

In the Name of Allah

Jihad from Shiite Perspectives Between Text and Context¹

*Seyed Sadegh Haghghat**

“Ask the Holy Qur'an, since it does not speak on its own”
Imam Ali (Nahjolbalaqeh, sermon ١٥٨)

Introduction

From time to time, especially regarding the aftermath of the September ١١, scholars come together at conferences to discuss the relationship between Islamic schools of thought, human rights, extremism and terrorism.^١ Among them, some are in favor of the compatibility of Islam and human rights, while others are against it. It is unequivocally assumed that Islam has different, and sometimes contradictory, readings. Some people believe that the logic of religious commitment in Islam reveals that the motivations for the often-violent actions taken by “Islamic extremists” are rooted in the original tenets of Islam.^٢ However, the text cannot speak by itself. Rather, it needs the context - the political, geographical, social and cultural conditions- to have meaning. Accordingly, dialectical interaction between text and context shows the real meaning of jihad, as well as the misconceptions of both Islamic extremists and some non-Muslims.

^١ . in: *Between Text and Context: Hermeneutics, Scriptural Politics, and Human Rights*

* Islamic Seminars Researcher and Assistant Professor at Mofid University, Qom, Iran (<http://www.s-haghghat.ir>).

^٢ For example see: “*Changing Patterns of Security in the Middle East and Central Asia, ٢٠٠٥*”, a workshop co-hosted by the Department of National Security Affairs at the Naval Postgraduate School and the Center for Strategic Studies at the CNA Corporation. On May ١٩, ٢٠٠٥, the Naval Postgraduate School and the Center for Naval Analyses held a workshop on Islamic extremism and terrorism in the Gulf and Central Asia. This conference was the third in a series of Center for Naval Analyses-Navy Postgraduate School co-hosted events.

^٣ Ibid, “Qualitative vs. Quantitative Schools of Thought on Trends in Radical Islam”.

In this article, I will first identify and explain the types of jihad. Next, I will describe the fundamentalist, traditionalist and modernist Shiite approaches to jihad. Then Shiite and Sunnite readings of jihad will be compared. Finally, I will present a new reading of jihad by using Quentin Skinner's hermeneutical approach.

Jihad: Definition and Typology

The word jihad means "struggle, strive." The Arabic root of the word is *jahada* "to strive for." The Arabic word for war, on the other hand, is "*harb*."¹ The semantic meaning of its Arabic terminology, therefore, has no relation to holy war, or even war in general.² In much of the English speaking world, however, jihad is associated with the phrase "holy war." The concept of jihad encompasses more than just warfare, though, and a more accurate translation is "holy struggle," "righteous struggle" or "holy endeavor."

In *Muqaddimaat*, Averus (Ibn-Rushd) divides jihad into four types: "jihad by heart; jihad by tongue; jihad by hand and jihad by sword." He defines "jihad by tongue" as the duty "to commend good conduct and forbid the wrong, like the type of jihad Allah ordered us to fulfill against the hypocrites in His Words, "*O Prophet! Strive hard against the unbelievers and the hypocrites*".³ The Prophet struggled against the unbelievers by sword and against the hypocrites by tongue.

Al-Mawardi, an 11th Century Shafi'i jurist, develops a different distinction according to which the infidels of Dar al-Harb (i.e., the arena of battle) encompass two groups. The first group is composed of those to whom the call of Islam has reached, but who have refused it and taken up arms. The second group includes those to whom the invitation to Islam has not

¹ Islamic Dictionary.

² Reuven Firestone, *Jihad: The Origins of Holy War in Islam*, Oxford University Press, 1999, p 16.

³ The Qur'an, 9:73.

reached. Such people are now few since Allah has made the call of His Messenger clear. An attack on infidels cannot begin before an invitation to Islam is made. This invitation must inform the infidels of the miracles of the Prophet and make clear the proofs so as to encourage acceptance on their part. If they still refuse to accept this invitation, war will then be waged against them and they are treated as those to whom the call has reached. Ibn Taymiyya, a 14th Century Hanbali jurist, explained that lawful warfare is essentially jihad. Since it aims to advance God's word, those who stand against that aim must be fought. Those who cannot fight, such as women, children, monks, the elderly, the blind and the handicapped, shall not be killed unless they actually fight with words (i.e. by propaganda) and acts (i.e. by spying or assisting in the warfare). A war may only be waged against an oppressive regime, not innocent people.

