

Jihad as Reflected in Biḥār al-Anwār

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Abstract

Different views of Muslim scholars concerning jihad arises from, and is grounded in, the Quran and hadiths transmitted from the Prophet or Imams. In this paper, we study and analyze hadiths related to jihad as collected in Biḥār al-anwār. We do so in order to explain the legal logic governing these hadiths, the principles on which war is based according to these hadiths, and the place of human beings in them. This article shows that the spirit of these hadiths is pacifist, and, in case war takes place, there are restrictive rules governing the war. There are conflicting hadiths, of course. But they do not confirm a warmongering attitude towards war in Islam.

Keywords: Hadiths of jihad, Biḥār al-anwār, Legal foundations, Priority of peace, Human dignity, Morality.

Introduction

In this paper, we study hadiths of jihad as cited in volume 97 of the major Shiite hadith collection *Bihār al-anwār al-jāmi'a l-durar akhbār a'immat al-tāhirah* by al-'Allāmah al-Majlisī (d. 1699). There are 224 hadiths in the Book of Jihād in *Bihār al-anwār*, which are organized in twelve sections. We selected *Bihār al-anwār* in our study, because (a) it is concerned with the major issues of jihad, (b) it cites historical events related to jihad, and (c) it is less concerned with jurisprudential rulings of subsidiary issues in jihad, with which we will not discuss in this paper. It should be noted that we will not consider hadiths about the virtues and divine rewards of *mujāhidūn* (people who participate in jihads), the place of martyrs, and rulings such as how spoils of the war should be divided up, *jizyah* (money that must be paid to an Islamic government by religious minorities), and rulings of lands. With respect to chains of transmissions of hadiths cited in this paper, we rest content with assuring evidence such as the validity of the chain, the reliability of the relevant transmitters, the reliability of the sources, and contextual evidence, such as repetition.

In our study of the texts of hadiths, we first translate and interpret them. Then, we provide the appropriate classifications of these hadiths given their contents vis-à-vis the main issues of jihad though they are classified, to some extent, in terms of their subject-matters in *Bihār al-anwār*, albeit not much accurately. We analyze hadiths on the hypothesis that hadiths of jihad in *Bihār al-Anwār* imply the priority of peace and the restriction of the scope of war, as well as the protection of the human dignity. Afterwards, we solve conflicts arising from different attitudes implied by these hadiths.

1. The Priority of Peace

In this section, we quote two hadiths with two pacifistic messages: (1) acceptance of the peace proposals made by the enemy, which affirms the priority of peace, and (2) the necessity of attempting to return to peace, which also implies the priority of peace over war.

The first hadith contains an instruction from Imam ‘Alī to Mālik al-Ashtar when he appointed Mālik as the governor of Egypt. While they both were in positions of power, he instructs Mālik to accept peace proposals made by the enemy.

And from him [i.e. Imām ‘Alī] in his letter to al-Ashtar: “Do not reject peace to which your enemy may invite you and wherein is the pleasure of Allah, because peace brings rest to your army, relief from your worries, and safety for your country.” (Majlisī 1403 AH, 97:40)

The second hadith has as its context the circumstances in which Imam ‘Alī heard a group of his companion curse their enemies, so he said:

I do not like you to curse. However, it would be closer to righteousness if you recount their deeds and remind their conditions. Be more eloquent in making apologies and instead of cursing, say: “O Allah! Protect our blood and theirs, and make peace between us and them, and guide them out of their misguidance so that they know the truth and help them out of their ignorance which has led to their hostility towards us.” (Majlisī 1403 AH, 97:32)

In the Shiite view, a defensive war should be ended as soon as possible, and both parties should return to the pre-war condition.

2. Neutrality

The following hadiths imply the obligation of withdrawing from the battle if the other party withdraws. These hadiths are directly about

neutrality with respect to Abyssinia and Turks, implying the simple idea that you should not wage a war against a country as long as they do not start a war with you. According to one of these hadiths, the Prophet said, “Leave the Turks alone as long as they leave you alone” (Majlisī 1403 AH, 97:62). The hadith is cited with a reliable chain of transmitters. According to another hadith, the Prophet said, “Leave Abyssinia alone as long as they leave you alone” (Majlisī 1403 AH, 97:60).

