

TERRORISM IS NOT JIHAD

A Refutation of Those
Who Claim that Peaceful Preaching Has Been
Abrogated by the Verses of the Sword
and Those Who Claim that the Activities of the Terrorists
Are Jihād in the Path of God

آدُعْ إِلَى سَبِيلِ رَبِّكَ بِالْحِكْمَةِ وَالْمَوْعِظَةِ الْحَسَنَةِ وَجَدِلْهُمْ بِالَّتِي
هِيَ أَحْسَنُ إِنَّ رَبَّكَ هُوَ أَعْلَمُ بِمَنْ ضَلَّ عَنْ سَبِيلِهِ
وَهُوَ أَعْلَمُ بِالْمُهْتَدِينَ

Invite to the way of your Lord with wisdom and good instruction, and argue with them in a way that is best. Indeed, your Lord is most knowing of who has strayed from His way, and He is most knowing of who is [rightly] guided. (Qur'an 16:125)

Introduction

All praise is due to Allāh,¹ the Creator and Lord of the Worlds, the Lord of Noah, Abraham, Moses, Jesus and Muḥammad. May the peace and blessings be upon them all.

It is often misunderstood that the Qur'ānic verses which *permit* or *obligate a Muslim ruler* to fight in defence against injustice and aggression—[such as what was done with the Quraysh polytheists by the Prophet (صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ)]—or to *initiate battle* against an enemy with hostile intent—[such as the Roman Byzantines who had mobilised their armies to attack the city of Madīnah]—or to fight in order to remove hindrances and barriers to the peaceful practice and proclamation of Islām, that these such verses abrogated the verses of peaceful preaching and sanction unprovoked violence and terrorism by individuals against societies. This view is employed by extremists and terrorists as well as Islām haters to present the notion that *nothing but fighting and war* define the relationship between Muslims and all non-Muslims and that the objective behind this alleged unending war is to forcefully convert people to Islām. This is untrue for two reasons:

Firstly, because forced belief against one's will is not genuine and serves no real purpose, except to foster resentment, hatred and hypocrisy. It simply would not have been possible for Islām to spread in this manner, and indeed it did not.

Allāh (عَزَّوَجَلَّ) stated in the Qur'ān, addressing the Prophet:

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

“And had your Lord willed, those on earth would have believed - all of them entirely. Then, [O Muḥammad], would you compel the people in order that they become believers?” (10:99).

¹ The name of this creator is Allāh (*il, el, ilāh, iloh, elah*) in the languages of Hebrew, Aramaic (Syriac) and Arabic. This is not “*the God of the Muslims*” but the God of all Prophets, Messengers and mankind.

قَدْ كَرِّمْ إِنَّمَا أَنْتَ مُذَكِّرٌ لَسْتَ عَلَيْهِمْ بِمُصَيِّرٍ

“So remind, [O Muḥammad]; you are only a reminder. You are not a dictator [controller] over them.” (88:21-22).

فَإِنَّمَا عَلَيْكَ الْبَلَاغُ وَعَلَيْنَا الْحِسَابُ

“Your duty is only to convey the message and upon Us is the reckoning.” (13:40).

The scholar Ibn al-Qayyim (d. 1350) explains: “It will become clear to whoever reflects upon the biographical account of the Prophet (صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ) that he did not compel a single person to accept his religion, ever. Rather, he fought whoever fought against him [first]. As for the one who made a truce with him, he never fought him so long as that person remained upon the truce and did not violate his covenant. Rather, Allāh the Exalted commanded the Prophet to fulfil the covenant with them, so long as they abided by it, just as He, the Exalted said, ‘**So as long as they are upright toward you, be upright toward them**’ (9:7)... he never initiated fighting against them until they initiated fighting against him and violated their covenant. When they did that, he fought against them in their lands. Prior to that, they had fought against him, such as when they desired [to kill] him on the day of Uḥud and the day of the Battle of the Trench and the day of Badr as well. They came to fight against him [first], but if they had turned away from him [and left him] he would not have fought them. The intent here is that he (صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ) never compelled anyone to enter his religion, ever. Rather, the people entered his religion wilfully, out of choice. The majority of the people of the Earth entered his call when guidance became clear to them and that He is the Messenger of Allāh in truth.”²

Secondly, it is established that the claim of Islām being spread through forced conversion by the sword is a gross misrepresentation of history. The rehashing of this myth coincides with the geopolitical circumstances of our times wherein Neoconservative warmongers and propagandists³ instigated and justified the invasion and

² *Ḥidāyat al-Hayārā* (Dār ‘Ālam al-Fawā'id) pp. 29-30.

³ Neoconservatives (“Neocons” for short) follow a political philosophy which advocates the use of aggressive force, manipulation and deception as

destruction of Muslim-inhabited lands on the back of an engineered clash of civilisations narrative. Hence, the presentation of Islām as inherently violent as a psychological backdrop to the various means of justifying invasions and wars. This myth continues to be carried today by rabid Islām haters and those who blindly follow them, hearing and repeating their words. If their claim was true, Christian priests and Jewish rabbis would be the first to have been killed in every place as a means of totally eliminating Judaism and Christianity and their adherents for good. And upon that, Jewish Professors like David J. Wasserstein would not be writing articles titled, “*How Islām Saved the Jews*”⁴ 1400 years later and nor would

a means of maintaining political and military supremacy and paving the way for large corporations to control and shape the politics and economies of other nations. Some of their key figures are William Kristol and Robert Kagan. They influence and shape government policies via think-tanks and tax-exempt foundations whose sources of funding are often concealed from the public. In September 2000 they issued a report outlining their visions of a new century of conquest starting in central Asia. General Wesley Clark – Retired 4-star U.S. Army general, Supreme Allied Commander of NATO during the 1999 War on Yugoslavia – can be found on Youtube saying that in late 2001 he was personally informed of plans to “take out” Afghānistān, Irāq, Libya, Syria and several other countries over a period of 10 years.

