

Jihad: conflict-resolution or its antithesis?

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Religion is a way of describing sets of social relationships. It is one of the conceptual forms in which people represent their relationships to themselves. The relationships produce the conceptions and the conceptions help reproduce the relationships. To grasp the dynamics between the relationships and the conceptions requires an analysis of the social and historical context in which they are shaped.¹

Although popular images of Islam portray a religion bent upon holy war and conflict, and that the pro-pluralistic model for conflict resolution is not strictly possible under a system of Islamic Shari'a', in whatever way its boundaries may be defined, I propose that there is leeway for interpretation within Islam, and, therefore, credible sources and opportunities for conflict-resolution. "Placed in its historical and contemporary context, Islam becomes not an inevitable obstacle to conflict resolution but rather a possible resource for its successful implementation."²

Avenues through which conflict-resolution may proceed include concepts such as that of '*Tahkim*' (arbitration). In a society in which Islam is the primary political and ideological foundation, the interpretation of its laws is central to any conflict-resolution process. Within the context of Afghanistan, tribal arbitration plays a primary role in the resolution of intra- and inter-tribal conflicts.³ However, the interpretation of '*Tahkim*' may be fraught with difficulties. For any interpretation to be accepted in an Islamic society, any discussion on Islamic principles must be historically rooted to the period of the Prophet Mohammed (Peace be upon him) and his four successor Caliphs.⁴ Those that ascribe to the pure brand of Islam, commonly referred to as 'fundamentalism' in the mainstream media and press, interpret '*Tahkim*' as meaning the adherence to "divinely inspired principles and doctrines and the

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negation of the legitimacy of their diverse and differing human interpretations.’⁵ Even though their interpretations are historically rooted, their understanding allows them to negate practical, yet not fundamentally opposing, compromises with governments and societies, and refuse, without discussion, other interpretations of Islamic concepts and doctrines in the light of the development of modern science and philosophical advances. In other words, they have not evolved but have stagnated in their development, wishing to remain in the period of the Prophet Mohammed (Peace be upon him) without considering the vast advances and innovations that the Islamic world has made in the fourteen hundred years since.⁶

Within the evolution of the West, political structures were separated from the church. With regards to Islam, religion and politics did not have this battle for separation because Islam came as the ideology of the State. Islam has often been at the forefront of rebellions opposing repressive empires and regimes. As such, it has been the channel for political protest. For example, the Islamic revivalism in the nineteenth century Ottoman Empire, or the current Islamic resurgence aimed at toppling Western-backed repressive and autocratic regimes.

One of the most prominent and controversial issues to dominate both the Islamic and Western worlds has been that of the implications and applicability of the doctrine of *Jihád* in Islam to the present era of human development. The study of conflict-resolution in the Islamic world cannot be done without an appraisal of the doctrine of *Jihad* and its relationship to the field of conflict resolution.

The Encyclopaedia Britannica defines *Jihad*, with a stereotypical Western bias, as:

A religious duty imposed upon Muslims to spread Islam by waging war; ‘Jihad’ has come to denote any conflict waged for principle or belief and is often translated to mean ‘holy war’.⁷

An extraordinary number of books being published for public consumption have painted a very negative picture of Islam in relation to the term *Jihad*. John Laffin’s *Holy War: Islam Fight*⁸ portrays an image of a raging religion bent upon the forcible conversion of the entire world to Islam. He only notes and highlights atypical events to emphasize and justify his arguments without any insight and understanding of the circumstances surrounding the events. Media coverage of such events, with the aid of three minute clips and only rudimentary understanding of the contextual circumstances, only aids negative imagery to the continual reinforcement of perceptions of an evil Islam, and perpetuates in-group and out-group misconceptions amongst the general public. G. H. Jansen observes that:

The image of the Muslim armies converting as they advance has sunk so deeply into the Western mind that no amount of repetition of the truth is likely to dislodge it.⁹

Western biased conflict-resolution approaches are thus reinforced even in countries with non-Western traditions, which actually require culturally sensitive approaches to conflict-resolution to enable them to get out of the conflict quagmires that they may be entrenched in.