Such hadiths should not be read as restricted to Turks or other ethnicities. In fact, they involve the general notion of neutrality. According to ‘Amīd-Zanjānī, “In principle, the notion of Dār al-Ḥiyād [neutral countries in conflicts] was introduced because of the specific circumstances of Abyssinia and similar countries, about which biographers and jurists apply the ruling of withdrawal. Given the principle of *tanqīḥ al-manāṭ* [refinement of the criterion of a ruling], it will be possible to generalize the ruling to all countries and governments that do not aggress against Muslim territories and stay neutral” (‘Amīd-Zanjānī, n.d., 3:290-91).

As a further support for these hadiths, the following Quranic verse uses the word, “*i’tizāl*” (withdrawal) to refer to political and military neutrality in international relations: “So if they remove [*i’tizālū*] themselves from you and do not fight you and offer you peace, then Allah has not made for you a cause [for fighting] against them” (Quran 4:90).

3. Laws whereby War Is Restricted

Hadiths in this section involve remarkable points about war and jihad in Islam. All these hadiths set laws whereby the scope of war is limited, though each puts a constraint on a different aspect of war. They imply the rejection of a warmongering attitude and the

prohibition of starting a war. Moreover, one decisive condition for the permissibility of fighting an enemy is that the enemy must first be invited to Islam prior to the war. In the following hadiths, we see a ban on wars in “Sacred Months,” the necessity of permission by a just imam (or leader) for going to war, and the prohibition of any cooperation with unjust rulers, all of which are obstacles to start or continue a war. These hadiths are as follows:

(1) In a sermon, Imam ‘Alī says, “Do not call people to war, and if you are called to war, then accept, because one who starts war is an aggressor, and the aggressor falls down” (Majlisī 1403 AH, 97:40).

(2) The following hadith reaffirms the content of the Quranic verse “They ask you about the sacred month—about fighting therein. Say, ‘Fighting therein is great [sin]’” (2:217); it has a trustable chain of transmitters, and it is plausible with respect to the number and names of such, because the same content recurs in many other hadiths.: “Sacred Months are the isolated month of Rajab, and the consecutive months of Dhu l-Qa‘da, Dhu l-Hijja, and Muḥarram. God has forbidden wars therein, and He doubles sins as well as [the rewards for] good deeds in them” (Majlisī 1403 AH, 97:54). The forbiddance of war in these four months is a way to put an end to long-term wars, as well as a means to invite people to peace. For when warriors throw down their arms for four months a year and the noises of their swords or bullets are off, they find an occasion to rethink the conflict and they may as well end the war. There is always a difference between continuing something and resuming it after a hiatus, since the latter is much more difficult. This is an indication of the pacifistic spirit of Islam.

(3) The following hadith is concerned with the necessity of inviting the enemy to Islam prior to starting the war. It was also transmitted by Musmi‘ b. ‘Abd al-Malik from Imām al-Şādiq:

Nawādir al-Rāwandī with this chain of transmitters: ‘Alī said, “When the Prophet dispatched me to Yemen, he told me, ‘O ‘Alī! Do not fight anyone unless you have invited them to Islam. I swear to God that if God guides someone [to Islam] with your hands, it would be better for you than all the things on which the sun has shined, and you will be his guardian.’” (Majlisī 1403 AH, 97:12)

Musmi‘ b. ‘Abd al-Malik, known as Abū Sayyār, transmitted hadiths from Imām al-Şādiq, and al-Şadūq has cited some of his hadiths. According to *Mu’jam al-rijāl*, since he appears in chains of transmitters of *Kāmil al-ziyārāt*, there remains no doubt about his reliability, and al-Şadūq’s chain of transmission to him is sound (Khū‘ī 1409 AH, 18:157).

