

The Philosophical Perspective of *Jihad* **A Critical Analysis**

Dr. Atiq-ur-Rehman *

Dr. Zia ur Rehman **

ABSTRACT

There are two opposing views of scholars and different religions regarding the permission or non-permission of war on the basis of honor and lawfulness of human life.

The Hindus and Jews legalize war, whereas the Buddhists and Christians consider it illegal. Islam follows the middle path and attributes the legality of war to its purpose because only the purpose tells the righteousness or wrongfulness of any deed.

Islam has prevented from all those purposes that eliminate the cause of Allah Almighty from war. Islam does not legalize war for any worldly purpose so the pursuit of fame, kingship, booty, conquering another land or national or personal revenge is not legal. Jihad has been enjoined for the elimination of hurdles in the path of Allah. It clarifies the policy of Islam that war is not an end but it is a means to an end. Today the west is doing propaganda against Islam that Islam spread through sword and the concept of jihad is being related to terrorism. The purposes of jihad should be kept in mind in order to understand the philosophy of jihad. The aim of this paper is to highlight the purposes of jihad and its importance. Views of various scholars have been observed in this study along with references from Quran and Hadith.

Keywords: *Jihad, legality of war, policy of Islam, purposes of jihad, western propaganda*

* Assistant Professor, Department of Islamic Studies, UET, Lahore

** Lecturer, Department of Islamic Studies, The Islamia University of Bahawalpur

There are two opposing views of scholars and different religions regarding the permission or non-permission of war on the basis of honor and lawfulness of human life. Discussing the philosophy of war, Abdul Salam Nadvi expresses his views in these words:

“There is a great disagreement of Ulema about war. One group considers it the root cause of all human problems and the other group thinks that it has a lot of advantages along with its disadvantages. That is why it cannot be separated from cultural element.”⁽¹⁾

Same is the situation of major religions. The Hindus and Jews legalize war, whereas the Budh and Christians consider it illegal. Hindus and Jews legalize war for all those purposes which their inner-selves desire. They do not distinguish between right and wrong as to its purposes. The Budh and Christians feel that the killing of human beings by fellow human beings is not legal. Between these two extremes, Islam follows the middle path and attributes the legality of war to its purpose because only the purpose tells the righteousness or wrongfulness of any deed. Islam legalizes all those wars that are carried out in the way of Allah. War for the sake of envy, repression, cruelty, greed, revenge and finance has been branded as illegal. Syed Maududi writes:

“It (Islam) divides war into two types keeping in view the nature of man, the requirements of man and betterment of mankind. One type of war is that which is fought for the sake of land, money, rule and desires of the self. Second type of war is that which is fought for the sake of truth and against cruelty and oppression. The first type has been termed as anarchy and chaos. It has been called the worst crime and Islam fully prohibits it. The second type of war, if carried out without any personal interest and purely for the right cause then it is Jihad in the way of Allah. It is best kind of worship and most divine obligation and there is no better of help mankind than this.”⁽²⁾

Islam has prevented from all those purposes that eliminate the cause of Allah Almighty from war. It has been explained in Holy Quran in the following verse:

﴿الَّذِينَ ءَامَنُوا يُقَاتِلُونَ فِي سَبِيلِ اللَّهِ وَالَّذِينَ كَفَرُوا يُقَاتِلُونَ فِي سَبِيلِ
الطَّاغُوتِ﴾⁽³⁾

“Those who believe fight in the Cause of Allah, and those who disbelieve, fight in the cause of Satan. So fight you against the friends of Satan. Ever feeble indeed is the plot of Satan.”

