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Refuting the Radicals

There is a common perception that Muslim scholars, clerics, and academics do not aggressively condemn bombings and suicide attacks on civilians. However, such attacks have been condemned and the ideas thought to have legitimised them have, in fact, been challenged and refuted by Muslims. The Shaikh al-Azhar Jadd al-Haqq (1917–1996), regarded by many as the highest authority of Sunni Islam, gave a long and detailed *fatwā* against Farāj's *Farīdah al-Ghaiba* arguing that the ruler is the representative of the people (*wakīl al-ummah*) and does not become an infidel simply by not applying the *sharī'ah*. Haqq goes on to argue that only by renouncing the *Sharī'ah* in its entirety does the ruler, or anyone for that matter, become an infidel. Thus, he rules out rebellion against the rulers of Muslim countries which is one of the main arguments of *Farīdah* as well as the other works of the radical Islamists and militants.¹

John Esposito, taking notice of this assumption, refutes it in his preface to Tāhirul Qādrī's *fatwā* against such violent acts. He reminds the readers that, in fact, the attacks of 11 September were condemned by Yūsuf Qaradāwī (12 September 2001), though he is better remembered for having approved of such measures in the case of Israel. Moreover, Saudi Arabia's grand Muftī, Shaikh 'Abdul 'Azīz bin Bāz condemned the 11 September attacks on 15 September. Qaradāwī's monumental book on jihad, *Fiqh al-jihād*, which has been cited earlier, refutes the arguments of the radical Islamists and asserts that Muslims should live in peaceful coexistence with all those who are at peace with them.² Nor is this all: the Amman message which delegitimised the arguments of the radical Islamists in July 2005 came from figures as eminent as Shaikh Sayyid Tanīwī, Rector of Al-Azhar (1928–2010), the Shī'a Grand Ayatollah Al-Ḥusainī 'Alī al-Sīstānī (b. 1930) and, once again, Yūsuf Qaradāwī himself. Then came the 2007 open letter from 138 prominent Muslim leaders who reached out in friendship and understanding to other faiths. This was highly welcomed by the Archbishop of Canterbury, Rowan Williams (b. 1950

and archbishop from 2002–2012), Pope Benedict XVI (b. 1927 and pope from 2005–2013), the Orthodox Patriarch Alexei II of Russia (1928–2008 and Patriarch from 1990–2008), and Mark Hanson (b. 1946), the presiding bishop of the Lutheran World Federation from 2003–2010.³ Afīf al-Akīfī also refuted what he described as the '*fitnah*' of Islamist radicalism. In his *fatwā*, he points out that 'no Muslim authority has declared war' and any Muslim who fights in such a war 'becomes a murderer and not a martyr or a hero'.⁴ He also condemns suicide bombings and the killing of non-combatants pointing out that an Israeli woman, even if militarised, cannot be killed unless 'she herself (and not someone else from her army) is engaged in direct combat'.⁵ In India and Pakistan, too, a number of Muslim scholars, some at the cost of their lives, have spoken out against such acts.

The modernist tradition, as expected, interprets Islam in ways which rule out militancy. This tradition continued in Pakistan especially in the works of Khalifa Abdul Hakim (1896–1959) which are mostly in English. He was a scholar at the Institute of Islamic Culture in Lahore—the city where, as we have seen, similar ideas were also advocated by Parwēz at least as far as jihad was concerned. Hakim begins with injunctions against killing except to destroy *fitnah* and *fasād*. He defines *fitnah* as 'trial, temptation, putting a man in difficulties. It also means persecution, social tyranny, or social disorder, or forcibly keeping a man from pursuing the right path, or misleading a man into false pursuits, or into deviation from truth' and *fasād* is 'corruption and disruption and signifies social disorder and tyranny'.⁶ The wars of the Prophet (ṣaḥ), he says, were against those who 'denied all liberty of conscience to human beings'.⁷ However, wars need not be only defensive, so if an enemy is 'preparing to destroy your liberties you must crush him before he becomes too strong for you'.⁸ His ideal Islamic state will be a 'socialist republic' where everyone will have the same basic human rights—quite unlike Bannā, Qutb, and Mawdūdī's state where non-Muslims and women will have restrictions placed over them. This state will 'secure international peace' more sincerely than the United Nations or any other institution.⁹ Hakim's writing is polemical rather than scholarly. He presents an idealised version of Islam contrasting it with the actual conduct of Western powers. He uses the verses of the Qur'an and the hadith selectively without attempting to give a rigorous exegesis of the former. This was the kind of vague writing which supported the Pakistani state's use of Islam in the 1950s and 1960s when modernist versions of Islam were the political necessity of the ruling elite of Pakistan. But

the lack of rigour resulted in his views not being much popular outside official circles.

