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Analysis of the Position of Jihad in the Jurisprudence of Resistance

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ABSTRACT

The jurisprudence of resistance (fiqh al-muqāwamah) encompasses the rulings and legal principles that Islam has presented in individual, collective, political, security, cultural, artistic, and other domains for the regulation of the worldly and otherworldly life of Muslims. Defensive jihad constitutes one of the dimensions of the jurisprudence of resistance, which obligates Muslims worldwide to confront aggression by disbelievers against the lands of Islam. This struggle is undertaken with the purpose of preserving the foundation of religion (the integrity of Islam) and defending its territories. The outcome of this research, which has been organized through a descriptive-analytical intellectual inquiry method and based on library data, is an analysis of the position of defensive jihad within the jurisprudence of resistance from the perspective of Islamic jurists, with reference to scriptural sources. However, the innovation of this work indicates the necessity of defensive jihad in the contemporary era with the aim of preserving the integrity of Islam in its broad sense in any region of the world.

Keywords: position, jihad, defensive jihad, jurisprudence of resistance.

Introduction

The jurisprudence of resistance (fiqh al-muqāwamah) is a new domain within Islamic jurisprudence in which continuous and permanent struggle against matters that target the very foundation of Islam is addressed. In reality, this continuous struggle represents the confrontation between truth and falsehood, which, in the words attributed to Imam Khomeini, continues as long as polytheism and disbelief exist; thus, struggle remains an enduring necessity (1). Therefore, the essential duty and grave responsibility of those engaged in the jurisprudence of resistance is sustained struggle. At the same time, the fundamental basis of the jurisprudential framework of resistance, aimed at defending the integrity of Islam and Islamic lands, is derived from scriptural sources (nusus al-shar'iyya) and authoritative jurisprudential foundations (2, 3).

Given the importance of the research subject, the author seeks to achieve two objectives: (1) to introduce defensive jihad and the jurisprudence of resistance, and (2) to clarify the position of defensive jihad in the



contemporary era for the purpose of defending the integrity of Islam and Islamic territories. However, the questions that the author seeks to answer in this study are as follows: (1) What is meant by defensive jihad, jurisprudence, and resistance? and (2) What is the current position of defensive jihad within the jurisprudence of resistance? The answers to these questions are presented throughout the research. Regarding the innovative aspect of this study, it must be acknowledged that the current position of defensive jihad demonstrates the necessity of defending the integrity of Islam and its territories. Moreover, the present research has been conducted using a descriptive-analytical method based on library data collection and content analysis, drawing upon scriptural sources and the opinions of Islamic jurists (3, 4).

The research background includes works related to the subject of this article. Amir Mulla Mohammad Ali, in the article "The Importance of the Objectives and Foundations of Defensive Jihad from the Perspective of Imami Jurisprudence," examines the significance of defensive jihad and its foundations in light of contemporary challenges and emphasizes its obligatory nature for Muslim youth. Rajaei and others, in the article "Examining the Authority of the Islamic Ruler in Declaring Defensive Jihad from the Perspective of Imami Jurisprudence," consider defense and preparedness of Islamic societies for jihad in the path of God as essential for the survival and security of the Islamic community, emphasizing the central role of the Islamic ruler in mobilizing forces. Gohari and Balbali, in their comparative study of the impact of spiritual factors on defensive jihad in the Qur'an and contemporary Islamic leadership discourse, conclude that war possesses a fundamentally defensive nature, with the objective of upholding divine values, assisting the oppressed, preserving sanctities, and defending Islamic identity. Likewise, Ahmadi and others, in their examination of punitive aspects of enemy execution during defensive jihad, conclude that while certain actions may be reprehensible, they do not necessarily result in legal punishment under Islamic jurisprudential criteria. Therefore, it becomes evident that no research has yet been specifically conducted under the title "Analysis of the Position of Defensive Jihad in the Jurisprudence of Resistance." The present study has thus been developed using a descriptive-analytical method, based on library research, content analysis, and examination of authoritative books, scholarly articles, and reliable academic databases. Accordingly, in order to ensure precise understanding, it is necessary to clarify the relevant concepts.

Concepts

Defensive Jihad

The term jihad derives from the root jahada, meaning hardship, difficulty, exertion, and effort accompanied by hardship (5-7). In Qur'anic exegesis, the expression "jahada al-'aduww" is interpreted as enduring hardship in confronting the enemy, and it signifies exerting one's utmost ability and enduring difficulty in pursuit of a cause (8). Thus, jihad fundamentally refers to exertion and struggle accompanied by hardship in pursuit of a higher objective (9).

