government of Yemen, and they are ready to cooperate with it in goodness.

As for the brothers – they are our brothers in Islam though we do not share the same views and we shall never fail to criticize them for their excesses – in the Northern Nigeria, they, authoritatively speaking, are lawless people who think it is unislamic to obey the basic traffic rules such as fastening the safety belt and not speeding above the speed limit; who think they can achieve anything they want to achieve anytime. They had one time carved themselves out of the whole population settling in a place called Yusufari in Yobe State, Nigeria; that was in 2004. The government forces routed them from their den then only to go Maiduguri metropolitan and constitute a menace. They would instruct their members to tear the certificates they obtained from western schools because it was *ab initio* forbidden to attend such schools because of the western pollution prevalent therein; they say it was sinful to obey any law if not promulgated in the Shariah.

Being fair to them, they do not say all of the Western education is *haram*, that was the wild imagination of the Nigerian press which dubbed them *Boko Haram*.

Therefore, it would be strange if any constituted authority would allow the activities of the group to go on unchecked. And for the record, the president of the country when the first major 'battle' broke out in 2009 was a Muslim and no scholar of the Muslims had declared him a *Kâfir* even though he was a democratic president.

There is no doubt that the group takes methodological lessons from Ikhwâni-influenced groups such as *Al-Qaeda*, *the Islamic Jihâd*, *Hamas*, etc. praise to Allâh the scholars of the Deen have denounced *Ikhwaaniyyah* (the Muslim Brotherhood with its roots in Egypt) and all its offshoots and they have specifically declared the infamous *Al-Qaeda* (and all groups who share their aspirations such as our brothers in the North) as being at variance with Islam.

Thus their Jihâd methods such as suicide bombings, robbing banks, bombing churches, killing innocent men and women including children, planting bombs in public places, etc. are not the Jihâd methods in Islam (not ruling out the conspiracy that some non-Muslims pretending as Muslims do carry out heinous acts in order to blackmail Islam).

We have scholars' backing for our assertion that those methods are not Islamic. See below:

Scholars' Verdicts on Evil Callers and Their Methodologies

[The verdicts are derived from the book, *al-fâidah min fatâwal-ulamâ fee mudda'ee al-Islâh wa tandheem al-qâidah*]

Said His Eminence Ash-Shaykh Abdul-Aziz bn Bâz – may Allâh bestow mercy on him:

'As for what the likes of Muhammad Al-Mus'iree and Sa'd Al-Faqeeh, and those who follow their footsteps, do today in terms of spreading harmful and misleading messages is without doubt a great evil; they call to evil and great corruption (in the land). It is imperative that people should be

wary of their publications; people should do away with them and get their works destroyed. They should not cooperate with them in any matter wherein they invite to harm, evil, falsehood and tribulation because Allâh commanded that cooperation should be upon piety, fear of Him; not upon corruption and evil, nor upon spread of lies, nor upon spread of false calls which cause disunity (among the Muslims) or which create sense of insecurity in others.

'The publications that emanate from Al-Faqeeh or Al-Mus'iree, or others apart from them, among the callers to falsehood, evil and disunity; those publications should be done away with, destroyed and should never be considered. The evil callers must be advised and guided to the truth, and they should be warned against their (spread of) falsehood... my own advice to Al-Mus'iree, Al-Faqeeh and Ibn Laadan (Osama bn Laden) and all those who tread their path is that they should refrain from this evil path, they should fear Allâh and be wary of His punishment and anger; they should go back to what is correct and they should repent to Allâh for what had come from them (of evil)...' [*Majmuu fatâwâ wa maqalaat ash-Shaykh* 9/100].

Shaykh Abdul-Azîz Aal-Shaykh (the present Mufti of the Kingdom of Saudi Arabia) – may Allâh preserve him – was asked: 'Is it permissible to say that bn Laden, (Sa'd) Al-Faqeeh and Al-Mus'iriyy are misguided; and is it permissible for Muslims who do not have enough knowledge to listen to their talks on the Internet?'