Among those whose views did get more international fame was a Muslim of South Asian origin resident abroad by the name of Ziauddin Sardar (b. 1951). His work seems to have much appeal for the youth among the Muslim diaspora in Britain which is susceptible to radical Islamist influences. In his book *Reading the Qur'an*, he presents a thematic exegesis of the first two chapters of the Book. The verses about jihad, 2:190–195, are the subject of a chapter entitled 'war and Peace'.¹⁰ Sardar uses the hermeneutical devices of using the occasions of revelation (*asbāb al-nuzūl*) to determine the historical context of the text. This is then juxtaposed to contemporary times and interpreted 'in terms of their spirit rather than as specific injunctions'.¹¹ This is very much in the spirit of Fazlur Rahman's 'twofold movement'—take concrete cases in the Qur'an and deduce a principle; apply this to contemporary cases—which has been mentioned earlier.¹² Sardar begins his commentary on the above mentioned verses by putting them in the historical context. The nascent Muslim community was in danger of being grievously harmed, even wiped out of existence, as the Quraysh were preparing for the Battle of Badar (624 CE). These verses justify fighting in self-defence. However, this does not allow aggression. Thus, the major battles—Badar, Uhud, and Khandaq—were all defensive. Thus fighting is to resist *fitnah* which Sardar defines as 'persecution, suffering, slaughter, sedition and constant distress. It is synonymous with hindering people from practising their faith'.¹³ The verse 2:193—fight till *fitnah* comes to an end and religion is all for God—means ending 'persecution and oppression' and not 'the domination of Islam and the subjugation of non-believers'. It ensures freedom of conscience for all and not only for Muslims. Here he specifically rejects Qutb's interpretation that it means making Islam dominant and approvingly quotes Mawdūdī who believes that everybody can hold on to their beliefs. Of course, Mawdūdī makes this conditional to their being politically subservient to Muslims and never to exercise sovereignty in their own right but this Sardar does not point out here.¹⁴

Although Sardar's commentary of the Qur'an is only about Q. 2, he also refers to the 'sword' verse 9:5 and 3:149. He interprets the first by using the device of specification which is quite common among exegetes who deny that jihad necessarily means fighting against all non-Muslims for ever. Like others he says that 'it is a specific instruction to those in the thick of battle' and concludes that the breakers of treaties, the pagan Arabs of that period with whom there was an ongoing war, were

'the specific people to whom this verse refers'.¹⁵ As for the verse of *Al Imrān* (Q. 3)—do not follow the unbelievers who would turn you back to unbelief (3:149)—he explains it with reference to the occasion of its revelation, the Battle of Uhud, in which the Muslims again faced existential danger. In this context, he says, God encouraged Muslims since a battle was imminent but this does not mean that it is valid for ever. Such context-bound verses, specifically meant for the people they addressed, are not eternal or universal general commands though, laments Sardar, they have 'a strong appeal for some disillusioned Muslim youth'.¹⁶ These are the youth who bombed the London underground system and precipitated the twenty-first century's greatest crisis involving Muslims so far—the attacks of 11 September.

This event provoked South Asian thinkers, including some *'ulamā*, to distance themselves from the narratives adduced by radical Islamists to justify violence. In India, Mawlānā Wahīdud-dīn Khān (b. 1925), whom we have met earlier in his anti-Mawdūdī role, and who was now the President of the Islamic Centre in New Delhi, took the lead in refuting radical Islam. Khān expressed his ideas about jihad in many of his publications—*The True Jihad, Dīn aur Sharī'at*, and accessible pamphlets. He also published a revised edition of his exegesis in English for educated South Asians and international readers.¹⁷ But, since his exegesis in Urdu is read in South Asia, it is that which has been used in this book rather than the English version. In his brief monograph, *The True Jihad*, written in English to disseminate his ideas outside South Asia, he sums up all he has written at various places in Urdu earlier. Beginning with the ideological assumption that all Islam's wars were defensive, he chooses the most appropriate hermeneutical devices to interpret the canonical texts. As for the commands in the Qur'an urging Muslims to 'kill them wherever you find them' 2:191; 9:5, he uses specification saying: 'such verses relate in a restricted sense, to those who have unilaterally attacked the Muslims' but are not permanent, general commands. He points out that the *Bhagwad Gītā*, the holy book of the Hindus, urges Arjun to fight his kinsmen since at that time it was a duty. In the same way, Christ said, 'do not think that I came to bring peace on earth. I did not come to bring peace, but a sword' (Matthew, Chapter 10). But such statements are contextual and do not make Hinduism or Christianity religions of war.¹⁸ The implication is that Islam should not be judged on the basis of contextual statements of an aggressive kind. What is permanent is that the Prophet (PBUH) 'has been termed a "mercy for all mankind"' in *Al-Anbiyyā* (Q. 21)—We have sent thee as a Mercy for the worlds (21:107).¹⁹ He also explains 2:193, the

verse which commands fighting till *fitnah* comes to an end, using both semantic expansion as an interpretive device as well as the argument of change according to circumstances (*tataghayyar al-ahkām bataghayyar al-zamān wal al-makān*). The term *fitnah* is defined as a 'coercive system which had reached the extremes of religious persecution'.²⁰ He argues that, since people can preach Islam peacefully now, the duty of ending *fitnah* by force of arms has also ceased to exist. As for the dominance of Islam, *izhār al-dīn*, it has, indeed, been prognosticated and promised in the Qur'an in *Al-Tawbah* (Q. 9)—the unbelievers want God's radiance to be extinguished but God will not allow it (9:32); God has sent His Messenger to make His religion dominant (9:33)—but it refers to peaceful propagation of faith, a moral revolution.²¹ Since the fall of Communism, there is an intellectual vacuum and 'the place is vacant for an ideological superpower, and that, potentially belongs to Islam'.²² So the only jihad left for Muslims is to establish peace through non-violent means.