Muslims are obligated to invite disbelievers and polytheists to Islam prior to the start of the war, thus letting them know the truth. The war cannot start before providing them with decisive proofs for Islam. As al-Najafī says, “The war does not start except after inviting the hostile disbelievers to Islam—that is, to the two testimonies [monotheism and the prophethood of Muhammad (s)] and the principles of the religion. If the disbelievers refrain from accepting these principles, or if the people of *jizya* (i.e., People of the Book, such as Christians and Majūs) refuse to pay their *jizya*, then the war can be commenced” (Najafī 1421 AH, 21:51-52).

(4) A hadith about the necessity of permission by the Imam:

Kāmil al-ziyārāt: from Abū ‘Abd Allāh: “Jihad is the most superior thing after [religious] obligations during jihad, and there is no jihad except along with an Imam.” (Majlisī 1403 AH, 97:11)

Al-Hidāya: ‘Alī said, “Jihad is an obligation God has made incumbent on His creatures—to do the jihad with their lives and possessions under a just Imam...” (Majlisī 1403 AH, 97:8)

These two hadiths are respectively transmitted from Imam al-Ṣādiq and Imam ‘Alī. They imply that jihad is obligatory only with an Imam. Thus, Muslims are prohibited from any waging war arbitrarily.

(5) The prohibition of cooperation with unjust rulers.

Al-Khiṣāl: ‘Alī said, “A Muslim should not go to jihad with someone who cannot be trusted with the ruling [of God] and does not enforce God’s commands concerning the spoils of the war. Thus, if one dies in such war, he will be a helper of our enemy in the confiscation of our rights and the shedding of our blood, and his death will be a death of ignorance.” (Majlisī 1403 AH, 97:21)

The author of *Jawāhir al-kalām* says, “There is no disagreement among Shiite scholars, and there is even a consensus of both types [quoted and discovered], over the requirement of the permission of the Imam for the obligation, and even the legitimacy, of jihad” (Najafī 1421 AH, 21:11). And according to Shamsuddīn,

The requirement of the Imam’s permission—either in terms of the dependence of the legitimacy of jihad on the permission or in terms of the illegitimacy of jihad without the permission—is so recurrent in hadiths of jihad that it can be conceived as *mutawātir* [massively transmitted], and thus, the weakness in the chains of some of these hadiths will not affect our certainty about the requirement. Thus, there is no doubt that the legitimacy of a religious war, even when it is defensive, depends on the Imam’s permission in the period of the Presence of Imams, in which Imams are accessible. This is, in fact, a rational constraint. However, the requirement is relinquished in the Period of Occultation, since its subject-matter [the Imam] is not available anymore. (Shamsuddīn 1997, 86)

Thus, jurists consider the permission of an Infallible Imam necessary for the legitimacy of jihad, and hadiths of jihad in *Biḥār al-anwār* are explicit about this requirement. The least this requirement implies is that the permission of a just Imam and the prohibition of cooperation with unjust rulers affects the limitation of the domain of wars.

4. Respect for the Intrinsic Dignity of Humans

There are a number of hadiths in the Book of Jihad in *Biḥār al-Anwār* that emphasize respecting human dignity during war. They involve rulings that obligate jihad, and yet take human dignity into account; for example, the permission to grant protection to the enemy in order for them to reflect on God's words or the prohibition of deception during war. These hadiths also prohibit violent acts such as dismemberment, mutilation of bodies, or killing civilians. These hadiths are as follows.

(1) According to the first hadith, Muslims can grant protection to polytheists in order to provide an occasion for them to reflect on Islamic teachings:

Al-Maḥāsīn: al-Washā' from Muḥammad b. Ḥumrān and Jamīl b. Darrāj from Abū 'Abd Allāh: "Any Muslim man, even the lowest in rank, can grant protection to a polytheist so that he hears the words of God." (Majlisī 1403 AH, 97:32)

The hadith is transmitted by Washā' from Muḥammad b. Ḥumrān and Jamīl b. Darrāj with a sound chain of transmitters. Moreover, the content is supported by Quranic evidence, and thus the chain need not be scrutinized.