It is a clear cut message in which the distinction between right and wrong has been clearly mentioned. The people who fight for the cruelty, oppression, material gain and personal purposes are comrades of Satan and those who fight against them are the soldiers of Allah Almighty. Every war whose purpose is to harm the Muslims is the devilish war and it has no connection with Allah. Those who fight for the poor and miserable, who want to stop oppression and establish peace and justice, and who fight against oppression and anarchists to provide a peaceful life to the people are the fighters in the way of Allah. They do not help the miserable but they help Allah Almighty. Therefore, the Muslims have never been told that the purpose of war is land or material gains. They have been told that as a result of war in the way of Allah they will find the happiness of their Lord and protection from the perdition of hell. As it is clear from the verse below:

﴿يَأَيُّهَا الَّذِينَ ءَامَنُوا هَلْ أَذُنُكُمْ عَلَىٰ عُرْسِكُمْ ۖ فَتُبْحَرُوا مِنَّا بِأَعْيُنِكُمْ ۗ قُلْ إِن كُنتُمْ تُحِبُّونَ اللَّهَ
وَرَسُولَهُ فَاجْهَدُوا فِي سَبِيلِ اللَّهِ بِأَمْوَالِكُمْ وَأَنفُسِكُمْ ذَٰلِكُمْ خَيْرٌ لَّكُمْ إِن كُنتُمْ تَعْلَمُونَ﴾⁽⁴⁾

“O you who believe! Shall I guide you to a trade that will save you from a painful torment? That you believe in Allah and His Messenger SAW, and that you strive hard and fight in the Cause of Allah with your wealth and your lives: that will be better for you, if you but know!”

Allah loves those who fight solely for His cause as it has been mentioned in the following verse:

﴿إِنَّ اللَّهَ يُحِبُّ الَّذِينَ يُقَاتِلُونَ فِي سَبِيلِهِ صَفًّا كَأَنَّهُمْ بُيُوتٌ

مَرصُوضٌ﴾⁽⁵⁾

“Verily Allah loves those who fight in His Cause in rows as if they were a solid structure.”

It can also be understood by the following Hadith from Sehai Sittah:

Hazrat Abu Musa Ashari RA narrates: “A person came to the Holy Prophet ﷺ and asked that some fight for the booty, some fight for fame and some fight to show their bravery, who amongst them fights in the way of Allah? The Holy Prophet ﷺ replied that only the person who fights to uphold the name of Allah fights in the way of Allah.”⁽⁶⁾

Hazrat Abu Musa Ashari RA narrates another Hadith and says:

“A person came to the Holy Prophet ﷺ and he said, “O Prophet of Allah ﷺ, what is fighting in the way of Allah? Some of us fight in anger, some for the honor of nation?” the Holy Prophet ﷺ raised his head and said the one who fights to uphold the name of Allah fights in the way of Allah.”⁽⁷⁾

Abu Amama Bahli RA narrates that a person came to Holy Prophet ﷺ and asked what will be given to him who fights for material gain and fame? The Holy Prophet ﷺ replied nothing. It was strange for that person, he came back and asked the same question and the Holy Prophet SAW again gave the same reply. He was not satisfied and came again and asked the same question till the Holy Prophet ﷺ said:

“Allah does not accept any deed unless it is done only for His happiness.”⁽⁸⁾

Muaz Bin Jabal RA narrates, the Holy Prophet ﷺ said:

“There are two types of fight. The person who fought purely for Allah cause and followed the leader, spent his best finance and abstained from chaos then his sleep and

waking deserves blessing from Allah. And the person who fought for show off and to gain fame and did not follow the leader and created chaos will not be spared (i.e. he will face perdition).”⁽⁹⁾

Abada Bin Samit RA narrates that once the Holy Prophet ﷺ said:

“The person who went to fight for Allah and intended even for a rope for tethering camel then he will only get the rope and none of the blessings.”⁽¹⁰⁾

Abu Huraira RA narrates that once the Holy Prophet ﷺ said:

“Three people will be judged first of all on the day of Judgment. First the person who fought in the path of Allah will be brought. Allah will tell about His blessing on him and when he will admit the blessings then Allah will ask him, ‘what did you do for me?’ He will reply, ‘I fought for you until I got martyred.’ Allah will say, ‘You tell lies. You only fought for the purpose that people will say he is very brave, your purpose if fulfilled.’ Then Allah will order perdition for that person and he will be thrown in hell headlong.”⁽¹¹⁾

Abdullah Bin Masu’d RA narrates that the Holy Prophet ﷺ said:

“On the day of Judgment one person will come holding the forelock of another person and will say, ‘O Allah! This person killed me.’ Allah will ask, ‘Why did you kill him?’ the person will say that he killed that person for the sake of Allah’s honor. On this Allah will say, ‘Yes, the honor is for me.’ Then another person will come holding the hand of another man and will say that he killed me. Allah will ask, ‘Why did you kill him?’ He will say that he killed that person for the honor of another man. Then Allah will say, ‘honor was not his right.’ And he will be captured in this crime.”⁽¹²⁾

This mode of teaching purges war from all worldly pursuits. Islam does not legalize war for any worldly purpose so the pursuit of fame, kingship, booty, conquering another land or national or personal revenge is not legal. Islam has explained all this.