It is important to recognise the shaping of the early attitudes of Islam towards the use of war. Pre-Islamic cultural norms in the Arabian Peninsula did not exist in seclusion from the historical setting of neighbouring empires in constant warfare (especially the Byzantine and Sasanian Persian Empires). However, they were also distinctly different in many respects. The social order was based upon the concept of tribal group solidarity against the outsider, where power was concentrated among specific large nomadic groups – with mobility, numbers, and mounts; they were able to impose their will.¹⁰ In such a society, war (Arabic: *Harb* – this term can be used to signify both the activity and condition of war in this context) was the normal state, and a ‘*state of war*’ was accepted as existing between one’s own tribe and all others, with the exception of those with which treaties or agreements existed. Raiding (Arabic: *Ghazw*) was considered routine, yet there still were certain ‘*rules of the game*’.¹¹

Such attitudes and practices were inherited cultural traits of the early Muslims. With the expansion of the Muslim community after the death of the Prophet Mohammed (Peace be upon him) (11 After Hijrah-AH/ 632 CE¹²), the absorption of diverse political ideas from different cultural groups was inevitable. This included varying ideas about war and warfare. The expansion and absorption of such ideas were to form the background through which the Caliphate and subsequent Islamic rulers emerged. The concept of legitimate war (*Jihad*) can be likened to that of the ‘Just War’ theory developed during the Roman and Byzantine epochs.¹³

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Jihad is inextricably linked to the idea of the unity of the Islamic State under the direction of the Caliph, Amir (leader), or Imam (among the Shiite). Only the Caliph or Amir can pronounce the launch of a *Jihad*. I must point out that literature on Islamic Jurisprudence is based upon the assumption that the Islamic Community should incorporate both religious and

political unity. At such a period in history, the united Islamic State stood apart from all other States. By the beginning of the third century AH (9th century CE), the notions of ‘*Abode of Islam*’ (Arabic: *Dar-al-Islam*) and ‘*Abode of War*’ (Arabic: *Dar-al-Harb*) were developed by Islamic Jurists to reflect the religious and political dichotomy of the Islamic State.

With the division of the Islamic world into two independent and adversarial States, the Umayyad Dynasty and the Abbasids by the middle of the second century AH, and the subsequent proliferation of Muslim States between the fourth and tenth centuries AH, the Islamic community’s concept of legitimate war was seriously affected. When diverse groups embraced Islam during its expansion period, interpretations of Islamic legal doctrines, and especially those relating to war, would have been made in the light of long-held regional and local traditional attitudes and experiences, leading therefore to diverse interpretations of Islam and *Jihad*, and as diverse in number as the number of different communities extant in the Islamic world.

Interpretations can get embroiled in the detail and vastness of the grey area. However, there are certain fundamental meanings accepted by the vast majority of scholars. The noun ‘*Jihad*’ is derived from the verb ‘*Jahada*’, meaning, ‘*to struggle*’ or ‘*to strive*’. In the Quran, both the noun and verb acquire religious significance. Majid Khadduri¹⁴ observes that the purpose attributed to ‘*Jihad*’ in the Quran is to transform ‘*Dar-al-Harb*’ into ‘*Dar-al-Islam*’: to change the nature of mankind from war to peace. Khadduri states that, “like Christianity, it [Islam] sought to achieve salvation of mankind; but unlike Christianity, it began to achieve it first on earth.”¹⁵ In this respect, many scholars have interpreted Jihad (the struggle against evil) by defining its most important aspects into two categories, those of the *Lesser Jihad* and the *Greater Jihad*.¹⁶ Respectively; the *Jihad* by the sword and the *Jihad* by the heart.¹⁷

A commonly used typology is that of the four divisions of *Jihad*:

- a) ‘*Jihad*’ fought by the heart (the struggle against internal evil, i.e., sin and temptation);
- b) ‘*Jihad*’ fought by the mouth (the struggle against evil by openly speaking against injustice and committing to ‘*Da’wah*’ – invitation to the message of peace);
- c) ‘*Jihad*’ fought by the hand (the correction of wrong through non-violent struggle);
- d) ‘*Jihad*’ fought by the sword (to defend the message of peace through the use of force or war).

For the latter, ‘*Jihad*’ fought by the sword, Abd ul-Rahman Azzam, a former Secretary General of the Arab League (1945-52), described the Islamic position of legitimate war as:

In sanctioning war, Islam defined its aims and purposes: to suppress tyranny, ensure the right of a man to his home and freedom within his nation, prevent persecution in religion, and guarantee freedom of belief to all people. ... Once Muslims were left with no alternative but war, and their right [moral right] to that became clear, war was sanctioned, and peace became its supreme objective; in the words of the Almighty –

“But if they dissent, then let there be no hostility except against wrongdoers.”
“And if they incline to peace, incline thou also to it and trust Allah.” [Quran Chapter IV, verse 75-76].....