Answer: 'O brothers; these people are the sources of evil and corruption (in the Muslim lands). There is no doubt that they are misguided people because right from time they had been products of the tutelage enemies of Islam; it was the enemies of Islam that trained them, they used to live under their shades; all their hearing and sight were with them. Therefore they are enemies of Islam, forget about their outward display and the hatred they pretend to show to such-and-such. Whoever studies their history and origin will know what they are evil and misguidance.' [Adapted from the lecture, *The Illegality of Causing Corruption on Earth.*]

Said Shaykh Uthaymeen – may Allâh bestow mercy on him – about the Riyadh and Khobar Bombing: 'There is no doubt that this act will not be pleasing to every right thinking person let alone the believers. None will be pleased with it because it opposes the Book of Allâh and the Sunnah of His Messenger because it is unfair to Islam; home and abroad. All who hear about this act will not ascribe it anybody except those who claim to hold to Islâm. 'They will say these are Muslims.' 'This is the character of Islam.' Even though Islam is free from their act. These people in reality first committed a crime against Islam before any other thing. May Allâh hold them accountable by His Justice because of this their great harm to Islam.

'Secondly, they are unfair to their brothers who love to hold to the ethos of Islam because when people – including other Muslims – see that the act came from those who hold to Islam; those who say they are defending Islam, perhaps the other people will detest the genuine lovers of the Deen, they will say: 'That is how all those who hold to the Deen do.' And what is known is those people do not represent the conscious Muslims on the least because the conscious Muslim is he who holds to the Book of Allâh and the Sunnah of His Messenger (*sallaLlahu alahy wa sallam*)...' [From the tape, *fatawaal-Ulamaa feel-Jihaad wal-amaliyaat al-intihaariyyah wal-ir'haab*].

Ash-Shaykh Sâlih al-Fauzân – may Allâh bestow mercy on him – was asked: 'It will not be hidden from you the influence Usâmah bn Laadan (Osama bn Laden) has upon the (Muslims) youths globally, the question is, is it permissible to say that he belongs to the *Khawaarij* most especially as he supports bombings in our land and other places?'

Answer: 'All who embrace such a thought, call and induce to it is from the *Khawaarij* irrespective of the name and place the person finds himself. The principle is that whoever calls to such a thought – carrying out rebellion against the (Muslim) rulers and declaring them as unbelievers, and holding the blood of the Muslims to be permissible to shed, such a person is from the *Khawaarij*.' [From the Lecture: *The Misguided Group and Its Methodology*].

Ash-Shaykh Sâlih al-Luhaidan – may Allâh bestow mercy on him – was asked: 'What should be the disposition of a Muslim towards Al-Qaidah group and its methodology being promoted by Usâmah bn Laadan (Osama bn Laden)?'

Answer: 'There is no doubt that this organization possesses no good neither is it on the path of bringing benefit and success (to the Muslims). The disunity among the Muslims and the prevalence of many conflicting and warring groups are among the sources of trial and evil (for the Ummah), and from them are the factors of dissension and boldness over spilling of (innocent) blood. This organization (you asked about), is it an organization aimed at fighting the unbelievers and removing them from the lands of the Muslims, and going to the countries who live under non-Islamic culture to spread the Deen there? Or that this al-Qaidah induces the people in their countries to rebel against their rulers to cause spilling of blood, encroachment on rights, destruction of origins and spread of fear. We ask Allâh to better the affairs of all.' [From Muhammad al-Areenee's *Wujuub Ta'aahtils-Sultaan Fee Ghair Ma'siyatir-Rahmaan* pp. 59-60].

Said Ash-Shaykh Muqbil Al-Waadi'ee – may Allâh bestow mercy on him: 'I absolve myself by Allâh from Ibn Laadan; he is a misfortune and trial for the Ummah. His acts are evil.' [Adapted from the magazine, *Ar-Ra'yu al-Aam al-Kuwaitiyyah* Issue No 11503, 19/12/1998].