The commonly accepted jurisprudential definition of jihad is the sacrifice of life and property in the path of God in combat against rebels and disbelievers, as well as striving with one's life, wealth, and capabilities for the elevation of Islam and the establishment of its religious symbols (10, 11).

In Arabic, defense (daf' or dhab) refers to protection, repulsion, and safeguarding. The phrase "al-dhabb 'an al-Islam" means defending Islam (12). Linguistically, defense also signifies repelling, protecting, and preventing aggression (13, 14). In jurisprudential terminology, defense encompasses various applications, including defense

of Islamic lands, defense of life, defense of property, and defense of honor, all of which are regarded as obligatory under specific circumstances (10, 15, 16).

From the perspective of the majority of Islamic jurists, defensive jihad refers to combat against an aggressor enemy for the purpose of defending Islam and Islamic lands against an invading force that threatens the foundations of Islam or seeks domination over Islamic territories, honor, property, or the lives of Muslims (17-19).

Therefore, based on the foregoing, defensive jihad may be defined as struggle against any enemy that seeks to destroy Islam or aggress against Islamic lands.

Jurisprudence of Resistance

The term *fiqh* linguistically means understanding and deep comprehension (5, 20, 21), and it also refers to insight and profound knowledge in matters of religion (22). Technically, *fiqh* is defined as knowledge of subsidiary legal rulings derived from their detailed evidences (21). In contemporary jurisprudential terminology, juristic authority (*faqahah*) refers to the application of interpretive tools by the jurist in extracting rulings from authoritative sources (23).

Resistance, in its nominal form, means steadfastness, perseverance, endurance, stability, and firmness (14). It also signifies order, stability, persistence in the right path without deviation, and opposition to deviation or injustice (5, 6, 24-27). Among these meanings, the concept of justice, moderation, and steadfast equilibrium is particularly emphasized (28, 29).

It must be understood that the jurisprudence of resistance possesses a broad scope, encompassing a wide range of jurisprudential issues whose central purpose is the preservation of Islamic rulings, identity, and integrity. According to some contemporary scholars, the jurisprudence of resistance consists of the legal rulings and principles provided by Islam in individual, collective, political, security, cultural, and artistic domains for regulating the worldly and spiritual life of Muslims, such that whenever any of these domains faces threat from hostile forces, defense becomes obligatory upon Muslims (3, 30).

Therefore, in the contemporary era, in which hostile forces target the integrity and security of Islam from military and security dimensions, defensive jihad constitutes a fundamental dimension of the jurisprudence of resistance and becomes an obligation upon Muslims to confront such threats and defend the identity of Islam and Islamic lands wherever they may be.

The Position of Defensive Jihad

From a jurisprudential perspective, jihad is divided into five categories, four of which are defensive, and only one of which is initiatory (offensive). Accordingly, the types of defensive jihad are: (1) jihad undertaken to preserve the very foundation of Islam against the assault of disbelievers on Muslim lands, carried out with the aim of eradicating Islam and establishing the rule and symbols of disbelief; (2) jihad undertaken to repel aggressors who threaten the blood (lives) and inviolable honor (*nawāmīs*) of Muslims; (3) jihad undertaken to defend Muslims who have become engaged with a group of disbelievers and where there is fear that the disbelievers may dominate them; and (4) jihad undertaken to expel and remove disbelievers who have gained control over Muslim territory (31). What is certain is that the emergence of fear regarding the eradication of Islam—and likewise fear regarding Muslims, their inviolable honor, their descendants and offspring, and the domination over Muslim lands and children—constitutes the subject-matter that activates the obligation of defensive jihad.

Regarding whether initiatory jihad is the primary rule or defensive jihad, there is disagreement among jurists: some consider initiatory jihad to be the original rule, while deeming defensive jihad superior, in the sense that this category is the most excellent form of jihad and among the greatest means of drawing near to God, and is superior to jihad aimed at returning disbelievers to Islam (10). Others maintain that the primary rule is defensive jihad (4). In particular, some jurists hold that the fourth category of defensive jihad mentioned above is superior (31). Therefore, it may be said that the most excellent jihad is defensive jihad undertaken to preserve the very existence of Islam. Accordingly, in the jurisprudence of resistance, the current position is occupied by defensive jihad aimed at preserving the foundation of Islam, repelling aggressors who threaten the lives and inviolable honor of Muslims, and repelling disbelievers who have come to dominate Muslim lands.