In short, by using semantic expansion, specification, abrogation, and change of rules according to circumstances for the Qur'anic verses about *qitāl* and questioning the authenticity of certain *ahādīth*, Khān abolishes aggressive wars in the name of jihad, insurrections against rulers, suicide attacks, and all that radical, militant Islamists stand for. He concludes that 'violence has been practically abandoned' and that it was 'an abrogated command in the language of the *sharia*'.²³ In this context, presumably because he lives in India, he gives the example of Gandhi who adopted the principle of non-violence in his struggle for Indian freedom. In his interpretation of jihad non-combatants cannot be harmed and non-violence is the norm except when actually attacked by the enemy. Here the Mawlānā gives the specific example of the 11 September attacks and suicide attacks, making it clear that neither of them is allowed in Islamic law.²⁴

Waḥīduddīn Khān's interpretations were sharply refuted by critics who argued that he had abolished jihad as fighting (*qitāl*) very much like Mirzā Ghulām Aḥmad before him. One such critic was Muḥammad Rashīd, a Pakistani scholar of Islam, who wrote a trenchant critique of an article by Khān called '*Jihād kā taṣawwūr Islām mē*' (the idea of jihad in Islam). Khān's article was published as a chapter in his book entitled *Dīn awr shari'at* mentioned above and summed up his views about jihad spread in many of his writings. Rashīd vehemently objects to Khān's distinction between peaceful struggle (*pur amn jad-ō-jahad*) and violent struggle (*pur tashaddud jad-ō-jahad*) made in this article. In Rashīd's view such a distinction could not be made. Jihad was a combination of

both to which the battles called Jihad in the classical period of Islam testify. And this remains a model of behaviour for Muslims forever. He also objects to Khān's use of the hermeneutical device of 'change in laws as a consequence of change of circumstances' mentioned above to justify the abolition of aggressive jihad.²⁵ While Khān asserts that the world has become much more peaceful than the Arab tribes of the seventh century, Rashīd argues that it has not. He points to Western colonialism, the world wars, Israel, Vietnam, Afghanistan, Bosnia, Chechnya, Kashmir, and Iraq to argue that *fasād* still exists. Moreover, the struggle of Muslims against their oppressors—the familiar list follows—is delegitimised by Khān since it comes under his definition of *fasād*.²⁶ Most of Rashīd's arguments are political and emotional rather than theological but his conclusion, that Khān had abolished jihad and thus facilitated the further domination of the West over the Muslim world, resonates with many Muslims and not only radical ones.

Perhaps the most powerful voice against radical Islamist interpretations is that of Jawād Aḥmad Ghāmīdī (b. 1948), a liberal Islamic scholar who has been forced to leave Pakistan because of the threats to his life. Ghāmīdī's organisation, *Al-Mawrid*, carries out research on Islam, publishing a journal entitled *Renaissance*, which is administered by his son. *Al-Mawrid* has branches in the UK, USA, and Australia, and its main function is to keep the issue of interpretation of Islam alive in accordance with the broad principles laid down by its pioneer. It has recently published both the English translation of the Qur'an (*Al-Bayān*) and his book *Mizān*. Ghāmīdī's interpretive approach is based on an emphasis on language and the literary appreciation of the Qur'an. Asif Ifrikhar places it in the hermeneutical tradition of Farāhī and Amīn Aḥsan Iṣlāhī.²⁷ He points out the differences in the interpretations of Mawdūdī and Iṣlāhī, arguing that they use discrepant hermeneutical criteria. According to Ifrikhar, 'contrary to the general assumption of the classical/medieval exegetes Ghāmīdī believes that the Qur'an primarily addresses the Ishmaelites, Israelites, and the Nazarenes of Arabia in the Prophet's [PBUH] times'.²⁸ This makes it possible to consider its verses, especially those relating to aggressive war, as being specific rather than universal in their application.

Ghāmīdī presents his theories through his essays, lectures, talks, and in his book entitled *Al-Mizān*.²⁹ This book covers all aspects of Islamic thought and behaviour. The chapter on jihad³⁰ is especially relevant for us. He starts by stating clearly that there are two kinds of jihad. The first, which is defensive, is only permitted to resist *fitnah* which is defined as cruel persecution of Muslims and effort to alienate them from their

religion. Subsumed under this is cruelty, exploitation, and antagonism. Muslims facing these conditions are permitted to fight by the orders in *Sūrah al-Ḥajj* (Q. 22)—those against whom war is going on and they are being oppressed are allowed to fight (22:39); these are those who have been expelled from their homes, and if God does not confront such people through others, then mosques, churches and other places of worship would have become desolate (22:40). More detailed orders for this kind of defensive war are given in 2:190–193 which have been quoted repeatedly. As noted earlier, the operational issue is the elimination of *fitnah*. However, two conditions should obtain: first, this is an order for the whole Muslim community, not individuals or groups acting upon their own.³¹ Secondly, armed resistance should be undertaken only when one's military power has reached a certain necessary level.³²