⁴ A 2012 lecture given by Wasserstein and then later published as an article in the Jewish Chronicle, “*So, What Did Islām Do For the Jews*”, 24 May 2012. Wasserstein wrote: “Islam saved Jewry... Had Islam not come along, the conflict with Persia would have continued. The separation between western Judaism, that of Christendom, and Babylonian Judaism, that of Mesopotamia, would have intensified. Jewry in the west would have declined to disappearance in many areas. And Jewry in the east would have become just another oriental cult. But this was all prevented by the rise of Islam. The Islamic conquests of the seventh century changed the world, and did so with dramatic, wide-ranging and permanent effect for the Jews. Within a century of the death of Mohammad, in 632, Muslim armies had conquered almost the whole of the world where Jews lived, from Spain eastward across North Africa and the Middle East as far as the eastern frontier of Iran and beyond. Almost all the Jews in the world were now ruled by Islam. This new situation transformed Jewish existence. Their fortunes changed in legal, demographic, social, religious, political, geographical, economic, linguistic and cultural terms - all for the better.” The Jewish Chronicle, 24 May 2012 (online).

secular atheists of Jewish background such as Uri Avnery be refuting the blatant, shameless lies of Pope Joseph Ratzinger.⁵ Nor would Christians have welcomed Muslims to rule over them to escape the tyranny, injustice, slaughter and treachery of their fellow Christians if Islām had a convert or die policy.⁶

⁵ Uri Avnery, wrote, “In his lecture at a German university, the 265th Pope described what he sees as a huge difference between Christianity and Islam: while Christianity is based on reason, Islam denies it. While Christians see the logic of God’s actions, Muslims deny that there is any such logic in the actions of Allah. As a Jewish atheist, I do not intend to enter the fray of this debate. It is much beyond my humble abilities to understand the logic of the Pope. But I cannot overlook one passage, which concerns me too, as an Israeli living near the fault-line of this ‘war of civilizations.’ In order to prove the lack of reason in Islam, the Pope asserts that the Prophet Muhammad ordered his followers to spread their religion by the sword.” After speaking about Muslim Spain, Avnery then writes, “Every honest Jew who knows the history of his people cannot but feel a deep sense of gratitude to Islam, which has protected the Jews for fifty generations, while the Christian world persecuted the Jews and tried many times ‘by the sword’ to get them to abandon their faith. The story about ‘spreading the faith by the sword’ is an evil legend, one of the myths that grew up in Europe during the great wars against the Muslims - the reconquista of Spain by the Christians, the Crusades and the repulsion of the Turks, who almost conquered Vienna. I suspect that the German Pope, too, honestly believes in these fables. That means that the leader of the Catholic world, who is a Christian theologian in his own right, did not make the effort to study the history of other religions.” In an article titled *Muhammad’s Sword*, 26th September 2006. The view of Avnery is echoed by many just and honest religious figures amongst the Jews, from their learned Rabbis, and the citations in this regard are numerous and plentiful. For a glimpse at how Jews fared under Muslim rule one can refer to *A History of the Jewish People* edited by Haim Hillel Ben-Sasson, Harvard University Press (1985). It is a comprehensive book written by six Jewish scholars from Hebrew University in Jerusalem for Jewish readers and spans 5000 years of history. A consistent pattern emerges from the book that throughout Islāmic history Jews have fared well and lived in comfortable conditions.

⁶ Refer to the excellent book by the British Orientalist scholar and historian Thomas Walker Arnold, “*The Preaching of Islam*” (London Constable & Company, 1913) for an objective analysis of the spread of Islām in which they myth of forced conversion by the sword is made clear. In this work Arnold cites from hundreds of history references and sources in over ten

The claim of Jihād being an instrument of terrorism and forced conversion to Islām is one of the misconceptions that have been used by non-Muslims for several hundred years to claim that the Prophet (ﷺ) was merely a king fighting for dominion and not a genuine Prophet sent by Allāh, or a king who only established his religion by the sword.⁷ This is the same misconception held by extremists whether of the Muslim kind such as the Khārijite terrorists of al-Qaeda, ISIS and their supporters or of the Islām hating non-Muslim kind such as the ultra-Zionists, fundamentalist evangelical Christians awaiting the annihilation of Muslim Arabs and the return of the Christ, Neoconservative propagandists following their political philosophy of military supremacy and domination, and the far-right, white nationalist movements.

different languages, which indicates that it is an unbiased account of the spread of Islām that does not rely only on Muslim sources.

⁷ Ibn Taymiyyah (d. 1328) said: “That many of the People of the Book claim that Muḥammad (ﷺ) and his nation established their religion with the sword and not through guidance, knowledge and signs (evidences). Thereafter, when they request knowledge and debate and it is said to them in response: ‘There is no answer to you except the sword’, then this is what corroborates [in their minds] this false presumption [they already harbour]. And this is from the greatest of what they use as proof amongst themselves for the corruption of Islām, that it is not a religion of a messenger sent by Allāh, but a religion of a king who established it with the sword.” *Al-Jawāb al-Ṣahīḥ* (1/244). **Lawrence Browne** wrote: “Incidentally these well-established facts dispose of the idea so widely fostered in Christian writings that the Muslims, wherever they went, forced people to accept Islam at the point of the sword.” *The Prospects of Islām*, London, 1944, p. 12. **James Michener** wrote: “No other religion in history spread so rapidly as Islam. The West has widely believed that this surge of religion was made possible by the sword. But no modern scholar accepts this idea.” *Reader’s Digest*, May 1955, pp. 68-70. **De Lacy O’Leary** wrote: “History makes it clear, however, that the legend of fanatical Muslims sweeping through the world and forcing Islam at the point of sword upon conquered races is one of the most fantastically absurd myths that historians have ever repeated.” *Islam at the Crossroads*, London, 1923. **C. H. Becker** wrote: “The theory, however, that the Muhammadan conquerors and their successors were inspired by a fanatical hatred of Christianity is a fiction invented by Christians.” *Christianity and Islam*, London, 1909, pp. 33.

In this work we take a historical, contextual look at the legislation of fighting in Islām through a brief treatment of the biography of the Prophet (صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ) and the hostilities directed towards him, his call and his followers and the various battles he engaged in. This leads to a discussion of **the verse(s) of the sword** in the Qur’ān and the issue of whether they have abrogated the means of peaceful preaching and good argumentation. And—following on from that—whether these verses demand a state of permanent war until every last person on Earth becomes a Muslim, as is alleged by Islām haters.