Jihad against infidels can be offensive, where the enemy is attacked in his own territory, or defensive, which means to expel the invaders from Islamic lands. Defensive jihad is a compulsory duty upon all. Ibn Taymiyya remarked, "If the enemy enters a Muslim land, there is no doubt that it is obligatory for the closest and then the next closest to repel him, because the Muslim lands are considered to be one territory. It is obligatory to march to the territory even without the permission of parents or creditor, and narrations reported by the Prophet (p.b.u.h) are clear on this."

Combat against infidels, whether offensive or defensive, is the outer, or lesser jihad. The inner, or greater jihad, is the struggle against inner evils. In other words, the lesser type of jihad is the struggle against religious or political oppression. The greater type is the soul's struggle with evil. Thus, ranking of jihad is as follows: ١) the inner jihad; ٢) the defensive jihad against invaders; ٣) the defensive jihad against those who forbid Islamic propagation; ٤) the offensive jihad against unbelievers. The first type relates to morality. The second and the third types are

less controversial because everyone justifies fighting against aggressors. This paper, then, will concentrate on the fourth type of jihad, which is the type that most directly relates to human rights, radicalism, extremism, and fundamentalism.

Now that I have set forth an accurate understanding of the types of jihad by relying on text and context, it is illustrative to examine a definition that disregards the relationship between text and context. The United States Department of Justice developed its own definitions of jihad in indictments of individuals involved in terrorist activities. Those definitions are as follows:

As used in this First Superseding Indictment, 'jihad' is the Arabic word meaning 'holy war'. In this context, jihad refers to the use of violence, including paramilitary action against people, property or governments deemed to be enemies of a fundamentalist version of Islam. 'violent jihad' or 'jihad' includes planning, preparing for, and engaging in, acts of physical violence, including murder, maiming, kidnapping, and hostage-taking.¹

These kinds of misconceptions, which ignore the relationship between text and context, attempt to apply contemporary understandings to ideas that originated several centuries ago in order to condemn those ideas. Methodologically speaking, however, each text should be examined in its context. In terms of that specific focus, jihad cannot be defined as extremist and non-democratic.

Contradictory Shiite Readings of Jihad: Fundamentalist, Traditionalist and Modernist Approaches

Shiite intellectuals who study the Holy Qur'an and narrations of the prophet and Imams, like every interpreter of holy texts, can be categorized as fundamentalist, traditionalist, or modernist. Fundamentalist scholars primarily rely on the text. The core meaning and modern implications are secondary. Traditionalist scholars, on the other hand, concentrate on the core of the message more than the text itself. Modernist scholars apply modern ideas to the text. If traditional and modern ideas contradict each other, modernist scholars interpret the text in the

¹ . www.answers.com

light of modern conditions. Borrowing from Max Weber, however, the “ideal type” of interpretation involves a combination of all three categories. According to Weber, there is no homogenous legitimacy as any political regime has a combination of charismatic, traditional, and legal legitimacy. In practice, every interpretation of texts involves a combination of fundamentalism, traditionalism and modernism.

The Fundamentalist Approach

When fundamentalists interpret the meaning of jihad, they focus on the shell of religion rather than its core meaning. For example, they refer to the following Qur'anic verses about jihad. *"Fight those who believe not in Allah, nor the Last Day, nor forbid what has been forbidden by Allah and His Messenger, and those who acknowledge not the Religion of Truth [Islam] among the People of the Scriptures [Jews, Christians and Zoroastrians], until they pay the Jizya with willing submission and feel themselves subdued."*^x It is stated, then, that this verse means that Muslims should support jihad as a continual war upon non-Muslims until they repent and accept Islam, or until they pay *jizya* (referred to as poll tax).

