

Summary of “The Falsehood of Defensive Jihad.”  
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This section covers pages 19 through 26

Hizb rejects the claim of their critics that Jihad is merely defensive. The first refutation Hizb provides centers around the so-called Sword verses of Al-Taubah 9. Hizb argues (1) no text can abrogate Al-Taubah 9, (2) Al-Taubah 9 does not necessarily abrogate verses which preceded it and (3) Muhammad and the Sahaba provide evidence Jihad has an offensive form.

Al-Taubah Is Not Abrogated.

Hizb uses Al-Taubah 9 as the heart of their argument because chronologically Al-Taubah is the last chapter of the Qur’ an and reveals the Sword verses. The reader may or may not be familiar with the chronological structure of the Qur’ an. The Surahs or chapters of the Qur’ an are not arraigned in chronological order but for the most part are arraigned by length although this is not always the case. (A) Al-Taubah is the last Surah and for this reason Hizb claims that the Sword verses are general and unrestricted. (B) The Sword verses to which Hizb refers are Al-Taubah 9:029 (C), 9:036 (D), 9:073 (E), 9:111 (F) and 9:123. (G) General means the command to fight is not limited to a specific situation and restricted means the command to fight is not limited to a particular form or object. (H) In general the command of these verses means the Muslim is fight anyone who is not a Muslim. The unrestrictive sense of the texts means the fight includes defensive, offensive and any other type of war.

Hizb argues the reason these texts are general and unrestricted is because there is no verse which can abrogate all or part of the text. Abrogation is method of interpretation in which a text that comes chronologically after another may demand a change in the interpretation and application of the previous verse. Let say chapter one of some book states a person must eat to live and can eat horse meat to accomplish this. But chapter two of that book, following chronologically, states a person cannot eat horse meat. The command to eat to live does not change but what a person can eat has. The second command abrogated or removed in this case the option to eat horse meat to live. Abrogation can make the general specific and restrict the unrestrictive.

Abrogation happens, if it does at all, only if the verse which abrogates chronologically follows the text being abrogated. Hizb’s contention is that the Sword verses of Al-Taubah cannot be specified nor restricted because no text follows Al-Taubah 9 chronologically. (I) To show Al-Taubah’s general and unrestricted denotations the Hizb author compares Al-Anfal 8:061, Al-Baqarah 2:190 and Al-Hajj 22:039 with the Sword verses mentioned earlier. The Hizb author’s use of these verses may well be a straw-man argument but there is nothing in the text which points to this conclusion so this paper will assume that the Hizb author or someone in the organization has been confronted with this argument. So, the paper will take at face value Hizb claim that many Kufers and hypocritical Muslims use Surahs 8, 2 and 22 to prove Jihad is merely defensive through abrogation. Hizb argues:

- 1) Al-Anfal, Al-Baqarah and Al-Hajj are all chronologically prior to the Sword verses of Al-Taubah.
- 2) Since the texts are chronologically prior they cannot be used to abrogate the Sword verses of Al-Taubah.
- 3) Therefore, the Sword verses of Al-Taubah remain general and unrestricted. The text’s general denotation means that the Sword verses are commands to Jihad against everyone who is a Kufir or not a faithful Muslim. In addition, the unrestrictive denotation means that Jihad is not limited to defensive or even offensive fighting. The text and context determine which form of Jihad is meant.

For Hizb the argument means that no text from either the Qur'an or Sunnah can abrogate a part or all of each of Al-Taubah's Sword verses and therefore, Jihad is (1) physical and offensive fighting and (2) to be used against anyone who rejects Allah, the Last Day, Shar'ia, the true religion or refuses to pay the Jizyah.

#### Al-Taubah Does Not Abrogate Previous Texts.

Hizb implies some have argued that the Al-Taubah 9 texts abrogate the chronologically preceding texts which speak of peace. Hizb rejects this interpretation. Hizb argues that a "contradiction" between two texts does not mean that the text that follows chronologically ipso facto abrogates the chronologically preceding text. (J) The reader probably ought to assume that the Hizb author does not mean a contradiction in the sense of two opposite things but more in the sense of a major difference. The reason that a contradiction is not enough for an abrogation is because a Qarinah (conjunction) is needed for the rule of abrogation to be used. (K) A Qarinah in Islamic interpretation is a circumstantial indicator that prevents the real meaning of a text from being the intended meaning. (L) Therefore, abrogation is used to interpret a text when there is an indicator that the denotive meaning of a passage is not to be taken as the intended meaning. A contradiction is not sufficient. The reason a contradiction is not sufficient is that it is possible that two passages that seem at first glance to be contradictory are in fact really not. Hizb argues, "Certain texts may share the same topic but their circumstances, conditions and the like may differ." This is very true and it is the heart of Hizb's argument that the Sword verses of Al-Taubah do not abrogate the peace verses of the Qur'an.