The religion of Islām is in moderation between:

a) **The religion of Jewish extremists** which is characterised by the absence of preaching to the nations of the world coupled with anger, vengeance and fiery war against all enemies without mercy or forgiveness and in which wholesale slaughter of men, women, children, infants, homes, all possessions and even the domesticated animals is enjoined.⁸

⁸ See for example 1 Samuels 15:1-3 in which there occurs: “Samuel said to Saul, ‘I am the one the Lord sent to anoint you king over his people Israel; so listen now to the message from the Lord. This is what the Lord Almighty says: ‘I will punish the Amalekites for what they did to Israel when they set themselves against them as they came up from Egypt. Now go, attack the Amalekites and totally destroy all that belongs to them. Do not spare them; put to death men and women, children and infants, cattle and sheep, camels and donkeys.’” Note that this command to genocide is in relation to *the descendants* of those Amalekites who had harmed the Israelites *four or five hundred years earlier* and not in relation to anyone who had actually harmed the Israelites in the time of Samuel and Saul. This ruling is frequently invoked by fundamentalist, extremist, supremacist European Askhenazi Jews in justifying the wholesale genocide of Semitic Palestinian Arabs inclusive of women and children. On the basis of such texts, “rabbinical commentators in the past drew the logical conclusion that in wartime all Gentiles belonging to a hostile population, may or even should be killed.” Israel Shahak in *Jewish History Jewish Religion* (Pluto Press, 2008) p. 91. Shahak then cites an exhortation included in a booklet by the Central Region Command of the Israeli Army operating in the West Bank. The Command’s Chief Chaplain writes in this booklet: “When our forces come across civilians during a war or in hot pursuit or in a raid, so long as there is no certainty that those civilians are incapable of harming our forces, then

This is known and established in:

- the readings of the **religious books** in their hands,
- the statements of their **chief rabbis**,
- the views and activities of **Haredi** and **Gush Emunim** extremists,
- racial supremacist and ethnic cleansing writings such as “**The Kings’s Torah**” which approve of genocide of enemies as a means of redeeming land,⁹

- and statements of **contemporary Israeli political figures** [of European Askhenazi background] who describe Semitic Palestinian Arabs as ‘wild animals’ and ‘beasts’ and incite against them.

b) **The religion of the Christians** which according to what they write and say is characterised by preaching to the nations of the world alongside turning the other cheek in the face of aggression and violence. Whilst peaceful preaching and turning the other cheek is the reported way of Jesus the Messiah for the short duration of his preaching, it is not something that characterised Christians who came afterwards, whether the Greeks, Romans or Europeans. Christian nations such as Portugal, Spain, France, England, Holland, Belgium, Germany and Italy employed brutal violence, terrorism, massacres and planned wholesale genocides such as the implementation of economic and trade policies, often within the context of environmental disasters (such as famines), with a view to hastening the demise of the indigenous populations on scales of millions in order to enrich their own empires. These activities were justified on grounds of racial superiority, the “glory of Christ” and a God-given right to rule over lower, inferior, races. As a result, they

according to the Halakhah they may and even should be killed ... Under no circumstances should an Arab be trusted, even if he makes an impression of being civilized ... In war, when our forces storm the enemy, they are allowed and even enjoined by the Halakhah to kill even good civilians, that is, civilians who are ostensibly good.” p. 92. One should note that the views outlined here and in the main text are not necessarily the views of all religious Jews.

⁹ A 230 page book written by Rabbi Yitzhak Shapira and Rabbi Yosef Elitzur and published in 2009. It discusses the laws pertaining to killing non-Jews in which the killing of non-combatants as well as children is encouraged on grounds of racial superiority and national security.

wiped out large sections of the indigenous populations of the Americas, Australia and parts of Asia and Africa – all of this without receiving a single slap on any cheek.

c) **The religion (way) of the warmongers and nation-destroyers.** They are the ones who target nations, instigate revolutions and wars for *commercial and corporate gain*, hijack economies, manipulate currencies, carpet bomb cities, drop atomic bombs, destroy infrastructure and means of livelihood, kill millions and displace millions more, employ economic sanctions to starve millions more, the destitute and children included, and so on. These people fight for worldly considerations, for *greed and power* and may not be against any specific religion as such. They do not have the noble objectives of benefiting humanity in spite of the lofty slogans they employ to portray otherwise. Economic and political gains are the primary drivers. Neoconservative propagandists (institutions, think-tanks and individuals) incite governments and nations into these wars of aggression through the use of carefully crafted propaganda labelled as “political analysis”, clothed with a vile pretence of having genuine concern for the human rights of the subjects of their target nations.

It should be made clear that war in Islām is not a war of colonialism, nor is it a war of economies or to dispossess people of their land, property and wealth. Nor to globalize trade or open up “free markets.” Nor to extract minerals, metals and fuels from usurped land. Nor to display the superiority of one’s tribe, race or nation.

Allāh (عَزَّوَجَلَّ) said:

تِلْكَ آلدَارُ الْآخِرَةُ نَجْعُهَا لِلَّذِينَ لَا يُرِيدُونَ عُلُوًّا فِي الْأَرْضِ وَلَا فَسَادًا وَالْعَاقِبَةُ

لِلْمُتَّقِينَ

“That home of the Hereafter We assign to those who do not desire exaltedness upon the earth or corruption. And the [best] outcome is for the righteous.” (28:83). Pursuing highness in authority and causing death, annihilation and corruption on Earth is prohibited. It is the way of the tyrants, warmongers and nation-destroyers.

None of these ways comprise moderation and justice and none of them are appropriate for guiding humanity to truth through just and merciful means.

Thus, moderation and justice necessitate the use of both peaceful preaching and good argumentation and where necessary the use of force through the specified channel (a ruler with supreme authority and command of government) for purposes of self defence or to remove persecution, hindrances and obstacles that come in the way of peaceful practice and preaching. Further, this use of force is not to annihilate enemies *because they are non-believers*. For that reason, priests, rabbis, monks, old men and all women and children are forbidden to be killed because they are non-combatants. And this is the justice which Islām came with, in between the way of the extremist Jews mentioned earlier and the alleged way of “turning the other cheek” of the Christians.

The Muslim jurists have discussed the underlying cause (‘illah) and justification for fighting non-Muslims and addressed the question of whether it is because they are upon unbelief (kufr) or because of other factors such as their hindrance, aggression and violence (ḥirābah, man‘) and fighting (qitāl).

It is clearly not because of unbelief alone because of the fact that the killing of all non-combatants such as monks, priests, women and children is forbidden in Islām, and the fact that truces, treaties, trade and diplomatic relations and the likes can be entered into with non-Muslim authorities. Further, Muslims are allowed to eat the meat of the People of the Book (Jews and Christians) (Qur’ān 5:5) Muslim men are allowed to marry chaste, upright women from the Jews and Christians (Qur’ān 5:5). They are also commanded to show kindness and benevolence to their non-Muslim parents, even when these parents strive to convert them to polytheism and idolatry (Qur’ān 31:14-15). Hence, it cannot be the case that the underlying cause of fighting is purely *because they are not Muslims*.¹⁰ So this is one issue.