What is certain is that the emergence of fear regarding the integrity of Islam (*bayḍat al-Islām*), as well as fear concerning the community of Muslims, their inviolable honor, their lands, and their offspring, is what grounds the obligation of defensive jihad. In this regard, emphatic scriptural directives indicate the importance of defense and its necessity (Qur'an 22:38–39). [“Indeed, God defends those who believe. Indeed, God does not love every treacherous ingrate. Permission has been granted to those who are fought because they have been wronged—and indeed God is fully capable of granting them victory.”]

According to the formulation of some contemporary scholars, the object of defensive jihad is solely the defense of the sanctity of religion: if at any time a person fears that religion is in danger—whether in his own region or in other regions—then, based on jurisprudential proofs, defending Islam becomes obligatory upon every person who has the capacity to confront the threat (2). In this articulation, it appears that “defense of religion in another region” is effectively equivalent to defending Islamic territories, which is regarded as among the necessities of Islamic jurisprudence or the jurisprudence of resistance. Jurists, in their works on jihad, while presenting the rulings and issues of defensive jihad, have encouraged and urged people toward resistance and steadfastness against the enemies of Islam and Muslims who seek domination over Islamic lands (15, 32). In practice, it can be said that defensive jihad at present is undertaken both to preserve the existence and foundation of Islam (*bayḍat al-Islām*) and to defend Islamic territories. The following section clarifies these dimensions.

Defending the Integrity of Islam (Bayḍat al-Islām)

The first contemporary locus of defensive jihad within the jurisprudence of resistance is the preservation of *bayḍat al-Islām*. In juristic usage, *bayḍat al-Islām* refers to the foundation and very existence of Islam, the community of Muslims, and the territorial domain and geographic sphere of Islam (30, 33). As it appears in supplication: “Do not empower an enemy from other than themselves over them, lest he shatter their *bayḍah*,” meaning: do not allow an external enemy to dominate them so as to destroy their cohesion, their center of governance, and their call (33).

In reality, what scholars mean by *bayḍat al-Islām* is the existence of fear that the root and locus of Islam's collective existence may be eradicated and uprooted (33). Likewise, expressions such as “the dominance of the word of disbelief,” “the weakening of the word of Islam,” and the entry of disbelievers into Islamic territories indicate instances of fearing for *bayḍat al-Islām* (31). If such a condition arises for the Islamic community, then if the Imam or his deputy is present, safeguarding *bayḍat al-Islām* becomes obligatory upon them; otherwise, the obligation falls upon every discerning person of judgment and sound management who is knowledgeable in political governance and leadership precision—while the people are obligated to assist him in this matter. Opposing him, in that case, is treated as opposing the scholars, and by extension opposing the Imam, the Prophet, and God (31).

The Infallibles (peace be upon them) have repeatedly reminded their followers, in hadith literature, of the importance of preserving the essence and core of Islam. In the well-known report transmitted from Yunus b. ‘Abd al-Rahman, it is stated in substance that one should not fight on behalf of unjust rulers; rather, one should fight to defend bayḍat al-Islām, because the loss of bayḍat al-Islām entails the effacement of the mention of Muhammad (peace be upon him and his family). The report further indicates that defensive fighting becomes justified when there is fear for Islam itself and for Muslims—particularly when there is fear for women and children—and that such combat is for one’s own sake, not for the sake of the ruler (10, 34, 35).

Here, the Imam advises that if one has a recognized and real fear regarding bayḍat al-Islām and the Muslims, one should engage in defensive struggle, fighting and defending accordingly. Although Shi’i jurists have not always explicitly elaborated the doctrine of conflict (tazāhum) between preserving Islam and other legal rulings in a systematic manner, it is evident that preserving the foundation of Islam, Islamic lands, and Muslim lives takes precedence over other legal rulings. Therefore, if defending Islam necessitates an action that would otherwise be prohibited, or necessitates interference with the property of others, these matters assume permissibility under the governing necessity—while, at the same time, defense of Islam’s foundation is regarded as an obligation upon all Muslims (15, 36).