Islam is a universal and international religion and it carries a universal message. Its individuality can be seen in all the walks of life and it can also be seen in the field of war. It negates war for all the negative purposes and legalizes it for only some right purposes. If we deeply study the legalized purposes of war in Islam, they are numerous. Only three of the basic purposes have been discussed here in detail. All the other purposes fall under them.

Upholding of Allah's word:

The propagation of religion to all people of all territories and eras is a rightful purpose of war. Islam came for the reformation and welfare of whole mankind. The Holy Prophet ﷺ spread Islam to the Arabs and left the world after putting his nation on the path of glory. He ﷺ enjoined upon Sahaba and the people after them to spread the message of Islam to other nations and people of the world. But history is witness that rebellious and transgressors of the religion of Allah do not allow the people to accept religion according to their free will. There are a lot of such instances when the Holy Prophet ﷺ was tortured and teased on account of preaching the oneness of Allah and stopping from the worship of false deities. The people who approved and accepted the message of the Holy Prophet ﷺ were also tortured and ultimately exiled the Holy Prophet ﷺ and his followers from Makkah. The pagans of Makkah tried to control the minds of people and denied them the right of free choice of religion. The pagans used oppressive measures to stop the true religion. If the pagans were left free in doing this, the wrong would have oppressed the right and the darkness of disbelief would have prevailed over the light of truth. So order for war was given and people were asked to support it in order to eliminate the hurdles in the propagation of Islam. Same was the purpose of all the wars after this. Upholding the word of Allah is the prime and soles purpose of Jihad. If the propagation of religion is going smoothly then there is no need of sword but if the people are facing difficulty in treading the path of Allah then this difficulty must be eliminated. In Surah al Infaal,

Allah Almighty orders jihad against all those who put hurdles in the propagation of religion:

﴿ إِنَّ الَّذِينَ كَفَرُوا يُنْفِقُونَ أَمْوَالَهُمْ لِيَصُدُّوا عَن سَبِيلِ اللَّهِ ۖ فَسَيُفْقَهُنَّهَا ثُمَّ تَكُونُ عَلَيْهِمْ حَسْرَةً ثُمَّ يُغْلَبُونَ وَالَّذِينَ كَفَرُوا إِلَىٰ جَهَنَّمَ يُحْشَرُونَ ﴾ (13)

“Verily, those who disbelieve spend their wealth to hinder from the path of Allah, and so will they continue to spend it; but in the end it will become anguish for them. Then they will be overcome. And those who disbelieve will be gathered unto Hell.”

In Surah Tauba, the purpose of war against disbelievers has been told:

﴿ أَشْتَرُوا بِآيَاتِ اللَّهِ ثَمَنًا قَلِيلًا فَصَدُّوا عَن سَبِيلِهِ ۗ إِنَّهُمْ سَاءَ مَا كَانُوا يَعْمَلُونَ ﴾ (14)

“They have purchased with the verses of Allah a little gains, and they hindered men from His way; evil indeed is that which they used to do.”

Then the war against the people of scripture has been ordered because they try hard to stop people from the path of virtue. Allah says in Holy Quran:

﴿ يَتَأْتِيهَا الَّذِينَ ءَامَنُوا إِنَّ كَثِيرًا مِّنَ الْأَجْبَارِ وَالرُّهْبَانِ لِيَآكُلُوا أَمْوَالَ النَّاسِ بِالْبَطْلِ وَيَصُدُّونَ عَن سَبِيلِ اللَّهِ ﴾ (15)

“O you who believe! Verily, there are many of the rabbis and the monks who devour the wealth of mankind in falsehood, and hinder from the way of Allah.”