The second type of jihad is aggressive. This is given in 9:5 and 9:29. Here Ghāmidī begins by determining the addressees of the Qur'an, which, as has been noted above, are the Ishmaelite polytheists, Israelites, and the Nazaries of Arabia in the seventh century. Thus, many of the actions consequent upon these people's rejection of the Prophetic message are particular to them and not relevant for later peoples. While this is the familiar use of the hermeneutical device of specification, Ghāmidī brings in the theory of God's own tradition (*sunan Ilāhiya*) in support of it. According to him, God has an unalterable law which is His own prerogative. When He sends a prophet (*rusūl*) to guide a group of people and they do not obey, God punishes them as in the case of the people of Lot and others.³³ The verse 9:5, about giving no quarter to the non-believers after four months, is divine punishment and is only reserved for the Arab polytheists but is not to be inflicted upon any other people. Similarly, the Jews and Christians who were to be subjugated after aggressive warfare and made to pay the poll tax by the orders in 9:29 were those who had rejected the Prophet's (ṣbuh) message and this was, again, divine punishment. These orders are not valid any more so Muslims cannot fight aggressive wars, nor force people to pay *jizyah*. The only jihad they can undertake now is defensive.³⁴

The gist of these arguments is that Ghāmidī uses two major interpretive devices—theories about divine punishment (ideological assumption) and restriction of aggressive war to a particular people and period (specification)—resulting in his final pronouncement that aggressive warfare in the name of jihad is completely banned. Moreover, he also refutes the arguments of radical Islamists for fighting on their own initiative despite disparity of military power compared to the enemy.

Additionally, he emphasises that non-combatants should not be killed nor anyone burnt to death. For both, he cites *ahādīth* (see Annexure C). It was probably because of such clear refutation of the ideas of the radical Islamists that Ghāmidī is seen as a threat by them.

Another scholar whose interpretations were modernist and, therefore abhorred by the Islamist militants, was Fārūq Khān (d. 2010). He was a student of Ghāmidī so, in matters central to the Islamic creed, he follows the ideological rationale given by his mentor. He had been nominated as the vice chancellor of the newly established University of Swat when he was murdered by militants on 2 October 2010. He expressed his views in a number of speeches, accessible articles, and in a book called *Jihād ō qitāl*³⁵ which is his main statement concerning jihad. The book starts with the observation that the word jihad has been used twenty-nine times in the Qur'an out of which four occur in the Makkan verses when fighting had not been permitted. Then he announces seven general rules about jihad: only legitimate governments can declare war; non-state actors cannot be used to fight; suicide attacks are not permitted; non-combatants cannot be harmed; international treaties ought to be respected; the risk of fighting should be undertaken only if there is a reasonable possibility of victory; if the enemy sues for peace this should be accepted unless it is a ruse; there should be no initiation of fighting during the sacred months; and lastly, there should be reciprocity in response.³⁶

In this context, Fārūq Khān mentions wars from Islamic history arguing that they were not without the permission of rulers. Sayyid Ahmad, for instance, established a state in the tribal areas and the jihad of 1857 was under the Mughal emperor.³⁷ In this context, he condemns Ziaul Haq's (1924–1988 and r. 1977–1988) policy of launching a covert war against the Soviet Union in Afghanistan. This was unannounced; hence, a deviation from the Islamic law of war. Ziaul Haq could have formed a government in exile as India did in the case of Bangladesh in 1971, and this government could have announced a war—but this was not done.³⁸ As Osama bin Laden was the hero of the radical Islamists in Pakistan in the 1990s, Fārūq Khān singles out his *fatwā* permitting the killing and robbing of non-Muslim non-combatants. He argues that bin Laden was not a ruler so he could not order jihad nor, indeed, could he violate the law of war by killing non-combatants. Bin Laden's interpretation of 9:5, that it permitted perpetual warfare against non-Muslims, was also wrong since the verse was only applicable to the Arab polytheists of the seventh century.³⁹ More importantly, he denies that America has declared a war against Islam, thus refuting the radical Islamists' main argument that

their attacks are defensive and that such warfare is a duty for all Muslims (*farḍul 'ayn*).