¹⁰ Ibn Taymiyyah said: “As for the unbeliever, it is permissible to enter into a security or truce arrangement with him and as for the captive, he can be freed or used as ransom. And if he is from the People of the Book it is

Second, fighting is legislated in Islām **for the ruler and his army** against those who fight, oppress and hinder the peaceful practice and proclamation of Islām which is: To simply worship one Lord and none other, perform the five daily prayers, fast the month of Ramaḍān, give obligatory charity on one's unused wealth, make pilgrimage to Mecca if one is able, show kindness to one's parents, relatives and neighbours (Muslim or non-Muslim) and to shun idolatry, usury, alcohol, gambling, adultery, false witness and other major sins.

☞ In Western nations, there are no hindrances or obstacles to the peaceful practice and proclamation of Islām, and even if there was, the legislated ruling for Muslims would be to leave and emigrate to another place. It is treachery and perfidy to violate one's agreements and covenants either by a) inciting unrest—as is done by fringe extremists such as Anjem Choudary and his tiny band of followers—let alone committing acts of terrorism, or b) engaging in forbidden crimes such as robbery, rape, prostitution, drug trafficking and the likes, which in Islām have capital punishments.

Thus, peaceful preaching is the base and foundation and the use of force is a means justified and made available by the Islāmic legislation to **the legitimate ruling authority** and not to individuals or insurgents, renegades and bandits.¹¹

permitted to offer him a guarantee of protection and for their food to be consumed and their women to be married. Their women are not to be killed unless they directly engage in fighting through speech or deed by agreement of all the scholars. Likewise, those who do not engage in fighting amongst them are not to be killed in the view of the majority of the scholars, as has been indicated in the Sunnah (Prophetic tradition).” *Majmū‘ al-Fatāwā* (28/414).

¹¹ Such as the extremist and terrorist groups such as al-Qaeda, ISIS, Boko Ḥarām and others who are Khārijite movements and have no legitimacy or standing within Islāmic law. Their use of the verses that pertain to fighting and which discuss the issues of war and peace, truces and covenants are out of context because they are insurgents and bandits with no legal standing.

Islām haters deceive and lie to their audiences by failing to point out that all the verses of war and peace, truces, treaties, alliances and the likes are addressed only to the ruler of the Muslims. This is actually the point of dispute between:

a) Orthodox Muslims on the one hand with whom it is established that these verses are addressed to the rulers alone as is clear in the books of both theology and jurisprudence.

The famous Muslim jurist **Ibn Qudāmah** (d. 1223) said: “The affair of jihād is entrusted to the ruler and is under his consideration. It is binding upon the subjects to obey him in whatever he sees regarding it.”¹² And the late scholar, **Muḥammad bin Ṣāliḥ al-ʿUthaymīn** (d. 2001) said: “It is not permissible to engage in a military expedition with an army except with the permission of the ruler no matter what the situation. This is because it is the rulers who are addressed [in the texts] with the affair of military expeditions and jihād and not individual citizens among the people. Individuals must follow the authorities.”¹³ The scholar of exegesis of the Qurʾān, **Imām al-**

There is a separate a body of law in Islām that deals with jihād against the renegades, bandits and terrorists who separate from the main body of Muslims, incite unrest and sedition and commit acts of terrorism. All non-Muslim academics, alleged “specialists” and commentators who try to validate the misguided understanding of these terrorists and bandits as an authentic reading of Islām and its texts are best viewed as the unwitting mules of ISIS and al-Qaeda in the West. Included among these are the many mediocre academics and journalists who, being victims of slick Khārijite propaganda, refer to the Khārijite terrorists as “Salafi-Jihadists”. They have been gamed and played by the Khārijite terrorists in this regard, since they are the ones who invented these categorisations in the 80s and 90s in order to validate their extremism and terrorism. Western academics have simply taken them upon face value without critical analysis and suffer from blind spots in their analyses because they are ignorant of Islāmic theology.

¹² Al-Mughnī (10/368).

¹³ Sharḥ al-Mumtīʾ (8/22). Muslim scholars are astute enough to note that the issue of jihād and the texts pertaining to it can be used by those motivated by political interests to work sedition. Shaykh al-ʿUthaymīn alludes to this on the same page: “A faction of people may make preparations [for battle] giving the impression that they desire the enemy whereas in reality, they desire to revolt against the ruler, or they may desire to transgress against another faction of people.” This further shows

Qurṭubī (d. 1273) said: “No military expeditions are embarked upon except with the permission of the ruler.”¹⁴ And the famous scholar and jurist **Ibn Taymiyyah** (d. 1328) said: “Jihād is not undertaken [and established] except by those in authority.”¹⁵ There is only one exception mentioned by the jurists: a sudden attack by an enemy at a border region. This obviously requires immediate action from those in the vicinity before logistical command can be assumed by the ruler or his military leaders.¹⁶

b) The extremists and terrorists on the other hand. Their jihād is against Muslim rulers whom they accuse of disbelief and apostasy on grounds of injustice and tyranny, the various governmental bodies such as the army and police and every subject who does not adopt their ideology and join them. This is the doctrine of the Khārijites which has been revived in the 20th century by Sayyid Quṭb and those affected by his writings, alongside those of Abū Aʿlā Mawdūdī. To this end, they employ the texts pertaining to jihād and fighting. They operate on the false belief that Islām has become non-existent due to the claim that the most crucial element of Islām is political authority (sulṭah, ḥākimiyyah) which has been usurped by men. As such, redemption lies in re-establishing Islām through revolutions against all existing Muslim authorities. This is framed as “Jihād”. Upon this, they commit acts of terrorism as a means of establishing their own political authority. This was the first heresy in Islām, it is the heresy of the Khārijites whose nucleus consisted of a band of hypocrites, as textually stated in the Qurʾān. They accused the Prophet (صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ) of

that the issue of jihād and fighting is not haphazard and chaotic, rather it is strictly under the auspices of the ruler. All military commanders, leaders and strategists know full well that without a central command, wars would be chaotic and unwinnable. For this reason, it is established in both Islāmic theology and jurisprudence, that all the texts pertaining to war are addressed to ruling authorities and not to individuals.

¹⁴ *Al-Jāmiʿ li Ahkām al-Qurʾān* (5/275).

¹⁵ *Minhāj al-Sunnah* (6/118).

¹⁶ Refer for example to the statement of Imām Aḥmad, when asked about the issue of permission by his son ʿAbd Allāh, he said: “...except when they are [attacked by] surprise by an enemy and they are unable to obtain permission from the leader, so this is [necessary] defence on behalf of the Muslims...” *Masāʾil ʿAbd Allāh Li Abīhi* (2/582).

injustice in the distribution of charities, Then they accused ‘Uthmān, the third caliph, of not judging by what God revealed (tark al-ḥukm). Then they accused ‘Alī, the fourth caliph, of giving partners to God in his right of lawgiving (al-shirk fil-ḥukm). Then they gathered as a military force during a time of civil and political strife and set up their breakaway alleged “Islāmic State” in Nahrawān, south of Baghdād in the year 657 CE before they were defeated by ‘Alī in 659 CE. In the interim period they recruited ignoramuses through the use of propaganda, developed their theorisation of takfīr, jihād and loyalty and disloyalty (walā’, barā’) and committed acts of terrorism.

