

## The Studying of Jihad and its Moral Values in Islam

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### ABSTRACT

In view of the fact that Quran has frequently encouraged people to strive with their wealth and their lives in the way of Allah, the word “Jihad” religiously means the sacrifice of lives and wealth in the way of elevating the word “Islam” and strive in the way of propagating the religion, as the words “Qetal” or “Seir” are sometimes used instead.

In fact, by Jihad is meant international relations. In other words, how should Islamic societies behave other societies which lack Islamic beliefs and values? In fact, the question is that how should Muslims behave Non-Muslims? of course, this issue has different aspects. For example, how many groups are Non-Muslim societies? And what are religious jurisprudential and political rules of Islam in connection with Non-Muslim societies? These issues are set forth in law discussions of Islam.

**KEYWORDS:** Jihad, disbelievers, immediate jihad, combatant, non-combatant, defense, non-combatant disbeliever.

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### INTRODUCTION

The word “Jihad” literally means strive and endeavor. In religious terms, it refers to the sacrifice of lives and wealth in the way of elevating the word “Islam” and crusade in the way of propagating the religion. There are several kinds of Jihad: 1) Jihad against disbelievers to invite them to Islam; 2) Jihad against disbelievers who intend to attack Muslims, in such a way that Muslims are afraid of disbelievers’ domination over them; 3) Jihad against someone who intends to kill a good man or a seize a property or enthrall a woman or child; 4) Jihad against those who refuse to obey an Imam, e.g. Imam Ali’s jihads in Jamal, Saffein and Nahravan wars.

Therefore, we should say that Non-Muslim societies are generally divided into two groups: first, the societies who are Non-Muslim but respect Muslims’ rights; second, societies who do not respect the rights of Muslims, oppose the Islamic society and intend to destroy the religion of Islam. The first group is called non-combatant disbelievers and the second group is called combatant disbelievers. (ShahidSani, 1996:351).

#### Quran’s Verses Concerning Jihad

1. Ye should believe in Allah and His messenger, and should strive for the cause of Allah with your wealth and your lives. That is better for you, if ye did but know.<sup>1</sup>(The Holy Quran)
2. But the messenger and those who believe with him strive with their wealth and their lives. Such are they for whom are the good things. Such are they who are the successful.<sup>2</sup>(The Holy Quran)
3. Those of the believers who sit still, other than those who have a (disabling) hurt, are not on an equality with those who strive in the way of Allah with their wealth and lives. Allah hath conferred on those who strive with their wealth and lives a rank above the sedentary.<sup>3</sup>(The Holy Quran)
4. Unto each Allah hath promised good, but He hath bestowed on those who strive a great reward above the sedentary.<sup>4</sup>
5. O ye who believe! Whose of you become a renegade from his religion, (know that in his stead) Allah will bring a people who He loveth and who love Him, humble toward believers, stern toward disbelievers, striving in the way of Allah, and fearing not the blame of any blamer. Such is the grace of Allah which He giveth unto whom He will. Allah is All-Embracing, All-Knowing.<sup>5</sup>(The Holy Quran)
6. Lo! Allah loveth them who battle for His cause in ranks, as if they were a solid structure.<sup>6</sup>
7. As for those who strive in Us, We surely guide them to Our paths, and lo! Allah is with the good.<sup>7</sup>
8. Go forth, light-armed and heavy-armed, and strive with your wealth and your lives in the way of Allah! That is best for you if ye but knew.<sup>8</sup>(The Holy Quran)

#### Based on the above verses:

Firstly, the Islamic society should not be under domination of disbelievers and oppressive societies.

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<sup>1</sup> Chapter “Saf”, verse 11

<sup>2</sup>Chapter “Tobeh”, verse 88

<sup>3</sup>Chapter “Nesa”, verse 95

<sup>4</sup>Chapter “Nesa”, verse 96

<sup>5</sup>Chapter “Maedeh”, verse 54

<sup>6</sup>Chapter “Saf”, verse 4

<sup>7</sup>Chapter “Ankaboot”, verse 69

<sup>8</sup>Chapter “Tobeh”, verse 41

Secondly, if the Islamic society happens to become dependent on a disbeliever society under emergency circumstances or due to negligence, lack of attention or any other cause, it should strive to release itself from such dependence and return the dignity of Islam to the society, since the principle of Islam and Islamic society is independence on disbelievers. (Nahjolbalaqeh)

Of course, when an Islamic society dominates a disbeliever society, it should not treat them oppressively, as this makes Islam and Muslims notorious. It should rather behave them fairly so that they are attracted to Islam.