In the same way in Bdaya al Sina’ae, obligation of jihad has been described in these words:

“The purpose of the obligation of jihad is the propagation and glory of Islam and to overcome and eliminate the vice of disbelievers.” (16)

Allama Kasani further writes:

“Killing (for the sake of Islam) has not been enjoined for the sake of killing but it has been enjoined for the propagation of Islam.” ⁽¹⁷⁾

According to Imam Ibn e Tamia:

“The real purpose of jihad is that the religion of Allah wholly prevails and word of Allah be glorified.” ⁽¹⁸⁾

Jihad has been enjoined for the elimination of hurdles in the path of Allah. If the enemies of Islam are muffling the propagation of religion to the people and they try to deny true religion to the people then armed effort should be made against them till their defeat. As Syed Qutab Shaheed said:

“Islam came for the whole mankind and the glory of the word of Allah means that the teachings of Islam be spread to whole mankind and there should be no hurdle between people and blessings of Islam. The person who puts hurdle in the propagation of Islam with power then that person is in reality transgressor against the word of Allah. The elimination of such a person is the glory of the word of Allah.” ⁽¹⁹⁾

If the propagation of Islam is going on smoothly and there is no hurdle in its propagation then there is no need of war. As Dr. Mahmood Ahmed Ghazi writes:

“The one and only purpose of jihad is the propagation of Islamic teachings and its support. If the means of propagation are available and there is no hurdle in its way, no oppression is practiced against Muslims throughout the world and the people are free to lead their lives in full freedom to practice Islam then there is no need of taking sword.” ⁽²⁰⁾

Sharia legalizes armed effort only against those who muffle the spread of Islam and propagation of Islamic teachings. Islam did not spread through sword. The use of power is only legalized for the safety of Islam against those who put hurdles in its smooth progression. They not only reject the message of Islam but also try to stop it. If a person does not embrace Islam and live with Muslims

in complete peace under a treaty then there is no legality of war against that person. Therefore Islam focuses on two points before going for war. If any of these two is agreed upon then there is no need of war. The first of these two points is that they should be invited to embrace Islam as it has been told to Muslim warriors in Bdaya al Sina'ae:

“Killing is not legal before giving invitation to embrace Islam.”⁽²¹⁾

If the opposing nation does not know the teachings of Islam then it is necessary to invite them to accept Islam. If the opposing nation knows the teachings of Islam even then it is better to invite them to Islam before fighting. May be they accept Islam this time and the motive of Islam is achieved without fight. It clarifies the policy of Islam that war is not an end but it is a means to an end. It shows the importance of the message of Islam and also the fact that Islam likes peace more than war. If the opposing nation accepts Islam then the objective is achieved and there is no reason for fight. But if they reject this invitation then second option should be offered to them that they accept to live as tax payers to Muslims. As it has been told in Bdaya al Sina'ae:

“If they do not accept to convert to Islam then they should be offered to pay tax.”⁽²²⁾

According to this treaty there will be no objection if they practice their own religion. As a result of tax they will live under security and peace. This tax is not applicable to disabled people, children, women and the old. The reason behind this agreement is that the easiest way to preach them is adopted. If they reject this offer too then there is no way except war to provide peace and security to Muslims. There should be no hurdle for Muslims to practice their beliefs. They should be free in choosing the right and abstaining from the wrong.

Eradication of Cruelty and Oppression:

Islam has legalized war to put an end to cruelty and oppression. When the opposing nation practice cruelty against

Muslims then war is legalized to support and save the oppressed. That is when their homes have been occupied, their rights denied to them and their possessions taken from them then the Muslims must fight for their brethren. Islam does not like oppression and disapproves its propagation in society. Contrary to Christianity, Islam does not approve to bear oppression rather it demands the complete eradication of oppression from society. When the people of Makkah exiled the Muslims and confiscated their properties, they were allowed to launch a war against this oppression. The very first verse that legalized killing for the sake of religion depicts this idea:

﴿أُذِنَ لِلَّذِينَ يُقَاتَلُونَ بِأَنَّهُمْ ظَلَمُوا وَإِنَّ اللَّهَ عَلَىٰ نَصْرِهِمْ لَقَدِيرٌ ۝
 الَّذِينَ أُخْرِجُوا مِنْ دِيَارِهِمْ بِغَيْرِ حَقٍّ إِلَّا أَنْ يَقُولُوا رَبُّنَا اللَّهُ وَلَوْلَا
 دَفَعُ اللَّهُ النَّاسَ بَعْضَهُمْ بِبَعْضٍ لَفَسَدَتِ السَّمَاوَاتُ وَالْأَرْضُ وَالْجِبَالُ
 سَوَاءً لَكُمُ الْيَوْمَ أَلَّمْتُمُوهُنَّ أَمْ لَمْ تَلْمُوهُنَّ لَئِنْ لَمْ يَنْصُرْكُمُ اللَّهُ
 لَيَكُونَنَّ مِنَ الْخَاسِرِينَ﴾ (23)

“Permission to fight is given to those who are fought against, because they have been wronged; and surely Allah is able to give them victory. Those who have been expelled from their homes unjustly only because they said: “Our Lord is Allah.” For had it not been that Allah checks one set of people by means of another, monasteries, churches, and mosques wherein the Name of Allah is mentioned much would surely have been pulled down. Verily Allah will help those who help His (cause). Truly, Allah is All-Strong All-Mighty.”

In these verses the people against whom war is legalized have only committed one crime i.e. they oppress the people and drive the innocent people from their homes. So the oppressed were allowed to carry out armed effort against the oppressors and crush their hateful motives. This permission is not given only to the oppressed but other Muslims are ordered to help their oppressed brethren so that the miserable should be freed from the shackles of the oppression. As it has been said in Holy Quran:

﴿وَمَا لَكُمْ لَا تُقَاتِلُونَ فِي سَبِيلِ اللَّهِ وَالْمُسْتَضْعَفِينَ مِنَ الرِّجَالِ وَالنِّسَاءِ
وَالْوِلْدَانِ الَّذِينَ يَقُولُونَ رَبَّنَا أَخْرِجْنَا مِنْ هَذِهِ الْقَرْيَةِ الظَّالِمِ أَهْلُهَا وَاجْعَلْ
لَنَا مِنْ لَدُنْكَ وَلِيًّا وَاجْعَلْ لَنَا مِنْ لَدُنْكَ نَصِيرًا﴾ (24)

“And what is wrong with you that you fight not in the Cause of Allah, and for those weak, ill-treated and oppressed among men, women and children, whose cry is: “Our Lord! Rescue us from this town whose people are oppressors; and raise for us from You one who will protect, and raise for us from You one who will help.”

This order is interpreted by Syed Qutab in these words:

“So it has been enjoined upon the Muslim Ummah to stop oppression in the whole world. They should not do it for the sake of material gains or superiority but should do it for the glory of word of Allah after coming into power.” (25)

It is religious and moral obligation of Muslims to save not only their own selves but also the weak and the needy among whole mankind. If the people are suffering under the cruel rule then its obligatory on Islamic system to help them and relieve their suffering. When a group of Muslims is captured in the cruel grip of enemies and have no power to save themselves then it is obligatory upon those who are powerful and free to carry out armed struggle in order to save their Muslim brethren. This purpose of war has been described by Mahmud Sheet Khatab in these words:

“Jihad is ordered in Islam to uphold the truth and eradicate the wrong and to relieve the weak and miserable from suffering.” (26)

Eradication of Chaos and Anarchy:

When the truth is oppressed by force and people are stopped from following the right path and led astray and conspiracies are made against religion and devilish forces are creating chaos then it is obligatory upon Muslim to carry out jihad. All these conditions have been described by Quran as reason for jihad:

﴿ وَقَاتِلُوهُمْ حَتَّى لَا تَكُونَ فِتْنَةٌ وَيَكُونَ الدِّينُ كَلِمَةً لِلَّهِ ﴾
 ﴿ فَإِنِ انْتَهَوْا فَإِنَّ اللَّهَ بِمَا يَعْمَلُونَ بَصِيرٌ ﴾⁽²⁷⁾

“And fight them until there is no more Fitnah (disbelief) and the religion will be all for Allah Alone. But if they cease then certainly Allah is the All-Seer of what they do.”