It is therefore evident [in the Quran] that Islam does not sanction any war of aggression, nor does it unleash war to acquire worldly gains. ... The aims of Islam are humanitarian and universal; and the outlook of Islam is a lofty one; it regards the whole of mankind as one family to be secured against injustice.¹⁸

What is under heated discussion is the difference between the multiple interpretations of the ‘*Jihad*’ of the sword, that is, against who ‘*Jihad*’ can be used and in what circumstances. The majority of scholars recognised that there are two types of ‘*Jihad*’: the ‘*Offensive Jihad*’ and the ‘*Defensive Jihad*’. However, it is difficult to define the former when the Quran succinctly stipulates to “*fight in the way of Allah against those who fight against you, but begin not hostilities. Lo! Allah loveth not aggressors.*”¹⁹” Although it is beyond the scope of this paper to go into too much depth on this complex discussion, it is necessary to stipulate that both the offensive and defensive types of ‘*Jihad*’ can be seen as collective duties (‘*fard kifaya*’²⁰), while only the defensive ‘*Jihad*’ can be seen as an individual duty (‘*fard ‘ayn*’). At what stage does a Muslim individual and community engage in ‘*Jihad*’ of the sword? We see here the distinctions between offensive and defensive ‘*Jihad*’ in the light of their contexts.

Defence of territory is generally considered to be sufficient cause for engaging in ‘*Jihad*’. Traditionally, ‘*Jihad*’ was understood to be justified for three reasons: to repel invasion or its threat, to punish those who had violated treaties, and to guarantee freedom for the propagation of Islam.²¹

As a final point, many scholars would disregard the very division of ‘*Jihad*’ into offensive or defensive. This is especially true of the able twentieth century Pakistani thinker S. Abul A ‘La Maududi.²²

Wa qatiluhum hatta lu takuna fitna
Fight them until there is no dissension [and the religion is entirely Allah’s].²³

'*Fitna*' has come to be one of the most contested concepts throughout the history of Islam. From the root (in Arabic, *Ftn*) comes the verb '*fatana*', and the noun '*fitna*'. The verb is used in the Quran for '*tempting*', '*testing*', '*persecuting*' and '*afflicting*'. However, the meaning for the noun is the one contested. Most scholars take it to mean the same, whilst there are others who would disagree attributing '*fitna*' to mean disbelief.²⁴ The former definition for '*fitna*', '*testing*' or '*affliction*', is inferred to mean a time at which there is the elimination of peace and, therefore, a testing time to restore the peace.

However, if the rebellion within the Muslim community is against the structure of the Islamic State, then, "*dissension is worse than killing.*"

The elimination of peace can be in the form of a schism in the Muslim community (or in one's own heart) – as happened after the assassination of the third Caliph Uthman and the accession of the fourth Caliph Ali, leading to a civil war. When we refer to, "*fight them until there is no dissension*"²⁵, it is to eliminate such dissension that causes the instability in the Muslim community. But, '*Jihad*' to ward off '*fitna*' is a controversial subject. However, if the rebellion within the Muslim community is against the structure of the Islamic State, then, "*dissension is worse than killing*"²⁶ But, does this justify a war between fellow Muslims? Historical examples abound. Akbar Ahmed notes an important example of the '*Ulema*'s' (Scholars) exhortation to the non-use of '*Jihad*' against fellow believers. "*The fall of the Samanid Dynasty of Bukhara was due to the Ulema persuading people not to resist the advancing Kara-Khani forces on the grounds that fighting among Muslims was worse than the fall of a government.*"²⁷

In the context of Afghanistan, the use of '*Jihad*' framed the resistance to the Soviet invasion as a legitimate war of defence against an invading force. Therefore, a legitimate '*Jihad*'. However, the use of '*Jihad*' continued throughout the conflict after the Soviet withdrawal in 1989. In the '*Jihad*' against Communism, it was against dissenters. With the Communists declaring atheism, and therefore, being non-Muslims, it was deemed a legitimate '*Jihad*'. However, when the civil war broke out between the Mujahideen factions '*Jihad*' was employed by each and every faction. To counter the degeneration of the situation, the Taliban arose to exhort that all previous warring factions were '*fitna*'. The Taliban, therefore, also justify '*Jihad*' using the Quran and have even gone so far as to label their opponents as unbelievers (*Kafir*) to justify their actions. Nevertheless, the current occupation of Afghanistan by multiple countries led by the United States of America is framed as a legitimate '*Jihad*' by the Taliban even though a large percentage of the Afghan population in the North of

Afghanistan would agree with the international presence. It is to this argument that any future conflict-resolution process must pay undivided attention.