Muslims have been fighting against this ideology for 1400 years. There are texts dealing with renegades, bandits and specifically the Khārijites whose appearance was prophesied by the Prophet (صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ) in a large number of traditions. There is a well-developed body of law in the Islāmic Sharī’ah regarding how to deal with these groups. Al-Qaeda and ISIS are a modern manifestation of this sect and their appearance follows the very same model as that of the first Khārijites, with some added dimensions.

The great and famous Muslim scholar **Abū Bakr Muḥammad al-Ājurri** (d. 970) mentioned the consensus of the Muslim scholars that the Khārijites are an evil, filthy, despicable people and that none of their apparent goodness is of any benefit to them. In his book titled “The Sharī’ah”, he wrote the following: “The scholars have not differed that the Khārijite [extremists] are an evil people, disobedient to Allāh and His Messenger, even if they pray, fast and strive hard in worship. None of that will be of benefit to them. They display the commanding of good and prohibiting of evil but that will not benefit them because they distort the Qur’ān with their desires and deceive the Muslims. Allāh, the Most High, warned us against them. The Prophet warned us against them. The rightly-guided caliphs warned us against them. The Prophet’s companions warned us against them. They are an evil, filthy despicable people. Those upon this doctrine continue to inherit it from each other [through

the ages]. They revolt against the rulers and leaders and make lawful the killing of Muslims.”¹⁷

Thus, there are two groups of people: Orthodox Muslims defending a sound understanding of jihād and its jurisprudence and the Khārijite extremists and terrorists who are upon distortions, fabrications and lies based upon their ignorance and feeble intellects coupled with worldly motivations concealed by emotional religious rhetoric and pseudo-scholarship.

Standing right behind the terrorists are the Islām haters of all types and backgrounds. They validate the misguidance of the terrorists (as an authentic reading of Islām), because they have ideological hatred of Islām and they could not be more happy with the existence of the likes of al-Qaeda and ISIS because of the opportunity it has afforded them to malign Islām and Muslims. **Terrorists** and **Islām haters** are flip sides of the same coin. The twisted, warped understanding of Islām in the mind of the terrorist is the same twisted warped understanding of Islām in the mind of the Islām hater who has ideological and political reasons for hating Islām. The terrorism of the terrorists—which itself has complex factors underlying it—provides **scavenging material** for Islām haters who are **hyenas feeding off the rotting corpses of terrorists**. Both these groups feed off each other’s misguided ideas and sentiments.

We have established that Jihād is only under the command of a ruler not individuals, insurgents and bandits. It follows the rule of law and has a detailed body of jurisprudence governing it. It is not haphazard but regulated and orderly. Once this is clear, we are led to a discussion of the claim that legislation of Jihād abrogated peaceful preaching and argumentation.

Shaykh Ṣāliḥ Āl al-Shaykh, the current Minister of Islāmic Affairs of Saudi Arabia said: “The legislation [of Islām] is not desirous for war. Rather, war only takes the place of necessity. When the arena is open

¹⁷ *Al-Sharī‘ah* (1/136).

for invitation to Allāh and conveying the message of Allāh the Mighty and Majestic, then the foundation of jihād in the path of Allāh is not legislated as has been said by Shaykh al-Islām Ibn Taymiyyah... He said that jihād has not been legislated except as [a means] to protect [the instrument of] peaceful invitation. When it is possible to convey the invitation [due to absence of hostility and hindrance] then there is no angle for jihād. He gave evidences and known observations for that.”¹⁸

In the passage referred to by Shaykh Ṣāliḥ Āl al-Shaykh, the scholar **Ibn Taymiyyah** (d. 1328) said: “What Allāh the Exalted mentioned about argumentation with the People of the Book with that which is best—save those who commit injustice among them—is a decisive command which has not been abrogated by anything.”¹⁹

He is referring to the following texts of the Qur’ān: “**Invite to the way of your Lord with wisdom and good instruction, and argue with them in a way that is best. Indeed, your Lord is most knowing of who has strayed from His way, and He is most knowing of who is [rightly] guided.**” (16:125). And also: “**And do not argue with the People of the Book except in a way that is best save those who commit injustice among them...**” (29:46). These are decisive commands which will always remain in effect and they have not been abrogated.

Ibn Taymiyyah also said: “That it is known that fighting was only prescribed for a necessity (ḍurūrah) and had the people believed though evidences and signs [alone], fighting would not have been required.”²⁰ He goes on to explain that in law, that which is legislated as a necessity cannot prevent that which is legislated as an obligation, namely, preaching and good argumentation. He also said: “Fighting is only against the oppressor. For whoever fought the Muslims [on account of religion] can only be a transgressing oppressor.”²¹ He also said: “Fighting is for the one who fights against us when we desire to proclaim the religion of Allāh... so whoever did not prevent the

¹⁸ Refer to *Hādhā Huwa al-Islām* (p. 25).

¹⁹ *Al-Jawāb al-Ṣaḥīḥ* (1/217).

²⁰ *Al-Jawāb al-Ṣaḥīḥ* (1/238).

²¹ *Al-Jawāb al-Ṣaḥīḥ* (1/240).

Muslims from establishing the religion of Allāh, then the harm of his unbelief is only upon himself.”²²

Ibn Taymiyyah refuted the incorrect view of the abrogation of peaceful preaching by the sword verses through numerous strong arguments. In this work, we present a translation of the passage in question from his monumental work *al-Jawāb al-Ṣaḥīḥ*, which is a detailed response to an apologetic tract by Paul of Antioch written in the early 13th century in defence of the Christian religion. A short summary is provided below.

Ibn Taymiyyah’s discussion starts with a mention of the many delegations that came to the Prophet (صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ) during the 9th and 10th years of hijrah such as the Christians of Najrān, and the tribes of al-Azd, Ghassān, Zubayd, ‘Abd al-Qays, Kindah, Banū Ḥanīfah, Bajaylah and others. He then mentions “the verse of the sword” in the 9th chapter of the Qur’ān called Barā’ah or Tawbah (verse 29)—which was revealed in relation to the Roman Byzantines who had prepared for battle against the Muslims in the 9th year of hijrah—and discusses the issue of whether it had abrogated the peaceful preaching and argumentation that the Prophet (صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ) had engaged in prior to that.