In response to Qur'anic verses, radical fundamentalists may argue that: ١) fighting infidels is compulsory; ٢) infidels include Zoroastrians, Jews and Christians; and ٣) Qur'anic and Fiqhi (jurisprudential) precepts are divine, timeless, and therefore beyond the faculty of human ability. Fundamentalists seek to fully Islamize society through the application of Islamic rules. Seyed Qutb, for example, justifies jihad in order to establish Allah's authority on earth, to arrange human affairs according to the true guidance, to abolish the satanic forces, and to end the

^x . The Qur'an, ٩:٢٩.

lordship of some men over others.^۷ According to fundamentalists, offensive jihad as a violent action against other people, including innocents, is compulsory at this time. Radical Islamic fundamentalists assume that a jihad is a war without constraints. It is very strange that Abolqasem Khoei believes in the offensive jihad, while he does not consider establishing the Islamic government in the time of absence.^۸ In this paper, I will argue that radical fundamentalists do not consider the context of the text. As a result, the above statements are controversial.

The Traditionalist Approach

Unlike fundamentalists, traditionalists place more importance on the greater (inner) jihad rather than the lesser (outer) one. According to Hossein Nasr, the "inner jihad" essentially refers to all the struggles that a Muslim could go through while adhering to the religion. In addition, inner jihad also includes a dimension of the "greater jihad," since it encompasses overcoming selfish motives, desires, emotions and the tendency to grant primacy to earthly pleasures and rewards. This traditionalist approach, which identifies interior jihad (i.e., non-military) as the "greater" jihad, was profoundly influenced by Sufism (Islamic Mysticism), which is an ancient and diverse mystical movement within Islam.^۹

To understand the spiritual significance of jihad and its wide application to nearly every aspect of human life, it is necessary to remember that Islam bases itself upon the idea of establishing equilibrium within the human being, as well as within society where he functions to fulfill the goals of his earthly life. To fulfill the entelechy of the human state, which is the

^۷ .Mustafa Koylu, *Islam and its Quest for Peace: Jihad, Justice and Education*, Washington, D.C., The Council for Research in Values and Philosophy, ۲۰۰۳, pp ۴۳, ۱۵۶.

^۸ . Mohammad Akram Arefi, *Ayatollah Khoei's Political Thought* (in persian), Qom, Bustan-e Ketab, ۲۰۰۸, ۱۵۶-۱۵۹.

^۹ .Seyyed Hossein Nasr, "The Spiritual Significance of Jihad", *Al-Serat*, Vol. IX, No. ۱.

realization of unity (al-tawhid) or total integration, Nasr argues that Muslims, as both individuals and members of Islamic society, must carry out jihad. They must exert themselves at all moments of life to fight both inwardly and outwardly against those forces that, if not combated, will destroy the equilibrium that is necessary to maintain the spiritual life of the person and the functioning of human society.

Nasr's argument is especially true if society is seen as a collectivity. Man is a spiritual and corporeal being, a micro-cosmos complete unto himself. Yet he is also the member of a society within which he develops and fulfills certain needs. The external forms of jihad would remain incomplete, and in fact would contribute to an excessive externalization of the human being, if they were not complemented by the greater or inner jihad. According to traditionalism, all the 'pillars' of Islam relate to jihad. Through the utterance of the principal testimonies, "there is no divinity but Allah" and "Muhammad is the Messenger of Allah," a person becomes a Muslim. These are not only statements about the Truth as seen from the Islamic perspective, but also weapons in the practice of inner jihad. They are forms of spiritual warfare. The daily prayers (salat) that constitute the heart of the Islamic rites are a constant jihad that harmonizes human existence with the rhythm of the cosmos.

For the spiritual man, every breath is a reminder that he should continue the inner jihad until he awakes from all dreaming, and until the very rhythm of his heart echoes that primordial sacred Name through which all things were made and through which all things return to their Origin. The Prophet said, "Man is asleep and when he dies he awakens." Through inner jihad the spiritual man dies in this life in order to cease all dreaming, in order to awaken to that Reality which is the origin of all realities, in order to behold that Beauty of which all earthly beauty is

but a pale reflection, and in order to attain that Peace which all men seek but which can only be found through the inner jihad.^١

Although traditionalists acceptably emphasize the inner jihad, they can not explain offensive jihad, even in the Prophet's era. Rather, they magnify some parts of the holy texts, and diminish other sections. Since no one can ignore offensive jihad in Islam, its relationship with the inner jihad needs to be clarified.