A conflict-resolution process in Afghanistan has to take account of the principles of ‘*Jihad*’, especially in the present context. There is considerable disagreement in the Muslim world about the civil war in Afghanistan and the use of ‘*Jihad*’ by both the Taliban and the opposing Northern Alliance forces. I have only given a brief account of the use of ‘*Jihad*’ in this paper. Nevertheless, it is noteworthy to indicate that a detailed discussion of this concept in relation to the needs of a conflict-resolution process in Afghanistan is of the essence, especially considering that the U.S. and other ISAF forces are positioning themselves to justify negotiations with the Taliban. It is also important that we recognise the illegitimacy or legitimacy of the use of weapons in a ‘*Jihad*’. A conflict-resolution process in Afghanistan could find that establishing the illegitimate use of ‘*Jihad*’ by all parties in Afghanistan could be the cornerstone and key component for its own legitimacy as a condition to ending the conflict. Sidelining the ‘*hard-core*’ elements of the Taliban from the more sentient segments of this movement can really only be achieved through rational discussion and not the sharp edge of the sword, or for that matter, modern kinetic action.

Notes & References

- ¹ Joseph, Suad., ‘*Muslim – Christian Conflicts: A Theoretical Perspective*’, in Suad Joseph and Barbara L.K. Pillsbury, ‘*Muslim – Christian Conflicts: Economic, Political and Social Origins*’, (Boulder: Westview Press: 1978), p. 1.
- ² Lawrence, Bruce B., ‘*Rethinking Islam as an Ideology of Violence*’, in Paul Salem, ‘*Conflict Resolution in the Arab World: Selected Essays*’, (Beirut: American University of Beirut: 1997), pp. 27-28.
- ³ Superimpose both the Western aspects of nationhood and Islamic doctrine of Islamic State upon the tribal model of Afghanistan, and we can appreciate how complex any conflict resolution approach has to be to fully command any potential solution. However, it needs to be noted that the combination of all these aspects does not necessarily apply to every situation. In certain situations, regions, and locations or for certain peoples or communities, one or more, or a combination of all may apply. It is for this reason that an appropriate overall conflict resolution approach needs to fully understand cultural sensitivities. Providing a basic plan for conflict resolution is a far cry from implementation on the ground in distinctly different circumstances. Flexibility and understanding is the key here.
- ⁴ Reference is made, in order of priority, to Quran and Sunnah (sayings and practices of the Prophet Muhammad) and texts of leading Islamic theologians and Jurist.
- ⁵ Mousalli, Ahmed., *An Islamic Model for Political Conflict Resolution: Tahkim*, in Paul Salem, ‘*Conflict Resolution in the Arab World: Selected Essays*’, (Beirut: American University of Beirut: 1997), p. 45.
- ⁶ Ibid. (Mousalli, 1997), p. 45. The scope of this paper does not allow for a much needed discussion on *Tahkim*, however, Ahmed Mousalli provides an introductory insight into this subject.