He dismantles the argument of those who claim it is abrogated through nine angles and they are summarised as follows:

1. That people given a guarantee of protection (dhimmah) or security (amān), or who are under a treaty or covenant (ahd) are not to be fought against. Rather, they are advised and argued with in good ways.

2. That those who do not commit injustice among them, are to be argued with in ways that are best, as opposed to those who commit injustice.

3. That even in war, when one of the warring enemy requests protection so that he can hear the Qur’ān and listen to the message of Islām in order to verify and to ascertain for himself what it calls

²² *Majmū‘ al-Fatāwā* (8/354).

to, then he is to be granted protection throughout his journey. If he does not accept, he is delivered back to his place of safety.

4. It is not possible for the one who claims abrogation to identify which specific verse made the abrogation. It cannot be the verse that permitted fighting in self-defence, or the one that obligated it against those who engage in violence because the Prophet (ﷺ) continued preaching after that. Nor can it be “the verse of the sword” because the Prophet also continued preaching and arguing after its revelation.

5. That the verses which permit or command fighting only abrogated the prior reliance on preaching and argumentation *alone*. Thus, it is not that argumentation was abrogated, but rather, these verses indicate that along with argumentation, fighting can also be resorted in order to repel those who commit injustice out of defence or out of initiation towards those with hostile intent who stand in the way of peaceful proclamation.

6. That jihād and fighting have only been legislated due to necessity (ḍurūrah) and if the people had believed through signs and evidences alone, then fighting would not have been required. And as for preaching and arguing it is an absolute, foundational obligation. And hence, that which is legislated only due to necessity can never abrogate that which is the legislated foundation.

7. That fighting is only against the oppressor (zālim), the one who fights against Muslims and stirs up hostility after guidance became clear to him and proof had been established against him. But as for preaching and argument, it is used with different categories of non-violent people, some of whom seek knowledge and guidance, others who have doubts and yet others who are polemical and hostile only in argument, not in terms of physical violence.

8. The claim that arguing in ways that are best is abrogated by the command to fight only supports the false presumption of the People of the Book who claim that Muḥammad (ﷺ) spread Islām with the sword.

9. The fighting of all people—Jews, Christians and polytheists—follows on from their beliefs and views, and that argumentation and establishing the proof is always required because it provides the

foundation, justification and warrant for any fighting that may take place [in accordance with what has preceded above].

From this discussion it becomes clear that people fall into various categories and the Qur'ānic texts pertain to these various categories:

1. Those with a guarantee of protection (dhimmah) who have the freedom and safety to practice their religion,²³
2. Those with a treaty (ahd).
3. Those who have been granted security (amān).
4. Those who desire knowledge and guidance.
5. Those who desire knowledge but have doubts and want these doubts to be removed through discussion and debate.
6. Those who are stubborn and desire argumentation for the sake of argumentation and who are oppressive in argument, reviling and abusing but not violent or aggressive.
7. Those who show injustice, aggression and violence.
8. Those who violate their treaties and truces.

²³ The renowned Mālikī jurist, Shihāb al-Dīn Abū al-'Abbās Aḥmad bin Idrīs al-Miṣrī, (d. 1285) known as al-Qarāfī said: "The covenant of the guarantee of safety (dhimmāh) obligates certain rights upon us which are due to them (non-Muslims) because they are within our neighbourhood and under our protection and under the protection (dhimmah) of God the Most High, the Prophet (ﷺ) and of the religion of Islām. Whoever transgressed against them even if it was with an evil word or backbiting them with respect to the honour of one of them, or any harm amongst the types of harm, or who even aids in that, then he has ruined the guarantee of (safety) of God, of His Messenger (ﷺ) and of the religion of Islām granted to them." In his work *al-Furūq* (3/14).

The dictionary meaning of dhimmah is: covenant, contract, bond, protection, shelter, alliance, responsibility, clientship, care, custody, covenant of protection, inviolability, security of life and property the neglect of which brings blame. In his Arabic Lexicon, Edward Lane summarises the essence of the meaning of dhimmah: a sacred thing which one is under an obligation to reverence, respect, or honour, and defend; everything entitled to reverence, respect, honour or defence in the character and appurtenances of a person; security, safety, security of life and property protection or safeguard; a promise, or an assurance, of safety, protection, or safeguard, indemnity. Refer to Lane's Lexicon, Steingass and Hans Wehr.

9. Those who commit treason.

10. Those who during the time of war, desire to learn about Islām and the reality of what it calls to.

11. Those who fall into none of the above categories.

And as such, Islām contains legislation for all of these scenarios and the legislation pertaining to jihād and all matters of war, peace, truces, contracts, agreements, alliances, trade and diplomatic relations are addressed to the ruler of the Muslims. There is no abrogation in any of what has preceded. Rather, it is detailed legislation suitable and appropriate to every situation. It will become clear from the discussion that the verses that enjoin peaceful preaching through argumentation in ways that are best and good admonition (see 16:125 and 29:46) **are decisive verses** that have not been abrogated at all and are therefore always applicable.

In addition, the verse which enjoins justice and benevolence towards those who do not fight and kill Muslims and do not expel them from their homes:

لَا يَنْهَاكُمُ اللَّهُ عَنِ الَّذِينَ لَمْ يُقَاتِلُوكُمْ فِي الدِّينِ وَلَمْ يُخْرِجُوكُمْ مِّن دِيَارِكُمْ أَن تَبَرُّوهُمْ وَتُقْسِطُوا إِلَيْهِمْ إِنَّ اللَّهَ يُحِبُّ الْمُقْسِطِينَ

“Allāh does not forbid you from those who do not fight you because of religion and do not expel you from your homes - from being righteous toward them and acting justly toward them. Indeed, Allāh loves those who act justly.” (60:8).

Is also a **decisive verse** that has not been abrogated. A discussion of this verse by the Qur’ānic commentators has been added to this work in a separate chapter because it relates to this topic and provides further insight in the subject matter. Imām al-Ṭabarī (d. 923) and others establish that this verse has not been abrogated by anything and applies to all people in whom this condition is met.

Thus, the rounder, fuller and more complete picture is that peaceful preaching and good argumentation are the foundation, the texts in this regard were never abrogated and whoever claims so, whether Muslim or non-Muslim, is in plain error. As for fighting, it is a legislation of necessity, legislated to account for and address situations in which hostilities and hindrances exist to peaceful

practice and invitation. There is a comprehensive legal code dealing with those situations and it is addressed only to the ruler of the Muslims, not to individuals. That which is legislated for a necessity does not and cannot abrogate a foundational obligation. Further, the base rule in all dealings is that of justice and kindness as is clear in other texts. These texts are not abrogated either.