The Shaykh – may Allâh bestow mercy on him – was also asked: 'It is observed that Muslims are facing difficulties in the Western countries mainly because of the bombings going on in every part of the world (by some Muslims)?'

Answer: 'I am quite aware of that; some of the brothers called me from Britain complaining about the restraints being meted out against them, they were asking whether it was permissible for them to announce their cut from Usâmah bn Laadan. We told them: 'As for us, we have freed ourselves from him and from his acts long ago.' What is happening is that Muslims are facing difficulties in the Western countries due to the activities of the movements under the auspices of *Ikhwaanul-Mufliseen*

(referring to 'the Muslim Brotherhood'), or others apart from them. We seek help from Allâh.'

The Shaykh – may Allâh bestow mercy on him – was asked: 'Why didn't you advise Usâmah bn Laadan?'

Answer: 'I quite sent him some pieces of advice, but Allâh knows better if they got to him or not. Some brothers came to us from them trying to show us that they could help and aid us, so that we will call to Allâh (together). Then after that, they sent some money to us requesting us to share it among the chiefs of the tribes to buy ordinary and automatic rifles but I rejected their offer and asked them not to come to my house the second time. I told them we only engage in Da'wah activities, we do not permit our students to do other than this.' [Adapted from the magazine, *Ar-Ra'yu al-Aam al-Kuwaitiyyah* Issue No 11503, 19/12/1998].

The Shaykh – may Allâh bestow mercy on him – also said: '[One of the causes of the problem in the Muslim world] is referring (Islamic) matters to the ignorant ones. Al-Bukhâri and Muslim indeed recorded in their Sahîh collections on the authority of Abdullâh bn Amr – may Allâh be pleased with both – that the Messenger of Allâh (*sallaLlahu alahy wa sallam*) said:

إِنَّ اللَّهَ لَا يَقْبِضُ الْعِلْمَ انْتِزَاعًا يَنْتَزِعُهُ مِنَ الْعِبَادِ وَلَكِنْ يَقْبِضُ الْعِلْمَ بِقَبْضِ الْعُلَمَاءِ حَتَّى إِذَا لَمْ يُبْقِ
عَالِمًا اتَّخَذَ النَّاسُ رُءُوسًا جُهَالًا فَسُئِلُوا فَأَفْتَوْا بِغَيْرِ عِلْمٍ فَضَلُّوا وَأَضَلُّوا

'Verily Allâh will not seize knowledge suddenly from the people, rather He will take it (gradually) by the death of scholars such that there will not remain any scholar and people will take the ignorant ones as heads, they will be asked (questions about the Deen), and they will pass verdicts without knowledge, they will go astray and they will lead others astray.' [Al-Bukhâri (100), Muslim (2673)].

This is as it is said: 'So-and-so scholar does not know the current happenings (in the Muslim world); [they will say] a concrete-like scholar, a scholar that dissuades (from Jihâd); as *Sunnah Magazine*, nay *Bid'ah Magazine*, puts it, in fact the magazine made clear its enmity to the People of Sunnah during the Gulf Crises.'

I say: Since the period people refused to refer matters to the scholars had they been falling into errors; Allâh the Majestic said:

وَإِذَا جَاءَهُمْ أَمْرٌ مِّنَ الْأَمْنِ أَوْ الْخَوْفِ أَذَاعُوا بِهِ ۖ وَلَوْ رَدُّوهُ إِلَى الرَّسُولِ وَإِلَىٰ أُولِي الْأَمْرِ مِنْهُمْ لَعَلِمَهُ الَّذِينَ يَسْتَنبِطُونَهُ مِنْهُمْ ۗ

When there comes to them some matter touching (public) safety or fear, they make it known (among the people), if only they had referred it to the Messenger or to those charged with authority among them, the proper investigators would have understood it from them (directly).