The Modernist Approach

Modernist interpreters believe that while "jihad" might refer to an active war against an oppressive regime, such a war may be waged only against that regime, not innocent people or regimes who do not want to engage in war. Modernists consider jihad to be the most misunderstood aspect of their religion by non-Muslims. Islamic modernism seeks to make Islam relevant and responsive in the context of modern society. Generally speaking, they try to establish positive links between Islam and modern thought by interpreting modern institutions from the moral-social orientation of the Qur'an and Sunnah. In furtherance of those views, modernists do not believe in the offensive kind of jihad, especially in contemporary society.^٢ Modernist theology, a study of modern Islamic political theory, rejects the radical reading of jihad, since that reading is not compatible with modernity and human rights.

Although Abdulkarim Soroush is considered as an Islamic modernist, he neither accepts nor rejects modern civilization in its entirety. He does not see an inherent relationship between its various components, such as humanism and modern sciences or liberalism and industry.^٣ He

^١ Ibid.

^٢ Koylu, Ibid, pp ٢٥-٢٧.

^٣ See A. Soroush, "Ma'refat-e Mo'alefey-e Momtaz-e Modernite-h"[Knowledge: the Primary and Prominent Element of Modernity], *Kiyan*, No. ٢٠, July-Aug ١٩٩٤, pp. ٤-٥), and: Jalaei pour, H. R. *The Iranian Islamic*

does not accept modernity as a whole, because, as I mentioned earlier, a combination of modernism, traditionalism and fundamentalism is the ideal approach.

Each of the three approaches stated above have weaknesses. According to traditionalist criticism, we must turn to the pre-modern consciousness in order to determine the essence of jihad. Only then we can interpret its significance within modern Islamic political thought. In addition, the modernist approach cannot illustrate how and why modern thought comes before the holy texts (i.e. the holy Qur'an and narrations). In the following section I will use Skinner's hermeneutics to establish a new reading of jihad based on the relationships between the text and the context. That new reading will serve as a critique of the fundamentalist, traditionalist, and modernist readings of jihad.

Skinner's Hermeneutics

Five important approaches can be traced in the field of hermeneutics: ١) Schleiermacher and the romantic hermeneutics; ٢) Dilthey who proposed hermeneutics as the methodology of humanities in contrast to the natural sciences; ٣) Heidegger and Gadamer, who represent ontological hermeneutics; ٤) Ricoeur who synthesized analytical and continental philosophy (i.e. hermeneutics); and ٥) Skinner, who advanced the idea of reading text through context. I personally believe in the dialectic between text and context as an approach that falls between the two extremes of textualism and contextualism. I also stress the relationship among the author, the text, and the interpreter. Of the various approaches to hermeneutics, then, Skinner's approach is the most appropriate for my discussion of jihad.

Revolution: Mass Mobilization and its Continuity during ١٩٧٦-٩٦, Ph.D. Dissertation, Royal Holloway, University of London, ١٩٩٧.

Skinner's procedural analysis involves five steps that are best seen as a way to answer the following five questions: ١) How does the author's text relate to other available texts that make up the ideological context? ٢) How does the author's text relate to contemporaneous political action that makes up the practical context? ٣) How should ideologies be identified, and how should their formation, criticism, and evolution be examined and explained? ٤) What is the relationship between political ideology and political action that best explains the diffusion of certain ideologies, and what effect does this have on political behavior? ٥) What forms of political thought and action disseminate and conventionalize ideological change?^١

Skinner is not solely concerned with history and method. He also used history and method to illuminate the present. For example, he applied his method to Machiavelli and Hobbes.^{١٠} Almost since its inception his work has revolved around a tripartite axis that includes interpretation of historical texts, survey of ideological formation and change, and analysis of the relation of ideology to the political action it represents. In the following section, I will explain the five major components of Skinner's approach by applying his work to the case of jihad.

Towards a New Reading of Jihad

Jihad is one of the most misunderstood concepts of Islam, which is a religion that based on unity, love, and rational action. When the Prophet (p.b.u.h.) -returned from a battle he said, "We are now returning from the lesser jihad to the greater one, the jihad against the self." The Prophet is also reported to have said during the Farewell Pilgrimage that "the fighter in the way of Allah is he who makes jihad against himself for the sake of obeying Allah." Critics of Islam insist, however, that Islam and Muslims are openly hostile and intolerant towards communities

^١ .James Tully, "The Pen is a Mighty Sword: Quentin Skinner's Analysis of Politics", in: *Meaning and Context*, New Jersey, Princeton University Press, ١٩٨٨, pp ٧-٢٥.