As for Muslims living in non-Muslim lands, they are under contract and agreement, and there is a separate body of law dealing with this. Treachery and perfidy are the greatest of crimes in Islām and Muslims must never fall into them and only have honourable dealings. The advice of Muslim scholars in this regard is well known and famous.

The late Salafī scholar, **Aḥmad bin Yahyā al-Najmī** (d. 2008) said: “The Prophet (ﷺ) would prohibit perfidy and treachery and he would command with truthfulness, innocence and trustworthiness. As for what the terrorists do in this time when they wear bombs or they drive cars loaded with bombs and on finding a gathering of people they blow themselves up or the blow the car up, then this practice is built upon deception, Islām is far, far away from this and does not affirm it at all. What is being done now of suicide missions in Britain or other lands, they are planned and executed by the Takfīrī Khārijites, These people are from the organisation of al-Qaeda, those who follow Osāma bin Lādin, [Muḥammad] al-Mis‘arī and Sa‘d al-Faqīh and their likes who have been nurtured upon the books of thinkers such as Sayyid Quṭb.”²⁴

Another scholar, **Rabī bin Hādī** stated: “From the greatest and most-distinguished qualities enjoined by Islām is the fulfilment of covenants and the fulfilment of contracts and promises, even with the non-Muslims. And from the traits of the believers is the absence of treachery. And there occurs in the story of al-Mughīrah bin Shu‘bah, whilst he was a polytheist, that he accompanied a group of polytheists on a journey to Syria and killed them, taking their wealth. When he came to the Prophet (ﷺ), intending to accept

²⁴ In a dictated statement titled, “*The Sunnah is Innocent of Terrorist Activities*” and issued on 26 August 2005, a short while after the 2005 London 7/7 attacks.

Islām, he offered the wealth to him and told him of the story. The Prophet (ﷺ) said, “As for (your) Islām, we accept it, but as for the wealth, it is wealth taken by treachery and we do not have any need of it.”²⁵ This is because this wealth arose through treachery and Islām does not permit treachery in any situation whatsoever. Thus treachery and betrayal is not permissible, neither with the non-Muslims nor other than them. Destruction and chaos through this way (of using treachery) is not permissible because innocent women and children are killed. The enemies rejoice with this because it disfigures the picture of Islām and its people and it is used against Islām. So they give a picture of Islām that is blacker than the picture of corrupt religions, and this is the fruit of the actions of those people [the terrorists] upon Islām and the Muslims. Hence, it is upon the Muslims to be the striking example in truthfulness, lofty manners, fulfilment of trusts and to remain far away from these attributes of treachery, perfidy, deception, lying and taking life which does not benefit Islām but harms Islām.”²⁶

The late scholar of Saudi Arabia **Muḥammad bin Ṣāliḥ al-‘Uthaymīn** (d. 2001) advised a gathering of over two-thousand Muslims in the city of Birmingham, United Kingdom, via tele-link on 28 July 2000 with the following words: “I invite you to have respect for the [non-Muslims] who have the right that they should be respected, those with whom there is an agreement [of protection] for you. For the land in which you are living is such that there is an agreement between you and them... So preserve this agreement, and do not prove treacherous to it, since treachery is a sign of the hypocrites, and it is not from the way of the believers... Do not be fooled by the sayings of those foolish people, those who say ‘These people are non-Muslims, so their wealth is lawful for us [to misappropriate or take by way of murder and killing].’ For by Allāh, this is a lie. A lie about Allāh’s religion, and a lie about Islāmic

²⁵ Related by Abū Dāwūd (no. 2765) and declared ṣaḥīḥ by al-Albānī.

²⁶ Abridged, from the cassette “*Verdicts of the Scholars on Assassinations and Bombings*” Tasjīlāt Minhāj al-Sunnah, Riyāḍ. It can also be found in *al-Fatāwā al-Muḥimmah Fī Tabṣīr al-Ummah* (pp. 91-93).

societies. We cannot say that it is lawful to be treacherous towards people whom we have an agreement with.”²⁷

As for the Khārijite extremists and terrorists, there is a well-known model for their deviation and Muslim scholars have spoken, written and warned against it for over 1400 years from the time of Ibn ‘Abbās (رضي الله عنه)—the most learned Qur’ānic scholar from the Prophet’s Companions who refuted their misinterpretation of the Qur’ān—to the present day. It is this understanding of the Khārijites that Islam haters and mediocre academics are trying to pin onto Islām, either through the generic “Islām” label, or through the “Salafi-Jihādist” label as is done by the unfortunate victims (many of them willing victims) of Khārijite propaganda.²⁸

The sum of the situation then is that the deviation which Muslims have been trying to refute as alien to Islām and a gross distortion of it for 1400 years, and which the Prophet (صلى الله عليه وسلم) himself warned against is the very one that Islām haters are trying to pin onto Islām,

²⁷ A recorded word of advice delivered on 28th July 2000. This advice has been repeatedly disseminated to Muslim audiences in the West for the past seventeen years to serve as a reminder of their obligations and duties.

²⁸ The term “Salafi-Jihādism” is a conceptual contradiction, invalid and counterfeit. This is because in Salafism, it is an established, foundational element of theology—based upon plain, clear texts in the Qur’ān and Prophetic traditions and consensus of the Salaf—that sinful, tyrannical rulers must not be revolted against. This being to maintain stability, protect the welfare of subjects and preserve national security. As for the term “Jihādism”, it stems from the concepts and ideas of Abū A’lā Mawdūdī and Sayyid Quṭb who devised a doctrine of jihād which demands revolutions against all contemporary authorities as a means of snatching political power from its “usurpers” and “restoring it to God”, as they claim. This leads to instability, chaos and destruction and provides opportunity for vultures and hyenas to come in as third party interlopers who take advantage of the situation for their own agendas and benefits. Those who are ignorant of Islāmic theology and of Salafī doctrine—(many of them pretend to be ignorant)—will fall prey to the propaganda of the modern Khārijites whose ascription to Salafism is a fraudulent one and is used as a veil to conceal their heretical, revolutionary, destructive ideology that was anticipated and warned against severely by the Prophet (صلى الله عليه وسلم) in many authentic traditions.

using the actions of the Khārijite extremists and terrorists in their modern manifestations of al-Qaeda and ISIS.

Extremist elements like the Khārijites who depart from Islām have parallels in Judaism and Christianity.