The following Quranic verse, which supports the above hadith, specifies that granting protection to the enemy is a ruling of jihad in Islam, intended to guide the enemy to the right path, though absent

any evidence, the default principle would be the permissibility of granting protection: “And if any one of the polytheists seeks your protection, then grant him protection so that he may hear the words of Allah” (Quran 9:6). The author of *Jawāhir al-Kalām* writes, “Individual Muslims can grant protection to polytheists before they are captivated. Thus, granting protection after captivation is not valid” (Najafī 1421 AH, 21:100). There are many hadiths suggesting the frequency of granting protection by the Infallibles. Here is a case in which the Prophet grants protection to an enemy:

In 8 AH, the Prophet of Islam mobilized an army from Medina and conquered Mecca. He smashed down the idols, but he pardoned his most adamant enemies. In addition to participating in bloody battles against Islam and the Prophet, Ṣafwān b. Umayyah had publicly hung a Muslim in Mecca in revenge for his father, Umayyah, who was killed in the Battle of Badr. Thus, the Prophet announced that everyone is permitted to kill him. From the fear of punishment, Ṣafwān decided to leave Hijaz via seaways. Someone interceded for him before the Prophet. With absolute kindness and tolerance, the Prophet pardoned the most horrible criminal of the time, and gave him his turban with which he had entered Mecca as a sign of the pardon. After receiving the protection, Ṣafwān entered Mecca. The Prophet kindly told him that his life and property were respected, but he had better convert to Islam. He asked for two months to reflect on Islam. The Prophet gave him four months to think about Islam, so that he could opt for Islam with total insightfulness. Ṣafwān converted to Islam before the deadline of the four months. (Ibn Hishām, n.d., 1:417)

(2) At the beginning of the hadith cited above from *al-Maḥāsīn* concerning granting protection to enemies, there is a piece that prohibits violent and savage acts. The chain of the transmitters of this hadith is reliable. Here is the text of the hadith:

Do not trespass [the divine limits]; do not mutilate any corpse; do not cut trees except when there is an emergency; and do not kill a senile person or a child or a woman.

(3) The following hadith is concerned with how prisoners of war should be treated. In Islam, a prisoner of war has rights that must be observed by Muslims. Some of these rights are mentioned in this hadith:

Qurb al-Isnād: from al-Ṣādiq from his fathers: “It is obligatory to feed a prisoner and treat him kindly, even if you must execute him the next day.” (Majlisī 1403 AH, 97:33)

ʿIlal al-Sharāʿi: ‘Alī b. al-Ḥusayn said, “When you captivate someone and he is not able to walk and you do not have a vehicle to carry him, then leave him alone and do not kill him. For you do not know what the Imam would rule about him. Moreover, if the captive converts to Islam, then his blood will be protected and counts as an achievement of the war.” (Majlisī 1403 AH, 97:33)

5. Morality and Piety in War

Hadiths of jihad in *Biḥār al-Anwār* reminds Muslims of certain moral and pious requirements. One recurrent theme in these hadiths is the remembrance of God; that is, a Muslim warrior is instructed to remember God the whole time, so that he can remember his intention in jihad with the enemy and remember to observe moral codes during the war. For instance, the warrior must observe justice and avoid injustice during the war, he must keep his promises, and he must avoid forbidden acts. One highlight of altruism and morality in Islamic jihads is the obligation to try to shorten the duration of war as much as possible. In what follows, we consider each hadith in turn:

(1) The following hadith, which has a reliable chain of transmitters, was quoted from Imam al-Ṣādiq, in which he says that the Prophet taught that war must be “on the path of God.” This qualification puts serious constraints on war.

Al-Maḥāsīn: Abū ‘Abd Allāh said, whenever the Prophet dispatched a military expedition, he summoned the commander of the expedition, got him to sit before him, and then told him: “Go with the name of God, by God, and on the path of God” (Majlisī 1403 AH, 97:25)

The following two hadiths emphasize the remembrance of God during jihad:

Al-Khiṣāl: Amīr al-Mu’minīn said, “When you encounter your enemy in the war, then talk less and remember God more often” (Majlisī 1403 AH, 97:35)

Kitāb Ṣiffīn: ‘Alī said in [the Battle of] Ṣiffīn: “Beware! You will encounter the enemy tomorrow, if God wills. So, prolong your worships tonight and recite the Qur’ān more often” (Majlisī 1403 AH, 97:35)

(2) The following hadith talks about ‘Alī b. Abī Ṭālib’s altruistic measure to shorten the duration of the battle so as to prevent more bloodshed. It is reasonable that if a war starts before sunset, then the two parties will have less time for fight, and thus, the casualties of the war will be minimized. The hadith is cited with a sound and continuous chain of transmitters.