### **The Right of Defense**

If some people fight against an Islamic society and violate Muslims' rights, the Muslims have the right of defense, which is an appropriate and justifiable reaction according to general conception and the values accepted by the entire mankind. But the issue is that we have primary jihad in Islam as well, which is not justifiable in terms of the value system accepted today in the world. For this purpose, many contemporary Muslim thinkers have attempted to pretend that all wars happened in the early period of Islam have been defense wars, whereby making them justifiable in the framework of the present criteria and values. In fact, however, this disagreement is caused by disagreement in the philosophy of values from Islam point of view and other doctrines. Of course, this topic should be discussed in detail in law and politics. Nevertheless, we discuss it in brief in proportion with our subject. (ShahidAvval ,2000:56)

### **Circumstances under which Jihad becomes Obligatory**

With respect to necessity of Jihad, the primary meaning of which is striving against disbelievers, the existence of the sinless Imam or his special substitute is necessary, i.e. the Jihad must be ordered by him. Therefore, in the time of absence, general substitute of the sinless Imam – a qualified authority in religious jurisprudence – cannot undertake primary Jihad and his order is ineffective. Therefore, primary Jihad is not allowed in the time of absence. However, with respect to other aspects of Jihad, which are defensive, the existence of Imam or his special substitute is not necessary and Muslims are obligated to enter into Jihad without the order of Imam or his substitute. Also, in cases where an enemy attacks Muslims in such a way that Muslims are afraid the roots of Islam and the Islamic society might be destroyed, the existence of Imam or his special substitute is not necessary and Muslims are obligated to enter into Jihad without the order of Imam or his special substitute. (Javadi Ayatollah, 2006:245)

### **The Groups against which Immediate Jihad is Obligatory:**

One of the groups against which Muslims have to fight immediately is combatant disbelievers. This group consists of those who don't have any relation with Islam and lack a holy book, such as idol worshipers, sun worshipers, star worshipers and communists. So, the Jewish and Christians and Zoroastrians who have a holy book are not called combatant disbelievers. It is noteworthy that some groups of Muslims like Khavarej group who have refused to obey the sinless Imam are not called combatant disbelievers and should not be treated in accordance with the precepts of combatant disbelievers. Therefore, they should not be immediately fought, unless they come into riot against people in the absence of Imam. Combatant disbelievers must be fought immediately under one condition, i.e. they should be invited to Islam and offer the declaration of faith. Of course, the invitation must be made by Imam or his substitute. (Hosseini , Ali Akbar, 2008:147)

### **Disbelievers who have a holy book**

The second group which must be immediately fought are those who have a holy book. They consist of: 1) The Jewish whose book is Torah and whose prophet is Moses (peace be upon him); 2) The Christians whose book is Bible and whose prophet is Jesus; 3) The Zoroastrians whose prophet is Zarathustra. It is obligatory to fight against these three groups until they either become Muslim or be killed or obey Imam (peace be upon him) and accept his as governor and accept Islam governorship. (Zarrinkoob ,2008:321)

### **Different Methods of Fighting**

Any method of fighting which results in victory is allowed, e.g. destruction of castles and cutting trees if such act is necessary for the victory, despite it is detestable in normal conditions. Of course, according to a narration from the Prophet Muhammad, it is forbidden to throw fire on the enemy, whether or not it is necessary for the victory over the enemy and whether or not it kills a person. Also, it is forbidden to kill children, insane persons and women, even if they assist the enemy, unless the situation demands, e.g. in cases where the enemy uses them as a shield and fight behind them and the victory over the enemy entails killing them, in which case it is allowed to kill them. Also, it is forbidden to kill very old persons, unless they help the enemy. (JavadiAyatollah, 2006:145)

### **Detestable Acts in War**

Some actions are detestable in war:

1. Camisado
2. War before noon. It is better to fight afternoon because in afternoon sky doors are opened and divine assistance is sent. Also, it is better to fight after prayers of noon and evening so that the war doesn't cause Muslims' prayers to be delayed.
3. Wounding riding animals to not let them be achieved by the enemy.
4. Going out of corps for the purpose of fighting without permission of Imam (peace be upon him). Some people have deemed this act as forbidden. (Mohammad Abouzohreh, 2003:76).

It is noteworthy that the word "Araghabeh" literally means cutting an animal's feet, but some of religious scholars have stated that here any wound that kills and destroys the animal is included, e.g. stabbing its stomach.