In his highly accessible writings in Urdu as well as speeches and sermons, Fārūq Khān kept refuting the ideas justifying jihad among Pakistani militants whose works we have seen in the last chapter. He gives the argument that international treaties with India were not revoked openly nor was war declared; as a result, the prerequisites of waging a jihad have not been met. This, of course, was Mawdūdī's argument for the 1948 war about Kashmir. Moreover, he adds to it that this war is unlikely to be won in any case so that is further ground for considering it illegal.⁴⁰ Since Pakistani Islamists often justify aggression against India with reference to *ahādīth* about the war with India (*ghazwah-i-hind*), he examines their authenticity. He argues that these traditions are weak since their narrators are not reliable. Moreover, he points out that the areas called Hind and Sind are not to be confused with modern India. The former included all Eastern Asia and the latter was coterminous with present-day Pakistan. Thus, to attack India on the basis of this hadith is not permissible.⁴¹

He also interprets verses of the Qur'an as well as traditions used to justify perpetual warfare differently from the radical Islamists. The interpretive devices he uses for 9:5 and 9:29 are the same as Ghāmidī's, i.e. that the first is specifically meant for the Arab polytheists since it is God's punishment. Likewise, it is not permitted to fight Jews and Christians nowadays since only those were to be fought with who were contemporaries of the Prophet (ﷺ) and had denied his message. Subsequently, he takes up the *ahādīth* about jihad being eternal invoked by the radicals. As we have seen before, these are that jihad is for ever till everyone converts to Islam and that paradise is under the shadow of swords (for texts of the traditions, see Annexure C). Fārūq Khān interprets the first to refer to defensive wars which will be intermittent while the second, as mentioned before, stops Muslims from seeking war and exhorts them not to show cowardice if it is forced upon them.⁴² Lastly, he mentions the relations of Muslims with non-Muslim states. These depend upon whether these states are friendly, indifferent, or inimical. For the first, there should be friendship; for the second, working relations should prevail; for the last category, there are no special orders but enemy attacks may be repulsed.⁴³ Fārūq's clear refutation of the interpretations of jihad by the Taliban and other Islamic militants finally cost him his life—he was killed on 2 October 2010. But his views are still disseminated through electronic media and websites.

Most clerics belonging to the Deobandi and Ahl-i-Hadith schools remained equivocal about the terrorist attacks of the Taliban. The problem seemed to be that they could not deviate so much from the traditional doctrines of the *'ulamā* they had guarded through the centuries, as to argue that jihad was only defensive. One prominent case in point is that of Muftī Taqī 'Uthmānī (b. 1943), son of Muftī Muḥammad Shafī (1897–1976), a prominent *'ālim* of the Deobandi school. A correspondent of his, 'Abdul Shakūr Lakhnawī, had written to him that jihad was only for the oppressed, i.e. purely in self-defence. 'Uthmānī rebutted this view spiritedly, saying that it was for 'the exaltation of the word of God' and to establish the dominance of Islam.⁴⁴ When this created something of a storm, 'Uthmānī replied that whatever he had said earlier was about a formal Islamic state and quoted verses enjoining peaceful co-existence with the non-believers: 8:61 [if they incline towards peace so should you]; 2:190 [if they desist from aggression so should you; and 60:8 [you can live in amity with those who have not been hostile to you].⁴⁵ In short, he was torn between adhering to the interpretations of his tradition and, in response to the necessity of the time, giving a peaceful image of Islam.

But despite this dilemma, the original seminary, the Darul Ulum at Deoband in India, did give a *fatwā* against all forms of violence in the name of Islam. This was done by Muftī Ḥabīb ur Raḥmān, the grand mufti of the seminary, with great fanfare in Delhi on 31 May 2008. Representatives from other sects with about 40,000 people were in attendance. The *fatwā* used the arguments in favour of peace presented above. The Deobandi edict was welcomed by all major parties and the public in India. Even the Bharatiya Janata Party (BJP), seen as anti-Muslim, welcomed it. Indian Muslims are said to be greatly influenced by it because of the prestige of Deoband. It is, as one author has put it, 'the first dramatic sign that Indian Muslims did not want to be branded as a community sympathetic to terrorism'.⁴⁶ In Pakistan too, nearly 150 Deobandi *'ulamā* did issue a statement against terrorism in April 2010. This statement was drafted by Taqī 'Uthmānī himself and it repeated the above arguments emphasising that suicide attacks were illegal. However, the statement was not altogether a liberal document. It did mention that suicide attacks are a result of extreme frustration and disillusionment; criticised America for its attacks on Muslims; and condemned General Musharraf's policy of joining America's war in Afghanistan.⁴⁷ However, in Pakistan, the kind of show of strength witnessed in India was not in evidence possibly because the risk of being killed was much higher.

However, a few individual clerics did muster up the courage to speak out against the Taliban. One of them was Mawlānā Ḥasan Jān (1938–2007), president of the group of Deobandi seminaries called Wifāq al-Madāris, who did issue a *fatwā* against suicide bombings and was killed for it. The Mawlānā had had a brilliant clerical career having studied at the Islamic University of Madinah as well as at Peshawar University from where he obtained an MA with distinction. He was also elected a member of the National Assembly of Pakistan from the Deobandi political party, the Jamī'at ul 'Ulamā of Mawlānā Faḍlur Raḥmān (spelled as Fazlur Rahman in the literature) (b. 1953). The story of his assassination, as narrated in the press, is that he was requested by some men on 17 September 2007, ostensibly to solemnise a marriage. He went out with them and his dead body was found the next day in the suburbs of Peshawar.⁴⁸