Hizb compares Al-Anfal 8:061 (M) with Al-Taubah. The Al-Taubah 9 texts do not abrogate Al-Anfal for the following reasons:

- 1) Each describes a different reality. Al-Anfal describes peace and Al-Taubah describes war.
- 2) Both peace and war are perpetual and permanent and so, each text has an application when the reality refers to peace or when it refers to war.
- 3) In addition, when the reader places Al-Anfar text into its context it turns out that the peace of 8:061 is actually a truce. (N)
- 4) Therefore, the Sword verses do not abrogate the truce text because the two texts refer to different issues.

Hizb also compares Al-Baqarah 2:190 (O) to the Sword verses of Al-Taubah 9 and again comes to the conclusion that Al-Taubah does not abrogate Al-Baqarah. The issue concerns the interpretation of the phrase "but do not transgress limits; . . ." Hizb argues that the limits refer to fighting those who do not usually fight in a war like women, children, sick, monks and the elderly. Al-Baqarah is not a command to fight but assumes a fight. Instead Al-Baqarah is a limitation as to whom a Muslim is allowed to fight. But Al-Baqarah cannot limit the general or restrict the unrestricted nature of Al-Taubah because:

- 1) Al-Baqarah is chronologically prior to Al-Taubah. Al-Baqarah is part of the Medina Qur'an while Al-Taubah is part of the Meccan Qur'an.
- 2) In addition, the limitation of Al-Baqarah is restrictive if those who do not normally fight stays out of the fight. But if those who do not normally fight decide to fight then they become combatants and therefore, the Muslim is allowed to strive hard against them. (P)

3) Restricting the fight to a certain group of people does not prohibit initiating a war against those individuals described by the Sword verses.

4) The Sword verses do not abrogate Al-Baqarah 2:190 for each text is concerned with a different issue and therefore, the generality and unrestrictive nature of Al-Taubah remains unqualified.

Finally, Hizb compares Al-Hajj 22:039 (Q) to Al-Taubah's Sword verses as well. The two texts both demand unrestricted fighting. ® The difference is the reason why the Ummah is commanded to fight. Al-Hajj commands the Ummah to fight because they were being harmed. This text actually abrogates Muhammad's statement, "Be patient; I have not been ordered to fight." The historical context of both texts is the Ummah was suffering harm from the Quraysh. Muhammad's statement makes it clear that during the period in which Muslims were being harmed that he was not allow to fight. Al-Hajj removes the prohibition against fighting so that Muslims could Jihad against their oppressors in order to remove the harm. So, Al-Taubah does not abrogate Al-Hajj because:

1) The Al-Hajj text is chronologically prior to Al-Taubah and so cannot abrogate the Sword verses.

2) The Al-Hajj text is concerned with a specific instance when the Ummah was suffering harm and does not refer to fighting generally or unrestrictedly.

3) Both texts refer to fighting but the Al-Hajj deals with a specific instance of fighting in which the Ummah was being harmed by the Quraysh. Al-Taubah is concerned with general and unrestricted fighting. The topic is the same (fighting) but the condition(s) is different.

At this point Hizb reveals what makes the condition between Al-Hajj and Al-Taubah different. Jihad is fighting for the sake of Allah which means to make the word of Allah supreme. (S) This is significant because it forms the heart of Hizb's understanding of Jihad. The Hizb author argues, "Consequently, it becomes evident that there is no abrogation whatsoever in any of the ayat of Jihad and that the ayat of Jihad is general and unrestricted; there are no texts that either specify or restrict the ayat of Jihad and there are no instances where the unrestricted are overridden by a restrictive text; thus the ayat maintains their general and their unrestrictive attributes; Jihad therefore is fighting the enemies and it includes all types of warfare, be it defensive, offensive or other, according to what the Khalifah deems favorable to the Da'awah and to the Muslims." (T) Notice, in this quotation not only is Jihad both general and unrestricted but general and unrestricted Jihad is the tool of the Khalifah only. Therefore, general and unrestricted Jihad is the same as offensive Jihad and that makes offensive Jihad the tool of the Islamic state only.