### **Primary Jihad and Contemporary Value System**

The value system which dominates the today world and has more or less been accepted by most of the nations is a set of principles presented in the framework of liberalism and the government which is called democracy. The principles of human rights and the like which are reputable in today value system are based on liberalism, claiming that there are fixed and unchangeable rights for any human being. Among these principles is that the freedom of each individual and group in a society and freedom of any society among the world's societies should be respected and any violation of this freedom is forbidden.(ShahidAvval , 2000:212).Based on these principles, it is a rule in international relations that all societies must respect the rights of each other and avoid interfering in internal affairs of each other. In declarations published by the summits, these two principles, i.e. "respecting mutual rights" and "avoidance of interfering in internal affairs of other societies" are often emphasized. The basis of these principles is that any human being has a set of natural and inherent rights because he is a human being. The rights must be respected by all people and nobody can deprive a human being of these rights. Therefore, if a society refuses to accept Islam and governs its people by a system based on such idea, no other society has the right to interfere in the affairs of that society and encourage the people of that society to act against their government and destroy the system of that society.In brief, the right of freedom for any individual inside his society and avoidance of interfering in personal life of others and in internal affairs of other societies are two principles in the system of contemporary world. Naturally, these two principles are in obvious conflict with immediate Jihad which has been stipulated by Islam, and their validity entails that immediate Jihad is not accepted.

### **The booties obtained in war**

The booties obtained from disbelievers are generally divided into three groups:

1. Movable things such as gold, silver, animals, clothes and the like.
2. Immovable things such as arable land, residential house, shop, trees and the like.
3. Prisoners of war, such as women and children.

Note: The property obtained from disbelievers by deception or theft is not considered as booty, but belongs to the person who has obtained it, so it is not distributed between the warriors.

Note: The property that disbelievers leave behind after escaping from their location without fighting shall belong to Imam (peace be upon him) and are not considered as booty.

### **Equilibrium in Relations with Non-Combatant Disbelievers**

With respect to relation between Muslims and non-combatant disbelievers, whose lives and wealth is respected by Islam, there is no special issue, but these relations must be balanced. Equilibrium in relations includes two points: firstly, the relation between the Islamic society and non-combatant disbelievers should not cause Muslims to be dominated by disbelievers and should not result in any superiority for disbelievers.It is no problem if inside an Islamic society some Muslims have superiority over other Muslims. In international relations, however, the superiority of Islam should be preserved between Muslims and Non-Muslims and superiority of disbelievers over Muslims must be rejected. Allah says in Quran that: We have never placed any way for disbelievers to become superior over believers. (Mohammad EbrahimAyati, 2007:98)

### **Precepts concerning movable and immovable booties**

Immovable booties such as lands, houses and trees shall belong to all Muslims, both warriors and non-warriors. But the movable booties shall belong to warriors and must be distributed between them. Before distribution, however, the following items should be deducted from them.(Ahkam al-Quran", " Jessas",2001:193)

#### **1. Ja'ael**

This is a portion that Imam (peace be upon him) allocates for the purpose of performing some actions, e.g. guidance of corps and disclosing the enemy's secrets, as well as the costs of maintaining and carrying the booties until its distribution.

#### **2. Razkh**

Some people are not obligated to participate in war, e.g. women and children. If such persons or a disbeliever helps Muslims in a war, they wouldn't be entitled to the same share of the booties as the warriors do, because they lack the qualifications necessary for Jihad. However, Imam (peace be upon him) gives them a portion less than that of the warriors in any amount that he might deem appropriate.

#### **3. Khoms**

The third item which must be deducted from the booties before distribution is Khoms (which means one-fifth).

#### **4. Alnafal**

The fourth item which must be deducted from the booties before distribution is Nafal which literally means excess and here means the excess of the booties which Imam (peace be upon him) gives to some of the warriors in addition to their share of the booty for such reasons as they have guided the corps, have acted as leader of the corps, have been in

front line, have attacked a brave warrior, have penetrated a castle, have achieved some secrets of the enemy and the like, which has helped the victory over the enemy. This extra portion that Imam (peace be upon him) allocates to some of the warriors is in the form of Ja'aleh contract, i.e. before the war, Imam (peace be upon him) has announced that a certain amount shall be allocated to anybody who guide and lead the corpse. If Imam (peace be upon him) has not made such contracts, the warriors who have done the above jobs shall not necessarily be entitled to such extra portion. The difference between Ja'aleh and the first item (Ja'ael) is that the latter is not only allocated to warriors, but is allocated to all persons, whether Muslims or disbelievers and whether warrior or non-warrior.

### **5. Safaya**

The fifth item which should be deducted from the booties before distribution is "Safaya" which means precious property which Imam takes possession of, such as agile horses, beautiful bondwomen, sword and exquisite things which kings allocate to themselves, because they are not enough to be distributed between all members and if they are broken apart to be distributed between the corps they would become worthless and if they are given to one member, it causes dispute between members. In order to prevent such disputes, Imam takes possession of them and uses them in line with interests of Muslims.