[Nisâ: 83].

'Those charged with authority' as used in the Verse refers to none other than the scholars, the rulers and the righteous intellectuals.

Let recall when Qârûn came out to his people in his ornament, the people of the world said:

يَلَيْتَ لَنَا مِثْلَ مَا أُوتِيَ قَارُونُ إِنَّهُ لَذُو حَظٍّ عَظِيمٍ . وَقَالَ الَّذِينَ أُوتُوا الْعِلْمَ وَيَلَكُمْ ثَوَابُ اللَّهِ خَيْرٌ لِّمَن ءَامَنَ وَعَمِلَ صَالِحًا وَلَا يُلْقَاهَا إِلَّا الصَّابِرُونَ .

"Ah, would that we had the like of what Qârûn has been given? Verily! he is the owner of a great fortune." But those who had been given (religious) knowledge said: "Woe to you! The reward of Allâh (in the Hereafter) is better for those who believe and do righteous good deeds, and this none shall attain except those who are patient (in following the truth)." [Qasas: 79-80].

It is the scholars that place matters in their rightful perspectives.

وَتِلْكَ الْأَمْثَلُ نَضْرِبُهَا لِلنَّاسِ ۖ وَمَا يَعْقِلُهَا إِلَّا الْعَالِمُونَ .

And these similitudes We put forward for mankind, but none will understand them except those who have knowledge (of Allâh and His signs, etc.). [*Al-Ankabût*: 43].

إِنَّ فِي ذَلِكَ لَآيَاتٍ لِّلْعَالِمِينَ .

Verily, in that are indeed signs for men of sound knowledge. [*Ruum*: 22].

إِنَّمَا تَخْشَى اللَّهَ مِنْ عِبَادِهِ الْعُلَمَاءُ إِنَّ اللَّهَ عَزِيزٌ غَفُورٌ .

It is only those who have knowledge among His slaves that fear Allâh.
Verily, Allâh is All-Mighty, Oft-Forgiving. [*Fâtir*: 28].

يَرْفَعُ اللَّهُ الَّذِينَ ءَامَنُوا مِنكُمْ وَالَّذِينَ أُوتُوا الْعِلْمَ دَرَجَاتٍ ۗ وَاللَّهُ

Allâh will exalt in degree those of you who believe, and those who have been granted knowledge. [*Al-Mujâdilah*: 11].

Whom did Allâh raise in status; the scholars, or the rebels and the coup plotters?

It has come in Sahîh Al-Bukhâri on the authority of Abu Hurairah – may Allâh be pleased with him – that indeed the Prophet (*sallaLlahu alahy wa sallam*) was asked:

'When will the Hour come to pass?' He replied: 'When the affair (of Islam) is referred to those who are not qualified, then expect the Hour.'

[*Al-Bukhâri*: 59].

[An example is] a head of a group who is ignorant!

An example of this tribulation is the tribulation that nearly tore the whole of Yemen apart; that was the tribulation that came from Usâmah bn Laadan. Whenever he is told: 'We want about 20,000 Saudi riyals to build a mosque in such-and-such town,' he would say he did not have the ability, 'We shall give according to our ability.' But whenever he is

told, 'We need guns and automatic rifles and others' he would reply: 'Take this 100,000 riyals, *Insha Allâh*, we shall give you the rest!'

Ash-Shaykh Ahmad An-Najmee – may Allâh bestow mercy on him – was asked: 'It has come authentically from the Prophet – *SallaLlahu alahye wa sallam* – that he said:

'Allâh's curse upon the person that gives refuge to an evil doer.'

Does the hadith apply to the Taliban Government (before it was deposed) as they harbour the *Khawarij*; they would enlist them at Al-Faaruuq Camp which is being supervised by Usâmah bn Laadan...?