While the Taliban studied in Deobandi seminaries and were inspired by an extreme and locally modified form of the Deobandi ideology which disapproved of visiting shrines with a view to praying to the great *Ṣūfī* saints who were buried there to intercede for them with God, the Barēlwīs were upholders of an interpretation of Islam in which the shrines had a central significance. The Taliban often attacked these shrines on the ground that this was a form of associating someone (the saints in this case) with God. Thus, they were more exposed to the fury of the Taliban. One 'ālim who invited their wrath was Sarfarāz Aḥmad Na'imī (1948–2009). He had defied the Islamist militants by condemning suicide bombings and other terrorist activities. He was the head of the *Tahaffuz-i-Nāmūs-i-Ri-sālat Maḥādih* (TNRM), a conglomeration of about twenty parties, whose main agenda was to prevent any disrespect to the Prophet (PBUH). He was killed in his seminary in Lahore on Friday, 12 June 2009, when a youth came in and detonated his suicide jacket killing five people, one being the Mawlānā. The TTP claimed responsibility for his murder.⁴⁹

Perhaps the most detailed *fatwā* against the radical Islamists is by Ṭāhir ul Qādrī (b. 1951), head of the Minhāj ul Qur'ān, an organisation which has offices in many countries of the world. Published in English as *Fatwa on Terrorism and Suicide Bombings* in 2010 in London, the book has seventeen chapters.⁵⁰ The first two chapters describe the basic beliefs and rituals of Islam. The subsequent chapters are about the ideas and conduct of radical Islamists. Qādrī argues that not only Muslims, but also non-Muslims, cannot be killed indiscriminately through terrorist methods. Nor, indeed, can non-combatants be harmed through suicide attacks, which are completely taboo no matter what the provocation may

be. He also inveighs against rebelling against one's rulers quoting *aḥādīth* to support his point of view. For instance:

On the authority of 'Ubada b. al-Sāmit: He (the Prophet, Peace be Upon Him) said: "do not come into conflict with the leaders that are over you unless you witness manifest disbelief for which you have proof with God".⁵¹

Another hadith to the same effect is as follows: 'The Prophet (Peace be Upon Him) said: "Indeed, the best jihad is a just word in the presence of an unjust ruler".'⁵² This he interprets as the use of constitutional and legal ways of opposing rulers for grievous wrong but even then, armed resistance is not permitted. In addition to the selective use of *aḥādīth*, Qādrī also marshals an impressive list of people, both from the classical and contemporary periods, to condemn armed rebellion. Among those who are referred to are some Indian scholars such as the reformer of the Ahl-i-Hadith movement, Naẓīr Ḥusain of Delhi (1805–1902).⁵³ Qādrī lays down the rules of jihad which, having been covered already, need not be repeated. One point, however, deserves notice. In his discussion on the necessity of having sufficient military strength to undertake a jihad, Qādrī, in common with some others, lays down its exact proportion which, according to him, should be at least half of the strength of the enemy's army.⁵⁴

Perhaps the most unique aspect of his book is that he equates the radicals with the Kharijites. He spends five chapters (13 to 17) to prove, through *aḥādīth* and books of history, that there are similarities between the ideas of both groups: the apparent piety, fanaticism, and cruelty. One of the *aḥādīth* he uses is as follows:

Reported from Abū Salaman and 'Ata b. Yasar, they both went to Abu Sa'īd al-Khudrī who said that the Prophet (Peace be Upon Him) said: "There shall appear a folk in this Umma", and he did not say "from it" and you will be little in your prayers in comparison to theirs; they will read the Qur'ān but it shall not pass their throats and larynxes. They shall pass through the religion just as an arrow passes through a hunted game".⁵⁵

He sums up his views about the radical Islamists by saying that 'their characteristics are similar to those of the Kharijites' and concludes that the judgment of the Caliph 'Alī against them 'is equally applicable to their modern counterparts'.⁵⁶ In short, Qādrī is unequivocal in his view that the militants attacking civilian targets in Pakistan, India, and Afghanistan must be fought with and eliminated. In support of this

view he refers to many Islamic scholars including Shāh 'Abdul 'Azīz, Shaikh 'Abdur Rahmān Mubārakpūrī (1876–1925), who was a famous Ahl-i-Hadith scholar of India, Anwar Shāh Kashmīrī (1875–1933), who was one of Deoband's famous teachers of Hadith, and Shabbār Aḥmad 'Uthmānī (1887–1949), the famous Deobandi scholar who supported Pakistan.⁵⁷ Qādrī's whole case rests on the alleged similarities, especially the extreme cruelty and intolerance, between the radical Islamists and the Kharijites.

In this context, it should be mentioned that the Pakistan Institute of Peace Studies (PIPS) organised a seminar on the subject of rebellion (*khurīj*) and excommunication (*taḳfīr*) in Islamabad. A number of scholars of Islam, both traditional *'ulamā* and academics, came together and were asked specific questions. The claims of the radical Islamists that both were permissible, indeed necessary, considering that the rulers of the Islamic world were not ruling according to the *Sharī'ah*, were examined. The consensus of opinion which emerged was that both were not permissible unless a ruler had committed an open and public confession of unbelief. But even in such cases, rebellion, especially that which had little chance of success and transition to peaceful rule, was not justified.⁵⁸ The participants, however, did not agree to call those who had indulged in what they called *khurīj* in Pakistan by the execrable name of Kharijites as Ṭāhir ul Qādrī had done.