‘Ilal al-Sharā’i: Ibn al-Walīd from al-Ṣaffār from Mu‘āwiyah b. Ḥukaym from Abān b. ‘Uthmān from Yaḥyā b. Abī l-‘Alā’ from Abī ‘Abd Allāh: “‘Alī did not start the war until the sunset ... and he said: ‘This is close to the night, and it is better to minimize murders so that seekers of the war go back to their camps, and the defeated army survives.’” (Ṣadūq 1966, 2:603)

6. Conflicting Hadiths: Encouragement to Jihad

Most hadiths in this section emphasize the importance of swords and the preparation for war, and they explain some Quranic verses concerning war. A consideration of hadiths of jihad in *Biḥār al-anwār*

so far reveals that these further hadiths exhibit a different approach from the previous ones.

At the beginning of his discussion on jihad, the author of *Jawāhir al-kalām* lists such hadiths and takes them to be concerning the initiation of war with disbelievers (*al-jihād al-ibtidāʿī* “initiatory jihad”). The legitimacy of initiatory jihad has been challenged by some contemporary scholars.

In this section, we will consider each of these conflicting hadiths, and, drawing on the views of scholars, we will try to explain their meaning.

The First Hadith

Here are parts of the Hadith of Five Swords (*Khamsah Asyāf*), which allegedly implies that initiatory jihad is obligatory:

Ḥafṣ b. Ghīyāth from Abū ʿAbd Allāh: “Someone asked about Amīr al-Muʿminīn’s battles, and the interrogator was an advocate of us [i.e. the Shiite Imams]. Abū Jaʿfar replied: ‘God sent Muḥammad with five swords; three of them are drawn out and are never put back into the scabbard until the war comes to an end, and the war does not come to an end until sun rises from the west. When sun rises from the west, people will all be safe on that day. For on that day, people’s belief [in Islam] will not help them if they did not believe before that day or if they did not do good deeds after the belief. And the swords that are drawn out are as follows: one sword towards Arab polytheists ... the second is towards *dhimmi* people, and the third is towards non-Arab polytheists, that is, Turks, Daylamites, and Caspians. (Majlisī 1403 AH, 97:17)

This hadith is transmitted via five chains of transmitters, all of which are unreliable. With respect to the implications of the hadith, there are three sections in the hadith in which initiatory jihad seems to have been considered obligatory. We will rest content with an analysis

of only the first and the third sections (if their analysis is plausible, then the second would not be in need of an analysis).

The first section of the hadith is the part about “a sword towards Arab polytheists.” First of all, those who believe that initiatory jihad is obligatory extend it to all disbelievers, while this hadith restricts it to Arab polytheists. Second, Arab polytheists are those who have recognized the dominance of an Islamic government. Thus, Arab polytheists outside the realm of the Islamic government are not included in this part of the hadith, let alone non-Arab polytheists. The relation between all Arab polytheists—either fellow citizens or foreigners, and non-Arab polytheists, either fellow citizens or foreigners, is that of divergence. Thus, Arab polytheists outside the realm of the Islamic government and all non-Arab polytheists are excluded from this part of the hadith.

The third section mentions that “the third sword is towards non-Arab polytheists.” First of all, there is no point in separating Arab and non-Arab polytheists, because they are subject to the same ruling in the hadith, while the distinction must be grounded in different rulings. This indicates that the content of the hadith is disordered and illogical, which is yet another evidence that the hadith is unreliable or even fabricated (Shamsuddīn 1997, 175-76).