The Hizb author believes he has provided evidence that the Sword verses of Al-Taubah are general and unrestricted. He now provides some statements from both Muhammad and the Sahaba which he believes also proves the general and unrestricted nature of Jihad.

For the non-Muslim the most troubling statement the Hizb author makes is, "Hence, fighting is to spread Islam." (U) The author explores this concept in his second response to his critics so we will wait until then to discover his thinking. Instead, the vast majority of the remainder of the author's first response is three quotations which I will quote in their entirety.

The first quote is from the Hadith of Abdullah Ibnu Omar. The hadith reports that Muhammad said, "the Messenger of Allah (saw) said: I have been ordered to fight against people until they testify that there is no god but Allah and that Mohammad is the Messenger of Allah and until they perform the prayers and pay the Zakat, and if they did so they would gain protection from me for their lives, unless they do acts

that are punishable in accordance with Islam, and their reckoning will be with Allah.” (W) Hizb argues this hadith provides evidence of the general and unrestricted denotation of Jihad.

- 1) Clearly, in this hadith Muhammad is referring to non-Muslims.
- 2) He definitively states he must fight (Jihad) against non-Muslims.
- 3) Finally, he clearly states the object of Jihad is force people to accept Islam.

The author will interpret people to mean communities and states in his second response. But clearly, this hadith is not about Muslims protecting their lives, families and homes but instead fighting to spread Islam. The Hizb author quotes another hadith but it so similar to the previous one there is no need to examine it.

The second quotation is a hadith from Sulaiman Ibnu Buraidah. The hadith reports that Muhammad said, “Fight in the name of Allah and for the sake of Allah. Fight against those who disbelieve in Allah. Declare war, do not embezzle the spoils; do not break your pledge; and do not mutilate (the dead) bodies; do not kill the children. When you meet your enemies who are polytheists, invite them to three courses of action. If they respond to any one of these, you also accept it and withhold yourself from doing them any harm. Invite them to (accept) Islam; if they respond to you, accept it from them and desist from fighting against them. Then invite them to migrate from their lands to the land of the Muhajireen (emigrants) and inform them that, if they do so, they shall have all the privileges and obligations of the Muhajireen. If they refuse to migrate, tell them that they will have the status of Bedouin Muslims and will be subjected to the Commands of Allah like other Muslims, but they will not get any share from the spoils of war or Fai’ except when they actually fight with the Muslims (against the disbelievers). If they refuse to accept Islam, demand from them the Jizya. If they agree to pay, accept it from them and hold off your hands. If they refuse to pay the tax, seek Allah’s help and fight them.”(V) Hizb points out that this hadith is something Muhammad said to every commander or leader in his army that he sent out.

- 1) He told them to fight against the disbelievers. This is both general and unrestricted.
- 2) In addition, he said, “Declare war.” This declaration is clearly against non-Muslims because Muhammad told his commanders that they were to give non-Muslims three choices. They could become a Muslim, a dhimmi or die. Hizb argues that this declaration is clearly offensive in nature and therefore, Jihad is initiating war not merely defending against an invader.

The third hadith is from Anas which reports that Muhammad stated, Three things are from the essence of Iman: to refrain from fighting he who professes that there is no god but Allah, not to deem him Kafir because of a sin he commits and not to exclude him from Islam because of a deed he performed; and Jihad will remain from the time Allah sent me until the time which the last of my Ummah fights the Dajjal. It will not be invalidated by the corruption of the corrupt one nor by the justice of the just one.” This means that Jihad will continue until the Hour comes. The Messenger of Allah (saw) also said: “I was sent before the coming of the Hour with the sword.” The essence of Islam is that an Iman refrains from fighting the infidel. This hadith is not about defensive fighting but a form of fighting that will remain until the Ummah fights the Dajjal. The Dajjal is similar to the Calvinist’s anti-Christ. Hizb argues this Jihad must be offensive because defensive fighting is not always necessary. Yet, there is a interesting side-note to this hadith because the hadith seems to imply Islam will not successfully rule the world. If Islam is commanded to continue to Jihad offensively and that form of fighting will continue to the time when this evil character shows up then there must be some area of the world into which Islam has not been able to force its Aqeedah.

- 1) The main point though is the essence of Islam is that an Iman refrains from fighting the individual who professes Islamic monotheism.

2) If so the essence of Islam must also include the Iman who refuses to refrain from fighting the individual who refuses to acknowledge Islamic monotheism. But this is offensive Jihad.