^{١٠} .See: Quentin Skinner, *Visions of Politics, Vol. ٢, Hobbes and Civil Science*, Cambridge University Press, ٢٠٠٢.

other than their own. In support of that position, critics refer to Qur'anic verses that exhort believers to fight infidels and they point to the battles of early Islam and the eventual confrontation between the Muslims and the Crusaders. In contemporary times, the stereotype of the Muslim as "terrorist" also supports the critics' position.

When Skinner's approach to hermeneutics is applied to the concept of jihad, it is clear that we cannot interpret Qur'anic or Prophetic texts without adequate knowledge of the human situation and cultural milieu in which they were revealed and first applied. We must also determine which verses take precedence over others based on the order of revelation or the possibility of abrogation. In other words, the context of Qur'anic revelation and traditions (Hadith) are crucial in coming to terms with jihad. It is an error to judge Islam and Muslims based on the kind of "jihad" that has fallen victim to ideological tendencies. Rather, Qur'anic meaning of jihad should be understood within the context of Arab wars that occurred at the time the term was introduced. At that time tribal members felt no responsibility to those outside the kinship group. To a certain extent the system of mutual revenge served to prevent wanton killing across tribal boundaries.¹ If seen from the viewpoint of that practice, Islamic jihad was more progressive than its contemporaneous traditions.

Jihad by Tongue

God states in the Qur'an, *"Invite (all) to the Way of thy Lord with wisdom and beautiful preaching; and argue with them in ways that are best and most gracious: for thy Lord knoweth best, who have strayed from His Path, and who receive guidance."*² This is the first type of jihad in Islam and involves calling people to Islam and making them acquainted with tenets of

¹. Reuven, Ibid, p 30.

². The Qur'an: 16:125.

the religion through dialogue and peaceful persuasion. This definition of jihad contrasts the imagined belief that jihad is always combative. By returning to the first and second questions of Skinner's hermeneutics, which concern the ideological and practical context of the text, we see that faith is not compulsory and the inner jihad is more important than the outer one.

That proposition is supported by the Qur'an when Allah says, "*So obey not the disbelievers, but strive against them (by preaching) with the utmost endeavor with it (the Qur'an).*"¹ According to M.H. Tabatabaie, the word "strive" (jaahidu) is used in the above passage to mean "struggle by means of the tongue." In other words, "to strive" means to preach, exhort, and persevere despite the obstinate resistance of some unbelievers to the ideals of Islam.² Tabatabaie is famous for interpreting the Qur'an by other parts of the Qur'an in addition to tradition. As mentioned earlier, every text should be interpreted by other parts of itself and by its context. This approach is an alternative to textualism and meta-textualism.

Since the foundation of jihad is Islamic propagation (*da'wah*) many people ask whether Islam condones and teaches the forced and armed conversion of non-Muslims. The Qur'an clearly states "*There is no compulsion in religion, the path of guidance stands out clear from error.*"³ In this verse, the word "*rushd*", or "*path of guidance*", refers to the entire domain of human life, not just to the rites and theology of Islam. No reliable evidence exists that Muslims ever intended or attempted to impose the specific rites and beliefs of Islam. The histories of Spain, India, and the Balkans offer concrete proof of that view.

There is no debating that pre-Islamic Arabia was a misguided society dominated by tribalism and blind obedience to custom. In contrast, the clarity of Islam and its emphasis on reason and rational proofs made it unnecessary to impose the religion by force. The verse cited

¹ .The Qur'an: 2:252.

² M. H. Tabatabaie, *Al-Mizan*, vol 10, Beirut, Alami, 1973, p 228.

³ .The Qur'an: 2:256.

in the above paragraph is a clear indication that the Qur'an is strictly opposed to the use of compulsion in religious faith. According to the fourth step of Skinner's hermeneutics, which examines the relationship between political ideology and political action, each action originates from a theory and the theory and action survive in a dialectical relationship. Muslims' jihad, then, cannot be understood correctly and completely without understanding its relationship with its theoretical foundations.