The Second Hadith

‘Amr b. Abān from Abū ‘Abd Allāh: “The Prophet said, all good is in the sword and under the shade of the sword, and people are not ordered except by the sword, and swords are keys to the Heaven and the Hell.” (Majlisī 1403 AH, 97:10)

The hadith is cited in *Biḥār al-anwār* from two sources: *Thawāb al-a‘māl* and *al-Amālī* by al-Ṣadūq. The hadith has a weak chain of

transmission, because it is transmitted by Muḥammad b. Ismā‘īl al-Ṣaymarī al-Qummī, who is unknown (Ṭūsī 1389 AH, 33). The first hadith has, nevertheless, been cited in *Wasā’il al-shī’a* (Ḥurr al-‘āmili 1409 AH, vol. 11, section 1) with a reliable chain of transmission.

There is no evidence that the hadith is concerned with jihad, let alone its obligation. The most it can imply is that the ruling government is required to have power, regardless of whether the government is just or unjust. Any government has the power to initiate war or defend itself or establish internal order by setting punishments such as execution or imprisonment. The sentence “People are not ordered except by the sword” is evidence for the above interpretation. As Shamsuddīn says, “In this hadith, ‘the good’ does not refer to good in the hereafter. Instead, it refers to worldly good; that is, the order and organization of people, which is obtained through the sword and the exertion of the power. Thus, the hadith is not in a position to state the rulings of jihad” (Shamsuddīn 1997, 130).

The Third Hadith

The Heaven has a gate called the “Gate of Warriors (*Mujāhids*),” from which warriors cross, as it is open to them. While they have their swords hanging from their waists, they are greeted by angels, and other people are waiting. So, whoever abandons jihad, God will cover him with self-humiliation and poverty and impiety. God, the Blessed and the Exalted, has honored my people with the hooves of their horses and points of their spears. (Majlisī 1403 AH, 97:8)

The chain of the transmitters of this hadith is weak, because Wahab b. Wahab appears in it. Shamsuddīn writes about the implication of the hadith: “There is no doubt that the hadith implies the virtue of jihad and warriors. However, it does not imply the obligatoriness of jihad or which type of jihad [it speaks about], such as initiatory or

defensive. The most that can be implied by the hadith is from the sentence ‘So, whoever abandons jihad...,’ because the abandonment of jihad is reprehensible only if jihad is obligatory. However, this does not say anything about the obligatoriness of initiatory jihad” (Shamsuddīn 1997, 135).

There are a number of other hadiths in the section of jihad in *Biḥār al-anwār*, which do not need to be separately discussed, because they are close to the above hadiths and shall be treated in the same manner. Below are some examples of such hadiths:

- The Prophet said, “Gabriel told me about something that enlightened my eyes and delighted my heart. He said, ‘O Muhammad! If someone in your people fight on the path of God and a drop from the sky falls on him or a headache befalls him, it will be recorded for him as martyrdom on the Day of the Resurrection.’” (Majlisī 1403 AH, 97:8)
- I told Abū ‘Abd Allāh: “Which jihad is superior?” He said: “That of a person whose horse is slain from the back and whose blood is shed on the path of God.” (Majlisī 1403 AH, 97:8)
- “No drop is dearer to God, the Esteemed and the Glorified, than a drop of blood shed on the path of God or drop of tear for the sake of God.” (Majlisī 1403 AH, 97:14)
- “Above every good deed is another good deed, up to being killed on the path of God. When one is killed, there is no good deed above this. And above every evil deed is another evil deed up to killing one’s parents. If one kills his parents, there is no evil deed above this.” (Majlisī 1403 AH, 97:14)

These hadiths suffer from weak chains of transmitters, because Ibn al-Ghazwān and al-Sakūnī occur in their chains. Moreover, with respect to their implications, they do not concern the rulings of jihad or its types; they are just about the virtues of martyred warriors and their status before God (Shamsuddīn 1997, 165).