Chaos cannot be stopped without the use of sword, whether the chaos is created from within or without. If a group is creating chaos from inside or outside to disrupt the unity of Ummah then war against them is legal. This war against anarchy will continue forever. It is only legal against those who create chaos through their words and deeds. This is the reason that the killing of women, children and handicapped is illegal.

Islam has preached patience and tolerance but no tolerance has been ordered against any such attack which is aimed at wiping out religion of Allah from the world and taking land from the Muslims. The order for protection of religion and Muslim land is very strict that if any enemy attacks the Islamic system or Islam then it becomes obligatory for all Muslims to leave everything behind and fight against the enemy. Therefore the scholars of religion hold the opinion that if the Muslim land is attacked then jihad becomes obligatory upon every Muslim individually. As Ibn e Qdamah has described the situations when jihad becomes obligatory for individuals in these words:

“When the disbelievers attack a Muslim country then it is binding on the natives to fight against them and defend their land.”⁽²⁸⁾

This idea has been presented in Bdaya al Sina'ae in these words:

“If it is heralded publically that an enemy has attacked a certain area then it (jihad) becomes obligatory for every Muslim who has power for it.”⁽²⁹⁾

In Islam liberty is the most important thing in the national life of Muslims. It is not only that after losing liberty they lack the power to help humanity for which they are created but they do not remain capable of establishing system of Shariah upon which their whole religious life is based. So any attack on Islamic government and Islamic country is considered an attack on Islam even though its purpose is only to remove political rule of Muslims rather than Islam. In this case the order of obligation of jihad will be applicable in the same way as it is applicable during war against Islam. So Dr. Wahbat al Zaheeli writes these words about the reasons for war in Islam:

“There are three kinds of circumstances that legitimize warfare in Islam, namely, (a) aggression against Muslims, either individually or collectively, as preachers for Islam, or attempts to make Muslims apostates or the launching of war against Muslims. (b) Assistance for the victims of injustice, whether individuals or groups. (c) Self-defense and to ward off attacks on one’s homeland.”⁽³⁰⁾

It means that when open violence is committed against the Muslims then war becomes inevitable. Jihad is legal in this case as it is the right of every nation, system and society to defend itself from foreign insurgency.

In Sharia e Muhammadi war is a means to maintain peace. It is the purpose of war to provide eternal peace and comfort to people. To highlight the purpose of war Allama Surkhushi writes:

“The aim is that the Muslims remain peaceful and carry out their religious and worldly activities in peace.”⁽³¹⁾

The same was the purpose of all the wars that were fought in the era of the Holy Prophet SAW. Dr. Mahmud Ghazi writes about the wars in the era of Holy Prophet SAW:

“The reasons of war can be divided into five different types. When evident violence is committed against Muslims then war becomes inevitable. The second legal type is the war that is carried out to eradicate chaos whether it is created from within or without. The third

type is the war that is launched for the safety of Muslim minority or the safety of non-Muslim having treaty with Muslims. The fourth type is the war that occurs as a continuity of a long time war. The last type of war is that which is carried out to remove hurdles in the way of propagating Islam or to stop any devilish activity.”⁽³²⁾

War can be divided in to two types on the basis of human nature and its welfare. First type of war is that which is fought for wealth, power and land. The second type is the war that is fought for right and eradication of oppression. The first type of war has been termed as sin and abstaining from it is ordered. The second type of war rises to the level of worship if it is carried out purely and without any personal interest. Islam opts for it only for need and it is under the laws of justice and human values. There is no option of making slaves and taking material resources. So Sayed Qutab Shaheed writes:

“Islam does not approve the wars which are fought with the motive of greed and personal or national material interests. It rejects all those wars that are fought for colonialism, exploitation, trade markets or raw materials. It is against the subjugation of human beings and rejects the war for the sake of opposition and capturing material resources. It also stops from all those wars that create false glory of kings and national heroes or that urge the love of kingship or personal interests.”⁽³³⁾

So it is proved that only the purpose of war determines whether it is jihad or terrorism. If the war is fought for material gains then it is terrorism and if the war is fought for the eradication of chaos and oppression with the aim of glorification of Allah’s name then it is jihad in the way of Allah.