Offensive Jihad

In contrast to the jihad by tongue discussed above, the conditions of offensive, combative, jihad should now be discussed. The ruler, the Imam, is completely answerable to the people and their legal apparatus, the most important representatives of which are the scholars. The position of the law is that offensive jihad is allowed only when it can be reasonably proven that: ١) there are aggressive designs against Islam; ٢) there are concerted efforts to eject Muslims from their legally acquired property; and ٣) that military campaigns are being launched to eradicate Muslims. At such a time, the ruler can declare and execute the provisions of jihad. A leader of the Muslims, an Imam, must be the one to declare combative jihad. Allah said, "*Enter into peace completely and do not follow the steps of Satan.*"^١ The Prophet said, after establishing the Islamic state in Medina, that the way of the Muslims is one. No single group can autonomously declare war or fight, nor can any one group make peace by itself. A peace treaty can be made by the nations' leader and all subjects of the nation are bound by that decision, regardless of whether the leader was appointed or elected.

^١ The Qur'an: ٢:٢٠٨.

In the case of offensive jihad the whole community has an obligation to fight. This is based on the Prophet's statement that "He who is killed in defense of his belongings, or in self-defense, or for his religion, is a martyr." It is evident from the Qur'an and other sources that the armed struggle against the polytheists was authorized in the context of specific circumstances that developed after the Prophet(s) had migrated from Mecca to Medina. In Medina he secured a pact with the Jewish and Arab tribes of the city, who accepted him as the leader of their community. In the setting of this newly-founded base of operations, and under the governance of Divine legislation and the leadership of the Prophet, Islam attained the status of a nation with territory. As a result it developed the need to protect its self-interests.

At that time, the divine command that permitted jihad was revealed. However, this occurred only after several circumstances developed. The persistent refusal of the Mecca leadership (the Prophet being in Medina at the time) to allow the peaceful propagation of Islam in Mecca was one such circumstance. In fact, this is the basic reason for armed jihad. Another development was the unabated persecution of Muslims who remained at Mecca after the Prophet's emigration to Medina triggered an armed insurrection against Qurayshite interests in the Hijaz.. A third circumstance that led to the authorization of offensive jihad developed when the Meccans began military campaigns against the Muslims at Medina with the sole objective of eradicating Islam. Finally, a number of tribes allied to the Prophet unilaterally abrogated key security pledges and forced him into a vulnerable position.

The above conditions clearly met the requirements for combative jihad that are specified in the Qur'an: "*And fight in the way of Allah those who fight against you, and do not transgress [limits] for Allah likes not the transgressors*" and "*Will you not fight a people who have*

¹ The Qur'an, ٢:١٩٠.

*violated their oaths and intended to expel the Messenger while they did attack you first?"*¹ In later times, Muslims engaged in warfare to establish the Islamic Order. *"Oh then kill the polytheists wherever you find them and capture them and besiege them, and prepare for them each and every ambush. But if they repent and offer prayers perfectly and give zakat (Islamic tax), then leave their way free. Verily Allah is Oft-Forgiving, Most Merciful."*² The following verse also supports that purpose for warfare: *"And if anyone of the polytheists seeks your protection then grant him protection, so that he may hear the Word of Allah, and then escort him to where he can be secure, that is because they are men who know not."*³

The picture that emerges from the above verses is that the command to fight was given in response to specific conditions. Thus, the declaration of war is not an arbitrary act. Beyond the conditions described above there exists no valid reason for hostility because the Qur'an states, *"Allah does not forbid you from those who do not remove you from your homes (by force) and who do not fight you because of your religion, that you act kindly and justly towards them."*⁴ This verse refers to non-Muslims in general. Therefore, in the Prophet's time outer jihad, the combative type, was strictly defensive. In a narration, Auf bin Malik said, "O Prophet of Allah, do you recommend that we fight them? He said, 'No, don't fight them as long as they do not prevent you from your prayers. And if you see from them something that you dislike, dislike their acts, do not dislike them. And do not take your hand out from obedience to them.'"⁵ As M. Mutahhari argues, the unconditional Qur'anic verses of jihad, those that do not require

¹ The Qur'an: 9:13.

² The Qur'an: 9:5.

³ The Qur'an: 9:6.

⁴ The Qur'an: 60:8.