The Fourth Hadith

Qurb al-Isnād: ‘Alī said: “There are two types of war: war with disbelievers until they convert to Islam, and war with internal conspirators [who riot against the just ruler of Muslims] until they return to the obedience of the Imam. (Ḥimyarī, n.d., 62)

The chain of the transmission of this hadith is weak, because Abū l-Bakhtarī and Abū ‘Abd Allāh Muḥammad b. Khālid occur in it (see Khū’ī 1409 AH, 21:41; Najāshī 1408 AH, 52).

With respect to the implication of the hadith, we can say that it legislates jihad but without stating its types. Thus, it is not qualified in a way that it can imply the obligatoriness of initiatory jihads. Moreover, the hadith talks about receiving *jizya* from polytheists, while the proponents of the obligatoriness of initiatory jihad have a consensus among them that *jizya* is not received from polytheists (Shamsuddīn 1997, 180).

There is a similar hadith as well with slight differences in wording.

The Fifth Hadith

‘Imrān b. ‘Abd Allāh from Ja‘far b. Muḥammad about the word of God, “Fight those adjacent to you of the disbelievers.” He said, “It refers to Daylamites.” (Majlisī 1403 AH, 97:27)

The hadith has a weak chain of transmission because it involves ‘Imrān b. ‘Abd Allāh al-Qummī, who is, according to al-Najāshī, of a heretic sect and unreliable in his narrations (Najāshī 1408 AH, 292).

Moreover, with respect to its implication, the hadith does speak about the type of jihad, because it is not properly qualified. In particular, the interpretation of the Quranic verse as referring to Daylamites is not in line with what proponents of the obligatoriness of initiatory jihad have in mind, because, in their view, the ground of war is disbelief, and there is no difference between one group of disbelievers and other groups. Moreover, it may well be that Daylamites were aggressing Muslim territories at the time, in which case the hadith will be concerned with the obligation of defensive war. This is the case if other groups of disbelievers aggress Muslim territories (Shamsuddīn 1997, 180).

However, some jurists maintain that “If Muslims have the power to fight and are sure about their victory, then they should initiate war with adjacent disbelievers, which is known as fighting the most adjacent and then the less adjacent (*qitāl al-aqrab fa-l-aqrab*) (Shamsuddīn 1997, 99).” Al-Muḥaqqiq al-Ḥillī, for instance, says, “The priority is to wage war against more adjacent disbelievers, unless the threat from more distant disbelievers is more serious” (Muḥaqqiq al-Ḥillī 1408 AH, 1:281). The same view has been espoused by al-Shaykh al-Ṭūsī (1387 AH, 2:29), al-‘Allāmah al-Ḥillī (1385 Sh, 102), and Ibn al-Ḥamzah (n.d., 732). Their idea is that the priority is to wage war against more adjacent disbelievers, regardless of whether they are hostile (*ḥarbī*) or not. However, if they accept a ceasefire, then it is not permissible to fight them. If distant disbelievers are not stronger than the adjacent ones or if they do not pose a serious threat to Muslims, then the priority is to fight the adjacent disbelievers. And if more distant disbelievers are stronger or if they pose a serious threat, then if adjacent disbelievers do not pose a threat, then Muslims must fight more distant disbelievers.

These jurists have appealed to the Quranic verse, “O you who have believed, fight those adjacent to you of the disbelievers” (9:123) in support of their view. However, “fight” in this verse is an unqualified imperative, which, contrary to their view, implies that Muslims must always fight the adjacent disbelievers, even if the more distant ones pose a more serious threat. The qualification made by the above jurists is based on the rational ruling of defending oneself against threats.

The unqualified character of the verse may well be qualified by the practice of the Prophet when he fought Ḥārith b. Abī Ḍirār and Khālīd b. Abī Sufyān because they posed more serious threats than more adjacent enemies. The phrase “those adjacent to you of disbelievers” is said to have two instances (at the time of the revelation of the verse): (1) the Jews around or inside Medina, such as Banū Qurayza and the Jews of Khaybar and (2) the Romans in al-Sham (or Levant), who were closer to Medina than the Persians.

There is no doubt that if we take the verse at face value, then Jews were closer to Medina, in which case, the verse refers to a fact at that time, and does not indicate a general ruling. Jurists have appealed to the verse to show the legitimacy of initiatory jihads, because they believe that disbelief *per se* is a ground for the legitimacy of waging war, not the threat a people might pose.