Qādrī's charge of Kharijism is not unique having been the theme of several political commentators and clerics. Kenny tells us how the Egyptian state chose, among other things, to counter the Islamic threat by delegitimising it theologically. However, 'in its social reality, [it] was more of a loose-fitting garment of protest that could be donned or cast off as the circumstances warranted'.⁵⁹ Though the debate about Kharijism raged in Egypt, Kenny concludes in the end that modern conditions are entirely different from that of the seventh century Arabia and, therefore, the theological foundations of the phenomenon of militancy in question are not the same. Indeed, he points out that he refused to be used in a military-inspired idea to dub the Islamist militants Kharijites in order to turn public opinion against them.⁶⁰ He goes on to say that this tactic will not succeed even if it is used against Osama Bin Laden. 'There will always be questions', he continues, 'about why he turned to violence, about the corruption of the Saudi system that produced him, about the legitimacy of the causes that he claims to defend (however cynically), and about his willingness to stand up to the West (unlike the current band of Arab leaders)'.⁶¹

Meanwhile, *fatwās* both for and against radical Islam keep proliferating in Pakistan and elsewhere. On 27 May 2017, at the conclusion of a seminar on the reconstruction of Pakistani society in the light of the Madinah Charter which promises peace and compassion, thirty one scholars of Islam issued a unanimous *fatwā* to condemn terrorism and extremism.⁶² This *fatwā* was opposed by Mawlānā Samī'ul Ḥaqq, a politician and head of the Deobandi seminary at Akora, Khattak, where a number of Taliban were trained (he is dubbed 'the father of the Taliban'). In his criticism, he said that Muslim rulers were puppets of the West and were unable to carry out jihad. Commenting on Samī'ul Ḥaqq's objections, the journalist and specialist on Islamic militancy in Pakistan Amir Rana wrote: 'perhaps what irritates Maulana Sami ul Haq is that the fatwa does not specifically exclude Afghanistan, where Taliban are killing fellow Muslims'.⁶³ For the radical Islamists, the crucial questions are, as Rana points out: can force be the last resort to establish an Islamic state given that democracy will not do it? Is it valid to fight rulers who follow the West? Is leaderless jihad justified? Can the non-Muslims be attacked in their own countries?

These questions remain valid all over the world and Pakistan is no exception. However, unlike Egypt, Pakistan was ambiguous about countering militant interpretations of jihad. The public was fed with so many myths that it was never clear just who the enemy was. For instance, one Pakistani discourse about the militancy before December 2014 when the militants attacked and brutally massacred the students and teachers of the Peshawar Army Public School (APS), was that 'Muslims do not kill Muslims'. Thus, every attack was blamed on the proverbial 'foreign hand' which was a code word for India, though sometimes also the United States and even Israel. The US, it may be pointed out, was actually fighting the Taliban in Afghanistan, India is intermittently attacked by radical Islamists, and there is no proof that Israel is even remotely involved in such kind of militancy in Pakistan. As for India, whereas there is proof that India helps Baluch separatists, any help which India might have given to the Islamist militants could only be minimal and probably part of the perverse games which intelligence agencies play with adversaries. Any serious help of this kind could jeopardise India itself since Islamists regard Hindus as the enemies of Islam and it would not be in India's long term interest to encourage them in a serious way. After the APS incident, however, the Chief of the Army Staff, General Raheel Sharif's (b. 1956) military action against the Taliban, code named Zarb-e-Azb (Zarb-e-'Azb)—meaning sharp strike—which began in June 2014 still continues in the form of Radd-ul-Fasād (the elimination of evil) under the present

commander of the Pakistan Army, General Qamar Javed Bajwa (b. 1960). So far the militant groups which kill Shi'as and attack India have mostly not been targeted by the army which remains sympathetic towards them.

Possibly because of the deeply divided, even schizophrenic, responses of the Pakistani state and the public to Islamic militancy, the writings attempting to refute their narrative are not widely known. The thesis that, since being dubbed Kharijites did not succeed in Egypt it would not in Pakistan, is untenable. It is possible that in Pakistan the labels of *kharijī* and Assassins (*fidāyīn*) may have greater resonance with the public than they had elsewhere. However, a theological response would have to be considered seriously by Islamic scholars and by other stakeholders to be successful.