Answer: There is no doubt that these are evil doers, and those who harbour them come within the threat which the Prophet – *SallaLlahu alahye wa sallam* – said is a curse upon whoever does it: 'Allâh curses whoever gives refuge to an evil doer.' If a person kills another person unjustly and you give a refuge to the killer and you tell the family of the deceased that they have no claim upon the killer, that is, you prevent them from their right; won't you be considered as a person harbouring the evil doers?

Ash-Shaykh Al-Uthaymeen – may Allâh bestow mercy on him – on
Suicide Bombing
Said the Shaykh in his commentary on *Riyâdus-Sâlihîn* over Hadith
31

'As for what some people do today viz. committing suicide (in warfare) whereby one of them will wrap some explosives to his body then go to the midst of the *Kuffâr* then detonate the explosives. The act is taking one's life, we seek refuge in Allâh. Whoever takes his own life will abide forever in the Hellfire as it has come in a hadith of the Prophet – *SallaLlahu alahye wa sallam*. The person has only killed himself and this is not in service to Islam; he just killed himself and killed some other ten, or one hundred or two hundred (*Kuffâr*); he has brought no good to Islam with that...it often occurs that the harm thereof is greater than the (presumed) benefit. [An example of that] is what goes on between the Jews and the Palestinians; whenever a person dies among the Jews due to a suicide bomb attack (from the Muslims), or he kills six or seven, the

Jews will in turn kill about sixty (Muslims) or more. With that, there is no benefit for Islam; it is even unhelpful to the cause of those who blow themselves up. This is why we say suicide bombing is indeed an act of taking one's life unjustly, it is a means of entering the Hell – we seek refuge in Allâh. Whoever carries out the act is never a martyr. A person who does this relying on some textual interpretation thinking that it is permissible, we hope he will be saved from the sin thereof, but there is no martyrdom for him because he did not take the correct path to it. Whoever strives (with knowledge) and makes a mistake will have one reward.'

Excellence of the Legitimate Jihâd

Below are some of the Verses and *Ahâdîth* of the Messenger of Allâh – *SallaLlahu alahye wa sallam* – enumerating the virtues of Jihâd in the path of Allâh the Majestic:

﴿ إِنَّ اللَّهَ اشْتَرَى مِنَ الْمُؤْمِنِينَ أَنفُسَهُمْ وَأَمْوَالَهُمْ بِأَنَّ لَهُمُ الْجَنَّةَ
يُقَاتِلُونَ فِي سَبِيلِ اللَّهِ فَيَقْتُلُونَ وَيُقْتَلُونَ وَعَدَا عَلَيْهِ حَقًّا فِي التَّوْرَةِ
وَالْإِنْجِيلِ وَالْقُرْآنِ وَمَنْ أَوْفَىٰ بِعَهْدِهِ مِنَ اللَّهِ فَاسْتَبْشِرُوا بِبَيْعِكُمُ الَّذِي بَايَعْتُمْ
بِهِ ۚ وَذَلِكَ هُوَ الْفَوْزُ الْعَظِيمُ ﴾

Verily, Allâh has purchased of the believers their lives and their properties; for the price that theirs shall be the Paradise. They fight in Allâh's Cause, so they kill (others) and are killed. It is a promise in truth which is binding on Him in the *Taurât* (Torah) and the *Injeel* (Gospel) and the Qur'ân. And who is truer to His Covenant than Allâh? Then rejoice in the bargain which you have concluded. That is the supreme success. [Taubah: 111].