Hizb backs up their interpretation of this hadith with some historical examples. Muhammad attacked the Quraysh, a state, first when he attacked their caravans. He initiated the war. The battles of Hunayn, Taif, Mu'tah and Tabuk were all instances of offensive Jihad. The battle of Uhud and al-Ahzab were defensive but Hizb claims there are many offensive Jihads as well. The Ijmaa of the Sahaba endorsed every one of the conquests of Iraq, Persia, al-Sham, Egypt and North Africa which were clearly all offensive Jihads against the unbeliever. Muslims initiated these wars and the purpose of the war was to spread Islam. The Ijmaa is the consensus of the companions of Muhammad. Islam initiated each of these wars with the blessing of both the Sahaba as well as Muhammad.

To Hizb these proofs are irrefutable. Jihad includes the defensive fighting as a form nevertheless, Hizb concludes, "Hence, all this is irrefutable proof that Jihad is not merely a defensive war but rather fighting against the Kuffar to make the word of Allah reign supreme." (X)

Next: Hizb's Second Response To Its Critics

A) Compare Al-Ghashiyah Surah 88 with Al-Fajr Surah 89. Al-Ghashiyah has twenty-six verses and precedes Al-Fajr which has thirty. There are a number of anomalies like these two but they do not negate the Qur'an's general chronological form.

B) Hizb ut-Tahrir, Jihad In Islam, (Hizb ut-Tahrir 2008 accessed Dec. 16, 2010) , 19 available from <http://thehizbuttahrirwatch.files.wordpress.com/2010/10/jihadinislam.pdf>

C) Fight against those who (1) believe not in Allah, (2) nor in the Last Day, (3) nor forbid what has been forbidden by Allah and His Messenger, (4) and those who acknowledge not the religion of truth (i.e. Islam) among the people of the Scripture (Jews and Christians), until they pay the Jizyah with willing submission, and feel themselves subdued. (Noble Qur'an)

D) Very, the number of months with Allah is twelve months (in a year), so was it ordained by Allah on the Day when He created the heavens and the earth; of them four are sacred (i.e. the 1st, the 7th, the 11th and the 12th months of the Islamic calendar). That is the right religion, so wrong not yourselves therein, and fight against the Mushrikun (polytheists, pagans, idolaters, disbelievers in the Oneness of Allah) collectively as they fight against you collectively. But know that Allah is with those who are Al-Muttaqun (the pious, See V.2:2). (Noble Qur'an)

E) O Prophet (Muhammad)! Strive hard against the disbelievers and the hypocrites, and be harsh against them, their abode is Hell, – and worts indeed is their destination. (Noble Qur'an)

F) Very, Allah has purchased of the believers their lives and their properties for (the price) that theirs shall be the Paradise. They fight in Allah's Cause, so they kill (others) and are killed. It is a promise in truth which is binding on Him in the Taurat (Torah) and the Injil (Gospel) and the Qur'an. And who is truer to his covenant than Allah? Then rejoice in the bargain which you have concluded. That is the supreme success. (Noble Qur'an)

G) O you who believe! Fight those of the disbelievers who are close to you, and let them find harshness in you; and know that Allah is with those who are Al-Muttaqun (the pious, See V. 2:2) (Noble Qur'an)

H) Hizb ut-Tahrir, Jihad In Islam, 19

I) Ibid, 20

J) Ibid, 21

K) Ibid, 21

L) <http://www.sunniforum.com/forum/showthread.php?63973-Intro-to-Balaghah/page2>

M) But if they incline to peace, you also incline to it, and (put your) trust in Allah. Verily, He is the All-Hearer, the All-Knower. (Noble Qur'an)

N) And fight in the way of Allah those who fight you, but transgress not the limits. Truly, Allah likes not the transgressors. [This verse is the first one that was revealed in connection with Jihad, but it was supplemented by another (9:36)]. (Noble Qur' an)

O) Ibnul Arabi: Hence, the answer to this is different; besides, Allah (swt) says: 'Be not weary and faint-hearted, crying for peace, when you have the upper hand: for Allah is with you, and will never put you in loss for your (good) deeds.' (47-35). Therefore, if the Muslims are might, redoubtable and well protected with a huge army, there shall then be no truce. ( Hizb ut-Tahrir, Jihad In Islam , 22)

P) Ibid, 22-23

Q) Permission to fight (against unbelievers) is given to those (believers) who are fought against, because they have been wronged; and surely, Allah is Able to give them (believers) victory. (Noble Qur' an)

R) Hizb ut-Tahrir, Jihad In Islam , 23

S) Ibid, 24

T) Ibid, 24

U) Ibid, 24

V) Ibid, 24

X) Ibid, 26