### **6. Private Property of Killed Persons**

If Imam sets the condition that private property of any killed person shall belong to the warrior who has killed him, these items should also be deducted from the booties and given to their owner and then the booties must be distributed between the warriors. The said property includes: clothes of the killed person, boots, military items such as armor, sword, lance, shield, horse, horse's saddle and the like. However, saddlebag of the killed person's horse and what is contained in it shall not belong to the warrior who has killed him, but are considered as booty which must be distributed between all the warriors. (Shahidi, 2000:358)

#### **Those who don't have any share of the booties**

*Two groups are not given any share of the booty*

1. Those who frighten Muslim warriors of fighting against strong persons in the enemy's corpse, even if it is done by mentioning obvious things, e.g. when someone says: it is so cold that we cannot fight or when someone mentions the name of one of strong persons of the enemy's corpse. Such persons are not given any share of the booties, because they should have made such frightening statements to Imam (peace be upon him) or the leader of the corps, not among all members of the corps.
2. Those who make Muslims hesitant about fighting by praising enemy's strengths. (Nasiri, 2001:22)

#### **Objectives and Characteristics of Immediate Jihad**

The aim of immediate Jihad is not to dominate another society or to expand geographical territory of a country or to achieve economic interests, mines and other resources of other societies or to exploit and colonize other countries. The main goal behind immediate Jihad is to make all people worship God and understand and execute the right. In the societies where the leaders or a certain group make people disagree with Islam, they don't let the voice of Islamic justice to reach the ears of the people. Islam fights against this group and opens the way for others to understand the truth of Islam. (Sobhani, Mohammad, 2006:124) In general, the value system of Islam is fundamentally different from the value system governing the world, which is based on morality minus religion and god. We present morality on the basis of religion and belief in God. We believe that moral obligations stem from religious beliefs. The main goal behind immediate Jihad is to guide and inform people. Based on this goal, details of war and behavior of Muslim warriors with enemy's warriors are determined in different stages.

#### **The Requirements for Entering into War**

From Islamic point of view, war is not good unless it is done with the aim of guiding the enemy in order that all people become Muslim and live with each other peacefully. Therefore, as Quran says: "peace is better", though this sentence has been said with respect to matrimonial disagreements, we can conclude that peace is better in all cases, even with respect to the relation between Muslims and disbelievers. (Khodayari & Moradi, 2005:451) Of course, it doesn't mean that peace should be established under any circumstances, as in many cases the enemy proposes peace to deceive Muslims and attack them more efficiently after full mobilization. It means that if the enemy proposes an acceptable peace, Islam recommends us to accept it after investigating all aspects and with full caution. In this respect, God says: (if they are willing to establish peace, you should accept it). It has been narrated in Shiite and Sunni book that the prophet Muhammad said to Imam Ali when he wanted to dispatch him to a war: "Ali! Try to guide people toward the God. If you guide one person, it is better than taking possession of the entire world and spending it all in the way of God". Therefore, the enemy should be notified about the goal of Jihad to understand Muslims want to release them from being slave of men and make them worship God. (Armstrong, 2000:216)

#### **Conclusion**

The important point is that Muslims cannot attack the enemy unless by a justifiable reason, because war is not good unless it is done with the aim of guiding disbelievers to Islam and Islamic justice. Therefore, before entering into any war, they must be invited to Islam and be notified of the truth of Islam. As long as this primary invitation has not

been made, it is not allowed to enter into war. In the next step, after entering into the war, Muslims are obligated to comply with the following moral principles:

Muslims are obligated to respect the holy items common between Muslims and disbelievers, such as Masjed-Ol-Haram and certain months during which war is forbidden. Therefore, according to Islamic precepts, war is forbidden in Masjed-Ol-Haram and specified months, unless the enemy starts the war, in which case Muslims have to defend against the enemy to prevent defeat and loss, and the respect to these holy items should not cause their defeat. Muslims should respect the churches of the Christians and holy places of the Jewish and any place that is allocated for worshipping the God. Muslims should not attack anybody who has notified that he is not involved in war or is not able to fight. Old men, old women and children should not be attacked. Muslims should not poison drinking water of the enemy. It is very easy to poison the water stream going into the enemy's castle and easily defeat the enemy, but Islam never allows Muslims to do that. Islam does not allow Muslims to perform *camisado* or to fire the enemy's farms, gardens and houses. Muslims should enter into war field with conventional arms and avoid deceiving the enemy, unless the enemy performs fraudulent acts in such a manner that if Muslims don't react against them they will be defeated in the war. In such cases, Muslims should act in the same way that the enemy has chosen. After defeating the enemy, the Islamic army should comply with Islamic principles and values and treat the prisoners of war according to the accurate and valuable orders stipulated in religious jurisprudence.

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