⁵ Other narrations with similar purpose are: 1) "There will be upon you leaders who you will recognize and disapprove of; whoever rejects them is free, whoever hates them is safe as opposed to those who are pleased and obey them", they said, "should we not fight them". He said, "No, as long as they pray." 2) "The best of your leaders are those you love and they love you, you pray for them and they pray for you. The worst of your leaders are those who anger you and you anger them and you curse them and they curse you. He said we replied : "O Messenger of Allah should we not remove them at that", "No, as long as they establish the prayer amongst you."

conditions to fight, should be interpreted by the conditional verses, i.e. those that limit the practice of jihad to a form of retaliation.^۱ H. Montazeri has the same idea.^۲

Applications to Modern Jihad

In order to complete this discussion of jihad, it is necessary to present some crucial points. Most importantly, jihad, even the combative type, was not considered an unusual phenomenon at that time. According to Skinner's hermeneutics, that point is important because it is necessary to consider other ideologies that existed at the writer's time. Within the context of the tribe-state or town-state of Medina, jihad non-Muslims also resorted to jihad. Since infidels at that time launched wars against Muslims to eradicate Islam, it was the Prophet's right to use the sword against them in return.

Secondly, the relationship between tribes in the Prophet (p.b.u.h.) era is different from the relationships seen in modern times. The dichotomy of Muslim/infidel has evolved into a three-fold demarcation of Muslim/secular/infidel. The third element, however, is continually fading. Since most countries at this time are secular, the relationship between Islamic and secular states is not the same as in the Prophet's era. Hence, modern Islamic states cannot begin an offensive fight against "secular" countries, especially if those countries have signed a peace convention with them. We live in a time of modern nation-states, not in the Prophet's era nor in the Middle Ages. Thus, Mutahhari's argument on offensive jihad, which permits it in modern times because of its defensive nature and its relationship to human rights and religious values^۳, is not convincing because the practice of offensive jihad in modern times inhibits a peaceful

^۱ .Morteza Mutahhari, *Jihad*, translated by M.S. Towheedi, B'ethat Foundation, ۱۹۸۱, pp ۶۹-۷۰.

^۲ . HossinAli Montazeri, *The Religious State and Human Rights*, Qom, Arqavan Danesh, ۲۰۰۸ (in Persian), pp ۶۰-۶۳.

^۳ .Mutahari, *Ibid*, pp ۴۹, ۷۰.

relationship between Islamic states and other nations. This reasoning is something more than *social analysis* that situates hermeneutics of religious scriptures within a given social-historical context. Rather, it seems that it is one of the *interpretative explications* which go beyond formal Scriptural hermeneutics in order to justify action.

Finally, in modern times no state can survive without international bilateral and multilateral conventions. Although modern Islamic states might have trans-national responsibilities outside of their borders, they are confined by both international conventions and conditional limitations. Islam does not allow Muslims to violate conventions, even though they are against the benefits of Muslims. Based on Islamic precepts, every state must act according to the treaties which have been accepted or signed.¹ Accordingly, modern Islamic states can establish a reasonable and peaceful relationship with other states and groups in the international milieu.

Conclusion

In conclusion, Shiites and Sunnites have different, and sometimes contradictory, readings of jihad. Among those readings the fundamentalist, traditionalist, and modernist views are considered in terms of an “ideal type.” The weaknesses of each approach, however, lead us to a dialectical reading of jihad, between text and context. That dialectical approach supports the argument that no form of jihad, including the offensive (pre-emptive) one, contradicts freedom of religion. Further, the nature of combative jihad is defensive. As a result unconditional Qur'anic verses should be interpreted in the light of conditional verses. Methodologically speaking, pre-modern phenomena cannot be interpreted in light of modern circumstances. As a

¹. Seyed Sadegh Haghghat, *Trans – national Responsibilities in the Foreign Policy of the Islamic State*, Tehran, Center for Strategic Researches, – ۱۹۹۷, (in Persian).

result, the Prophet's jihad cannot be labeled as a "terrorist" action that violated "human rights." No text can be interpreted without its specific context. Jihad, in all kinds, must be read in the context of tribe-state conditions. The offensive kind of jihad – which is allowed just in the time of the holy Prophet and the innocent Imams (according to the majority of Shiite jurisprudences) - is tuned to anti-Muslim countries, not to secular ones. International conventions confine transnational responsibilities of Islamic states.