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- ⁷ The New Encyclopaedia Britannica, Vol. 6. Micropaedia – Ready Reference. 15th Ed (Encyclopaedia Britannica Inc.: London:2002), p. 550. Own emphasis.
- ⁸ John Laffin, *Holy War: Islam Fights* (Glasgow: Collins:1988).
- ⁹ Jansen, G.H., *Militant Islam* (New York: Harper and Row: 1979), p. 29. For further reference see, Karen Armstrong, *Holy War (London: Macmillan Press Ltd: 1988)*. Karen Armstrong provides an enlightening insight into the origins of the misconceptions, of Islam and Jihad, in the West. She details the passage of the Crusades from the pronouncements for the first Crusade by Pope Urban II, at the Council of Clermont on the 25th November, 1095 AD, and the devastating legacy that existed due to Medieval Europe’s need to defeat the expanding boundaries of Islam.
- ¹⁰ Comparison can be made between such tribal groups and their present Afghan tribal counterparts. The code of honour, hospitality and blood revenge are characteristics of such tribal groups.
- ¹¹ To attack and kill enemy warriors (men at arms) was a legitimate act of war, while harming women and children was a violation of honourable behaviour.
- ¹² AH refers to the ‘*hijra*’ (migration) which the Prophet Mohammed and this companion took from the city of Mecca to the city of Yathrib (Medina). It was after this period that the Islamic New Year and Calendar began, hence, AH to denote After Hijra. Similarly, CE is used to refer to the period after the Birth of Jesus Christ, hence, CE to denote Christian Era rather than Anno Domini (AD).
- ¹³ Fred M. Donner gives an interesting account of the implications of the Pre-Islamic regional context upon the development attitude towards war in the Islamic Community. Just war was symbolised through celebrations when victory was won over external force, but not over internal forces. Fred M. Donner, ‘*The Sources of Islamic Conceptions of War*’, in, John Kelsay and James Turner Johnson (Eds), *Just War and Jihad: Historical and Theoretical Perspectives on War and Peace in Western and Islamic Traditions* (London: Greenwood Press: 1988), pp. 31 – 69.
- ¹⁴ Majid Khadduri, *War and Peace in the Law of Islam* (Baltimore: John Hopkins Press: 1955).
- ¹⁵ Ibid. pp. 141 – 142.
- ¹⁶ An excellent appraisal of ‘*Jihád*’ can be found in, Albert Randall, *Theologies of War and Peace Among Jews, Christians and Muslims*, Toronto Studies in Theology (Lampeter: Edwin Mellen Press: 1998), 287 – 416.
- ¹⁷ Hodgeson, M.G.S., *The Venture of Islam*, 3 Vols (Chicago: University of Chicago Press:1974), Vol. 2, pp. 228. An Hadith (saying of the Prophet Mohammed clearly states: “as the he[the Prophet Mohammed] was coming home from a raiding party he said “*We have now returned from the Smaller Jihád to the Greater Jihád.*” When asked what he meant, he said, “*Jihád against one’s self.*” Quoted from, Rudolf Peters, “*Islam and Colonialism: the Doctrine of Jihád in Modern History* (The Hague: Mouton:1979), pp. 117 –121.
- ¹⁸ Abd ul-Rahman Azzam, *The Eternal Message of Mohammed*, translated E Farah (New York: Mentor Books: 1964), pp. 129 –132. Qurán quoted, chapter IV, verses 75-76.
- ¹⁹ Al-Qurán, chapter IV (sura al Baqara), verse 190. Translation from Marmaduke Picktall.

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- ²⁰ ‘*Fard kifaya*’ can also apply to that *Jihād* by the tongue, such as in the struggle for the good of society, when enforcing “*al-amr bi-l-ma‘rūf wa-l-nahy ‘an al-munkar*.” “Commanding what is good and forbidding what is abominable.” I refer to this because of its namesake, that department of the Taliban used to enforce the dictates of the Taliban in the streets, for example, the wearing of the veil in public, especially in Kabul and other major cities.
- ²¹ Qureshi, M.M., *Landmarks of Jihād* (Lahore: Ashraf Press: 1971), pp. 4 – 7.
- ²² In a speech delivered, in Lahore, on the 13th April 1939, later published in booklet form, Maududi rejects the idea of offensive and defensive *Jihād* since they are both one and the same under the concept of *Jihād*. Further discussion can be found in S. Abul A’la Maududi, *Jihad in Islam* (Lahore: Islamic Publications Ltd: 1985), pp.25-26.
- ²³ Qurán, Chapter II (al-Baqara), verse 193. Also found in Chapter VIII (al-Anfal), verse 39.
- ²⁴ For example, the eminent Mujahid ibn Jabr (died. 104 AH, 722 CE), or, Taburi (died. 310 AH, 923 CE).
- ²⁵ Spain, James W., *Political Problems of a Borderland*, in, Ainslie T. Embree (Ed), *Pakistan’s Western Borderlands: Transformation of a Political Order* (New Delhi: Vikas Publishing House Pvt Ltd: 1977), p. 3..
- ²⁶ Qurán, Chapter II (al-Baqara), verse 217. Translation from Marmaduke Picktall.
- ²⁷ Akbar S. Ahmed, *Religion and Politics in Muslim Society: Order and Conflict in Pakistan* (Cambridge: Cambridge University Press: 1987), pp.98.