Allâh the Majestic also said:

يَأْتِيهَا الَّذِينَ ءَامَنُوا هَلْ أَذُكُم عَلَىٰ تِجْرَةٍ تُنَجِّيْكُمْ مِّنْ عَذَابٍ أَلِيمٍ . تُوْمِنُونَ بِاللّٰهِ
 وَرَسُولِهِ ۖ وَتُجَاهِدُونَ فِي سَبِيلِ اللّٰهِ بِأَمْوَالِكُمْ وَأَنفُسِكُمْ ۗ ذَٰلِكُمْ خَيْرٌ لَّكُمْ إِن كُنتُمْ
 تَعْمَلُونَ . يَغْفِرَ لَكُمْ ذُنُوبَكُمْ وَيُدْخِلْكُمْ جَنَّاتٍ تَجْرِي مِنْ تَحْتِهَا الْأَنْهَارُ وَمَسْكِنٍ طَيِّبَةٍ
 فِي جَنَّاتٍ عَدْنٍ ۚ ذَٰلِكَ الْفَوْزُ الْعَظِيمُ .

O you who believe! Shall I guide you to a commerce that will save you from a painful torment. That you believe in Allâh and His Messenger, and that you strive hard and fight in the Cause of Allâh with your wealth and your lives, that will be better for you, if you but know! (If you do so) He will forgive you your sins, and admit you into Gardens under which rivers flow, and pleasant dwelling in Gardens of 'Adn - Eternity [Paradise], that is indeed the great success. [As-Saff: 10-12]

عَنْ أَبِي هُرَيْرَةَ قَالَ
 سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ مَثَلُ الْمُجَاهِدِ فِي سَبِيلِ اللَّهِ وَاللَّهُ أَعْلَمُ بِمَنْ يُجَاهِدُ فِي سَبِيلِهِ كَمَثَلِ
 الصَّائِمِ الْقَائِمِ وَتَوَكَّلَ اللَّهُ لِلْمُجَاهِدِ فِي سَبِيلِهِ بِأَنْ يَتَوَفَّاهُ أَنْ يُدْخِلَهُ الْجَنَّةَ أَوْ يَرْجِعَهُ سَالِمًا مَعَ أَجْرٍ أَوْ غَنِيمَةٍ

On the authority of Abu Hurairah – may Allâh be pleased with him – who said I heard the Messenger of Allâh – *SallaLlahu alahye wa sallam* – say: 'The similitude of the person who strives in the path of Allâh – and only Allâh knows he that strives in His path – is like a fasting person and a standing person in prayers (at night). Allâh has vouched for the person who strives in His path that He either causes him to die and enter the Jannah or that he comes back home safe with rewards or booty [Al-Bukhârî: 2787].

عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ قَالَ
 قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مَنْ آمَنَ بِاللَّهِ وَرَسُولِهِ وَأَقَامَ الصَّلَاةَ وَصَامَ رَمَضَانَ كَانَ حَقًّا عَلَى اللَّهِ أَنْ
 يُدْخِلَهُ الْجَنَّةَ جَاهِدًا فِي سَبِيلِ اللَّهِ أَوْ جَلَسَ فِي أَرْضِهِ النَّبِيِّ وُلِدَ فِيهَا فَقَالُوا يَا رَسُولَ اللَّهِ أَفَلَا تُبَشِّرُ النَّاسَ قَالَ إِنْ فِي
 الْجَنَّةِ مِائَةٌ دَرَجَةٍ أَعَدَّهَا اللَّهُ لِلْمُجَاهِدِينَ فِي سَبِيلِ اللَّهِ مَا بَيْنَ الدَّرَجَتَيْنِ كَمَا بَيْنَ السَّمَاءِ وَالْأَرْضِ

Also on the authority of Abû Hurairah – may Allâh be pleased with him – who said that the Messenger of Allâh – *SallaLlahu alahye wa sallam* – said: 'Whoever believes in Allâh and His Messenger, observes the prayers, and fasts in Ramadan, it becomes a duty on Allâh to make him enter Jannah whether he fights in Allâh's path or sits in the land where he was born.'

The Companions then said: 'O Messenger of Allâh, won't we spread this good news to the people?'