NOTES

1. Peters 1996, 165–66.
2. For the book, see Qaradāwī 2009. The *farwā* is summarised as follows: Yūsuf al-Qaradāwī, along with Tāriq al-Bishrī [judge], Dr Muhammad S. al-Awā (professor of Comparative Law and Shari'a in Egypt), Dr Haytham al-Khayyāt (Islamic scholar from Syria), Fahmi Houaydi (Islamic scholar and columnist from Egypt), and Sheikh Ṭahā Jābir al-'Alwānī (Chairman of the North America Fiqh Council), issued a *farwā* against 9/11 in response to a question by 'Abdul Rashid, the senior most chaplain in the American armed forces. The question was as to what were the duties of Muslims in American uniform in the war on terror. The answer was that indiscriminate slaughter is forbidden (killing even one person is like killing all humanity in Q. 5:32). Indeed, the terrorist acts in the USA were 'waging war against society' (*hirābah*), punishable by death by crucifixion, cutting off hands and feet or exile (5:33–34). Thus Muslims in the American armed forces are duty bound to fight the terrorists. However, the *farwā* goes on, Muslims are uneasy because when the US forces go out to fight Muslims in other countries, innocent people will also be killed along with the offenders. Such a predicament should cause unease in situations where people are free in their choices. But since members of the armed forces cannot choose not to fight when ordered to do so, they must fight despite 'discomfort spiritually or psychologically'. Even postings to non-combatant roles need not be requested since that too will 'harm their future careers, shed misgivings on their patriotism, or similar sentiments' (Qaradāwī et al. 2001, n.p.).
3. Esposito 2010, xxiii–xxiv.
4. Akiti 2005, 19.
5. Ibid., 32.
6. Hakim 1953, 181.
7. Ibid., 182.
8. Ibid., 188.
9. Ibid., 208 and 210.
10. Sardar 2011, 135–141.
11. Ibid., xix.
12. Rahman 1982, 20.

13. Sardar 2011, 138.
14. Ibid., 138 and 139.
15. Ibid., 139 and 140.
16. Ibid., 140.
17. 2002; 2002a in 2002b.
18. Khān 2002, 41–42.
19. Ibid., 43.
20. Ibid., 61.
21. Ibid., 71–75.
22. Ibid., 83.
23. Ibid., 22.
24. Ibid., 36–37.
25. Rashīd 2012, 343.
26. Ibid., 357.
27. Ifikhar 2004, 70.
28. Ibid., 62.
29. Ghāmidī 1990.
30. Ibid., 577–607.
31. Ibid., 579.
32. Ibid., 584.
33. Ibid., 597–599.
34. Ibid., 599. Explained by Asif Ifikhar 2004, 79–89; also see Nāṣir 2012, 301.
35. Khan, F. 2010.
36. Ibid., 27–41.
37. Ibid., 136–137.
38. Ibid., 43–44.
39. Ibid., 119–120.
40. Ibid., 142.
41. Ibid., 121–130.
42. Ibid., 50–52.
43. Ibid., 83–84.
44. Uthmānī 1999, 97–109 as cited in Zaman 2012, 284.
45. In Zaman 2012, 286.
46. Dash 2008: Conclusion.
47. Zaman 2012, 289.
48. Nishapuri, A. 2012.
49. *The News* (Daily), Rawalpindi, Pakistan, 12 June 2009.
50. Qadri 2010.
51. *Bukhārī in Kitāb al-ṣiṭāh* (quoted from Ibid., 247).
52. *Tirmidhī in Kitāb al-ṣiṭāh* (quoted from Ibid., 247).
53. Qadri 2010, 241–247.
54. Ibid., 247–248.
55. *Bukhārī in al-Ṣaḥīḥ: Kitāb Istiṭāba al-Murtadīn wa 'l-Mu'ānīdīn was qitālīhim* (the book on Demanding the Repentance of the Apostates and Reprobrates, and Fighting them) 62:2540 (Quoted from Ibid., 248).
56. Qadri 2010, 190.
57. Ibid., 373–382.
58. PIPS 2012, 366–651.
59. Kenny 2006, 45.
60. Ibid., 179–180.

61. *Ibid.*, 183.

62. 'Editorial' 2017.

63. Rana 2017, 2.

11

Conclusion

We have traced out the history of the concept of jihad from the eighteenth century till the present time in South Asia. Basically, the trajectory of movement is from an orthodox and traditional interpretation of it to diverse ones under the pressures of modernity. Going deeper into the matter, the intellectual construction of jihad and its use is ultimately related to Muslim political power. When Islam was ascendant in India, jihad was invoked to legitimise and sacralise conquest and the political and social subjugation of the conquered people. When this power declined by the eighteenth century and some of the hitherto subjugated peoples rose in revolt to consolidate their own power, jihad was invoked to bring in foreign help or fight them in order to put them down once again and regain the lost power. Then, when a modern state became unquestionably ascendant, jihad took on diverse meanings. Those who thought power could only be gained by getting co-opted in the imperial venture of the colonial power, interpreted jihad to mean defensive warfare only. Others, who believed in anti-colonial resistance, either took to guerrilla adventurism or to mass political movements against the empire. Both responses were sacralised by fresh interpretations of jihad. In the post-colonial globalised world, a minority interprets jihad in ways which justify a global guerrilla warfare against the hegemonic 'West' or, in the case of Pakistan, a continuing conflict with India to settle territorial disputes and deny Indian hegemony in South Asia. Another minority, called progressive or modernist Muslims, interprets it as defensive warfare in keeping with the imperative of playing by international rules in order to secure maximum power in the new world order through peaceful means. Still others, possibly a majority, thinks about it in terms of Muslim history and their own understanding of the faith as both defensive and aggressive without being quite sure what is said about it in the canonical sources of religion. Interpretation is left by this last group of people to the specialists so they keep changing their opinion about the nature of Jihad