One can read the essay *18 Principles of Rebirth* as outlined by Avraham Stern—founder of the Jewish terrorist group Lehi, also known as the Stern Gang²⁹—to identify this way of thinking which forms the basis of the activities of extremist Jews today such as the **Haredis**, **Gush Emunim** and the **settler community** in general. Their ideology is parallel to the caliphate-centric ideology of ISIS, though it is based on the notion of redemption on the basis of land. Upon this doctrine, they believe in the killing of non-combatant men, women and children and the confiscation of land and property without mercy as a means of redeeming land they believe is theirs by divine sanction.³⁰

Likewise, the Christian **Lord's Resistance Army** which aims to rule Uganda upon Biblical law and has to date massacred 100,000 people, displaced millions and taken an estimated 60,000 child captives whom they use as soldiers. A toll much greater than that of al-Qaeda and ISIS combined but of which we have not heard much in the mainstream media.

In accordance with justice, Muslims do not paint all Jews and Christians with the same brush as extremists and terrorists such as **Baruch Goldstein**³¹ and **Anders Breivik**³² and their likes. Most Jews

²⁹ An extremist Zionist organisation that waged a campaign of terror against the British in Palestine during the mid to late 1940s. They assassinated Lord Moyne, Count Folke Bernadette and also plotted to assassinate Ernest Bevin (British Foreign Secretary) and Winston Churchill (Prime Minister).

³⁰ Professor Israel Shahak's *Jewish Fundamentalism in Israel* (Pluto Press, 2004) is an eye-opening read on the role and influence of Jewish religious extremists and racial supremacists such as Gush Emunim and the Haredis in the politics of the region.

³¹ A Jewish settler who in February 1994 walked into a mosque in Hebron and killed 29 people whilst they were praying the dawn prayer.

and Christians reject the actions of these extremists and deny that their religious texts permit such actions.

It is the goal of hardliner ultra-Zionists, evangelical Christian fundamentalists, far-right nationalist movements (which are often not free of tinges of white supremacist and racist ideology), Neocon propagandists as well as unscrupulous academics and the abundant self-styled “terrorism experts” (who have jumped on the financially lucrative bandwagon of peddling lies against Islām and Muslims) to present the ideology of the Khārijite extremists as the embodiment of Islām itself. This is patently false.

It is like saying that the message of Jesus (ﷺ) is embodied in the actions of Anders Breivik, Timothy McVeigh and the Klu Klux Klan, and that the message of Moses (ﷺ) is embodied in the actions of Baruch Goldstein, Irgun, the Stern Gang and murderous extremist “price-tag” settlers who vandalise homes and throw fire-bombs into inhabited buildings to kill men, women and children together.³³ There is much more to the messages of those Prophets than the political ideologies of these extremists and the grievances upon which they are built and justified.

In summary of our introduction, there is a well developed body of law relating to three different subject areas:

1. That which relates to jihād which is under the command of the ruler as opposed to individuals, renegades, bandits and the likes. The ruler is the one who makes all decisions regarding war, peace, treaties, alliances, trade and diplomatic relations according to the interests of the state. This is well established in Islāmic theology and jurisprudence. All the verses in the Qur’ān pertaining to issues of war, peace, treaties and the likes are addressed to the ruler.

³² A Christian Islām hater and far-right Zionist who in July 2011 slaughtered over 70 people attending a youth camp on an Island in Norway. Almost all of them were teenagers and future members of a political party that is very sympathetic to the cause of the Palestinians.

³³ Refer to Ehud Eiran & Peter Krause (2016): *Old (Molotov) cocktails in new bottles? “Price-tag” and settler violence in Israel and the West Bank*, Terrorism and Political Violence, <http://dx.doi.org/10.1080/09546553.2016.1194271>.

2. That which relates to Islāmic guidance on contracts and agreements as applied to the obligations and duties of Muslims living in non-Muslim countries. Causing nuisance and unrest, let alone falling into treachery and perfidy or committing or promoting vices (such as robbery, drugs, rape, prostitution and the likes) or engaging in acts of terrorism are all prohibited by Islām and the statements of Muslim scholars are clear in that regard, some of which have been cited earlier.

3. That which relates to rebels and terrorists who revolt against Muslim societies, rulers and governments upon Khārijite ideologies and spread fear through acts of terrorism, claiming this is “jihād” and who use religious texts to validate their activities. There are many Qur’ānic texts and Prophetic traditions that deal with these groups and their activities in terms of how they are to be viewed treated and punished.

Whoever cannot distinguish between the first and third is either a rank ignoramus and is unqualified to speak in these matters or has convictions and motives that require deliberate confusion between the two. All self-styled “terrorism” experts present in the field today who do not make this distinction fall into one of these categories.

That only the supreme power of state (government) has the right of authorising and waging war and that rebels are not treated as a legitimate government is established in the history of International Law. In his excellent 1866 book, *Elements of International Law and Laws of War*, Major General of the United States Army Henry Halleck writes: “**§ 1. By whom war is to be declared.** The right of making war, as well as the right of authorizing retaliations, reprisals, and other forcible means of settling international disputes, belongs, in every civilized nation, to the supreme power of the state, whatever that supreme power may be, or however it may be constituted. As states are known to each other only through their constituted authorities, so all their relations, whether peaceful or hostile, must be settled by their recognized governments. They cannot be legally changed or

interfered with by individuals.”³⁴ With respect to rebels he writes: “**§ 5. Wars of insurrection and rebellion.** An insurrection is the rising of a portion of the people against their government, or against its officers, or against the execution of its laws. The term rebellion is applied to an insurrection of large extent or long duration, and is usually a war between the legitimate government of a state, and portions or parts of the same, who seek to overthrow the government, or to dissolve their allegiance to it, and to set up one of their own.”³⁵ A little later he says: “But the adoption of rules of regular warfare toward rebels does not imply any recognition of their government, if they have set up one, as an independent power, nor of themselves as legitimate belligerents ; nor does it afford any ground whatever to neutrals for acknowledging or treating such rebels or their government as constituting an independent or belligerent power.”³⁶

Thus, when it is the case that in international law and the laws of war throughout the history of nations, it is clearly understood that war is only announced and waged through a supreme power that yields authority and that rebels are never considered a legitimate government even if they set themselves up as one and claim to be one, then that cheap and mediocre academics, orientalist, and self-styled “terrorism” experts should try to pin the extremism and terrorism of rebels and renegades—such as the modern Khārijite movements such as al-Qaeda and ISIS—upon the legal code of Islām in which these affairs are very clear from both a theological and juristic point of view indicates either the greatness of ignorance or the greatness of feigning ignorance.

Let us now proceed into the contents of the book.

Abū ‘Iyāḍ

14 Shawwāl 1438 / 8 July 2017 (2.12)

³⁴ Philadelphia: Lippincott & Co. 1866, p.158.

³⁵ Ibid. p. 151.

³⁶ Ibid. p. 153.