Conclusion:

Today the west is doing propaganda against Islam that Islam spread through sword and the concept of jihad is being related to terrorism. Some simple Muslims too become victim of this propaganda and they start speaking in the tone of west and in fact

jihad is an important, honorable and dignified religious practice and it guarantees world peace. The purposes of jihad should be kept in mind in order to understand the philosophy of jihad. Jihad was adopted in its true spirit in the era of Holy Prophet SAW and in the era of Sahaba and in other Islamic eras and the whole world enjoyed its fruits and the world became a peaceful place. And when the khilafat came to an end and jihad practically stopped then the world entered the dismal shades of oppression and misery.

BIBLIOGRAPHY & REFERENCES

- 1) *Jang ka falsfa*, Abd al-Salam Nadvi, Monthly Al Ma'arif, Azam Garh, volume 2 edition 6, December 1917, pp 48
- 2) Maudoodi, Syed Abul-Aala, *Al Jihad fi al-Islam*, Idara Tarjuman al-Quran (Pvt.) Ltd. Lahore 2004, pp 455
- 3) Surah al-Nisa 4:76
- 4) Surah al-Saff 61:10-11
- 5) Ibid 61:4
- 6) Al-Bukhari, Muhammad b. Ismail, *Sahih al-Bukhari* (Beirut: Dar Ibn Kathir, 1990), 1034/3
- 7) Ibid 358/1
- 8) Al-Nasai, Ahmad b. Shuayb, *Sunan al-Nasai* (Halab: Maktab al-Matbuat al-Islamiyah, 1994), 22/6
- 9) Abu Dawood, Suleman b. al-Ashas, *Sunan Abi Dawood* (Beirut: Dar al-Kitab al-Arabi, n.d.),321/2; Ahmad b. Hanbal, Musnad Ahmad, (Moassasah al-Risalah,1999) 368/36,
- 10) Sunan al-Nasai, 22/6
- 11) Muslim b. al-Hajjaj, Al Jam'i al-Sahih, (Beirut: Dar al-Jeel wa Dar al-Afaaq al-jadeedah, n.d.) 47/6
- 12) Sunan al-Nasai 71/7
- 13) Surah al-Anfal 8:36
- 14) Surah al-Tauba 9:9
- 15) Ibid 9:34
- 16) Al-Kasani Abu Bakar, *Bada'i al-Sana'i fi Tarteeb Al Shara'i*, (Beirut: Dar al-Kitab al-Arabi,1982), 98/7
- 17) Ibid, 100/7
- 18) Ibn Taimiyyah , Ahmad b. Abd al-Haleem, *Al-Siyasat al-Shariah*, (Beirut: Dar al-Kutab al-Arabiah, 1999), pp 159
- 19) Syed Qutab, Aman Alam aur Islam, Tran. by Mian Manzur Ahmad, (Lahore: Gulistan Publications,1974), pp 30
- 20) Mahmud Ahmad Ghazi, Dr, *Islam ka Qanoon Bayn al-Mumalik*,(Islamabad: Shariah Academy, IIUI, 2007), pp 330

- 21) Bada'i al-Sana'i fi Tarteeb Al Shara'i, 100/7
- 22) Ibid
- 23) Surah al-Haj 22:39-40
- 24) Surah al-Nisa 4:75
- 25) *Aman Alam aur Islam*, pp 184
- 26) Mahmud Sheet Khattab, *Bayn al-Aqadat wa al-Qyadat*, (Beirut: Dar al-Fikar,1972),pp 107
- 27) Surah al-Anfal 8:39
- 28) *Ibn Qudama, Al-Mughni wa yalehay al-Sharh al-Kabir*, (Beirut: Dar al-Kitab al-Arabi,1983), 366/10
- 29) Bada'i al-Sana'i fi Tarteeb Al Shara'i, 98/7
- 30) Sheikh Wahbeh al-Zuhili, Islam and International Law, in International Review of the Red Cross, Volume 87 Number 858 June, 2005, pp 281
- 31) Sarakhsi, Muhammad b. Ahmad, *Al-Mabsut*, (Beirut: Dar al-Marifah, 1978), 3/10
- 32) *Islam ka Qanoon Bayn al-Mumalik*, pp 334
- 33) *Aman Alam aur Islam*, pp 28, 29