Against this view, Shamsuddīn maintains that “the criterion of adjacency or distance is not a spatial criterion; rather, it is spiritual. It refers to whether the disbelievers are hostile or friendly and whether they pose a threat against Muslims. Thus, the spatial location of disbelievers is not a criterion here, although admittedly more adjacent enemies usually pose more serious threats” (Shamsuddīn 1997, 103).

Thus, a “more adjacent” disbeliever is in fact a disbeliever who poses more serious threats, even if he is spatially distant, and a “more

distant” disbeliever is the one who does not pose an imminent threat, even if he is spatially close.

Having considered hadiths of jihad in *Biḥār al-anwār* that might imply the legitimacy or obligation of initiatory jihads, the upshot is the following:

1. Most of these hadiths have weak or unreliable chains of transmitters.
2. There are a few hadiths with reliable chains of transmitters, but they do not indicate the obligatoriness of initiatory jihad.
4. There is no properly unqualified statement in these hadiths that may encompass initiatory jihad.

Jihad is, thus, only defensive, and initiatory jihad is not legitimate. Thus, the distinction made by some jurists between initiatory and defensive types of jihads is misguided. The only legitimate form of war in Islam is defensive. Shamsuddīn objects that

the majority of jurists who have issued fatwas to the effect that initiatory jihad is not legitimate in the Period of the Occultation [of the Imam] have treated initiatory jihad as primary and central in their discussions. Thus, they first discuss issues of initiatory jihad, and then marginally discuss issues of defensive jihad, which consist in pushing enemies away from the Islamic territories and protecting the political, social, and economic interest of Muslims. This is despite the fact that, in the Period of Occultation, defensive jihad is emphasized much more. Thus, they had better begin their discussions of jihad with defensive jihad, and only marginally concern themselves with initiatory jihad. (Shamsuddīn 1997, 27)

The fact is, as Motahhari suggests, that enemies of Muslims do not sometimes respect a dignified coexistence, and thus Muslims must not surrender or acquiesce to the humility imposed upon them by their

enemies; they have to defend themselves (Motahhari 1373 Sh, 29-30). If Muslims are tormented in their own lands by disbelievers, then they cannot stay silent and are obligated to emancipate themselves. In Motahhari's own terms,

The person killed while defending his property and family is considered a martyr. However, more sacred than defending one's individual or ethnical rights is to defend one's human rights. There is no doubt that jihad is only legitimate as a defense. However, the debate is over the instances of defense. Is it restricted to defending oneself or one's own nation, or does it encompass a defense of humanity? (Motahhari 1373 Sh, 71)

Motahhari goes on to say that if some people endanger humanity, it is permissible to fight if there is an obstacle to invite others to one's belief. This is also a kind of defense. To fight for rationally baseless beliefs is a captivation of some sort, and to fight in order to wipe off such beliefs is to fight on the path of human liberty. What is asserted in the Quranic verse "There shall be no compulsion in religion" is liberty of thinking, and not that of believing (Motahhari 1373 Sh, 89).

According to another scholar, "One goal of jihad in Islam is to defend humanity. No rational person considers defending the oppressed to be aggression. Thus, if fighting is the only way to defend the oppressed, and there is no peaceful way to do that, then Muslims must fight" (Vahidimanesh 1385 Sh).

Conclusion

Our survey of hadiths on jihad in *Biḥār al-anwār* showed that different aspects of jihad appear in these hadiths. The crucial message of these hadiths is the prevention of war and the establishment of peace. Moreover, they set constraints on waging war that remarkably restrict jihad. And after the start of war, they point to essential principles that must be observed during war, such as respect for

human dignity. We then scrutinized the alleged obligatoriness or legitimacy of initiatory jihad in certain hadiths. We concluded that most of these hadiths have weak or unreliable chains of transmitters, and cannot be trusted. Moreover, they do not concern the rulings of initiatory jihad; rather, they are merely concerned with jihad in its general sense.

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