The Messenger of Allâh – *SallaLlahu alahye wa sallam* – replied: 'Indeed there are one hundred levels in the Jannah which Allâh has prepared for the mujahedeen in His Path; the distance between two levels is like the distance between the heaven and the earth...' [*Al-Bukhârî*: 2790].

قَالَ عَبْدُ اللَّهِ بْنُ مَسْعُودٍ رَضِيَ اللَّهُ عَنْهُ
سَأَلْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قُلْتُ يَا رَسُولَ اللَّهِ أَيُّ الْعَمَلِ أَفْضَلُ قَالَ الصَّلَاةُ عَلَى مِيقَاتِهَا قُلْتُ ثُمَّ أَيُّ قَالَ
ثُمَّ بَرُّ الْوَالِدَيْنِ قُلْتُ ثُمَّ أَيُّ قَالَ الْجِهَادُ فِي سَبِيلِ اللَّهِ فَسَكَتُ عَنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَلَوْ اسْتَزَدْتُهُ
لَزَادَنِي

On the authority of Abdullah bn Mas'uud – may Allâh be pleased with him – who said: I asked the Messenger of Allâh – *SallaLlahu alahye wa sallam*: 'Which of the deeds is the best?' He replied: Prayers said at their proper times.' I said: 'Then which deed?' He replied: 'Goodness to the parents.' I asked again: 'Which other deed?' He replied: 'Jihâd in the path of Allâh.' Then the Messenger of Allâh – *SallaLlahu alahye wa sallam* – remained silent. (Ibn Mas'uud said – may Allâh be pleased with him:) 'If I had asked him to go on, he would do so.' [*Al-Bukhârî*: 2782].

عَبْدُ اللَّهِ بْنُ عَمْرٍو بْنِ الْعَاصِ
أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ يُغْفَرُ لِلشَّهِيدِ كُلُّ ذَنْبٍ إِلَّا الدَّيْنَ

On the authority of Abdullah bn Amr bn Al-Aas – may Allâh be pleased with both – that the Messenger of Allâh – *SallaLlahu alahye wa sallam* – said: 'All sins are forgiven the martyr except (his) debt.' [*Muslim*: 1886]

The Prophet – *SallaLlahu alahye wa sallam* – also warned the Muslims against forsaking Jihâd:

عَنْ ابْنِ عُمَرَ قَالَ
سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ إِذَا تَبَايَعْتُمْ بِالْعَيْنَةِ وَأَخَذْتُمْ أَدْنَابَ الْبَقَرِ وَرَضِيْتُمْ بِالزَّرْعِ وَتَرَكْتُمْ
الْجِهَادَ سَلَطَ اللَّهُ عَلَيْكُمْ ذُلًّا لَا يَنْزِعُهُ حَتَّى تَرْجِعُوا إِلَى دِينِكُمْ

On the authority of Abdullah bn Umar – may Allâh be pleased with both – who said: I heard the Messenger of Allâh – *SallaLlahu alahye wa sallam* – say: 'When you engage in heenah trades (that is, doubtful trades), and you hold unto the tails of cattle, and you are pleased with farming, while you forsake Jihâd in the path of Allâh, Allâh will cause ignominy upon you, He will not remove it until you return to your Deen.' [Abu Dâwud: 3462; Ash-Shaykh Al-Albâni – may Allâh bestow mercy on him – graded it authentic in *As-Sahîhah*: 11 and *Sahîh Jâmi*: 423].

Noteworthy from the last hadith is that the way-out from the mess the Muslims have fallen world over is by returning to Islam in all facets – tauheed, creed, call, methodology, mannerism, knowledge-quest, etc. If Jihâd must be carried out, it must be borne out of knowledge not sentiments and emotions.

May any Muslim who sees any flaw in this article, whether in terms of translation or otherwise, point it out to its preparer. He can be reached via this e-mail address: abulbanaat1427@gmail.com.

We ask Allâh for guidance, may He exalt the mention of Muhammad, his family, his Companions and those who follow them in goodness.