Shi’i scholars, following the emphases of the Imams (peace be upon them), have frequently employed the term bayḍat al-Islām in their “books of jihad” with the same semantic load intended in the religious discourse—such as the formulation: “unless an affair befalls the Muslims such that it is feared for bayḍat al-Islām...” (37). Thus, Shaykh al-Tā’ifah conditions the obligation of jihad, in the absence of the infallible Imam (peace be upon him), upon the endangerment of bayḍat al-Islām, and recognizes its legitimacy in the context of defending oneself and the Muslim populace (37). Although many Shi’i jurists have deemed jihad impermissible in the absence of the infallible Imam and his specifically appointed deputy—and some have even issued rulings of prohibition—nevertheless, they have treated the case of bayḍat al-Islām being endangered as an exception in their legal reasoning, for example: “Jihad is obligatory on the condition of the call of the just Imam or his prime; it is not permissible with a tyrant by choice, unless one fears for bayḍat al-Islām—namely, its foundation and its community—from eradication, or fears the eradication of a group of Muslims...” (20). Some have inferred from the expression “its foundation and its community” that bayḍat al-Islām is the very foundation and collective body of Islam (18). Likewise, the formulation that “it is feared for bayḍat al-Islām... and bayḍat al-Islām is the collective body of Islam and its foundation” indicates the foundational core of the religion of Islam and the community of Muslims (38).

Accordingly, what is certain is that the present position of defensive jihad within the jurisprudence of resistance, in the hypothesis under discussion, consists in preserving Islam and the cohesion of the Muslim community—an cohesion upon which the very vitality and endurance of Islam depends.

Defending Islamic Territories

The second current locus of defensive jihad within the jurisprudence of resistance is the defense of Islamic lands (bilād Islām) and the repulsion of aggression against Muslims and the oppressed of the world. Today, the enemies of Islam—out of fear of the expansion of Muslim influence and power in the international arena—threaten Muslims and seek domination over Islamic territories. They are apprehensive about Islamic awakening and Muslims’ control over their own destiny, and they are deeply fearful of Muslim unity and cohesion. The prevailing conditions in the contemporary world require all Muslims—especially the younger generation—to become familiar with the historical

legacy of their distinguished school and to defend its dignity and honor wherever it may be. Therefore, the obligation to defend Islamic territories is among the necessities of the jurisprudence of resistance. Moreover, the directive of the jurisprudence of resistance toward steadfastness and perseverance in the face of aggressors is not exclusive to the Muslims' creedal tradition; rather, every nation regards it as a legitimate and established right. The jurisprudence of resistance, grounded in its creedal doctrine, views human survival and the endurance of principled belief as contingent upon defense, based on scriptural proof (Qur'an 22:39–40): ["Permission has been granted to those who are fought because they have been wronged... those who have been expelled from their homes without right... and were it not that God repels people, some by means of others, monasteries, churches, synagogues, and mosques—wherein God's name is much mentioned—would surely have been demolished..."]. Thus, those who have been subjected to oppression are granted permission to undertake jihad in order to defend their right. Accordingly, war against an aggressive and tyrannical enemy is the legitimate right of every oppressed person ("because they have been wronged")—even if some non-Muslims are oppressed and unjustly expelled from their homes and lands, the right to defensive struggle remains preserved for them. As we repeatedly hear today through media reports, the Muslim people of Palestine have been driven from their homes and their ancestral lands.

In juristic writings, the rationale for defensive jihad is expressed as preventing the corruption of right, the defeat of the abode of faith (dār al-īmān), and the victory of disbelief and polytheism (39). Some have stated: "When an enemy from among the disbelievers assaults the Muslims intending to seize their lands, enslave them, seize their wealth and the like—such as their sanctities and offspring," then the time for defensive jihad has arrived (18). Thus, at times jihad is undertaken to repel aggressors who threaten the lives of Muslims and their inviolable honor; at times it is undertaken to defend a group of Muslims who have become engaged with a group of disbelievers and where there is fear of disbeliever dominance; and finally, at times it is undertaken to expel disbelievers who have come to dominate Muslim lands and to rescue Muslims from the hands of aggressors: "Jihad is to repel them from the towns, villages, and lands of the Muslims, and to expel them after they have gained control, and to restore the integrity of Islam after its fracture... and to strive for the rescue of Muslims from the hands of the accursed disbelievers" (18). Some jurists, while describing Muslims' duty to liberate Islamic lands through the expenditure of reputation, wealth, arms, and prudent strategy, regard this type of jihad as the most excellent form of jihad and the greatest means of attaining nearness to God, and even superior to initiatory jihad aimed at calling disbelievers to Islam (31).

The defense of Islamic territories is based on scriptural proofs (Qur'an 2:190–191): ["Fight in the path of God those who fight you, but do not transgress... and expel them from where they expelled you... and fitnah is more severe than killing..."]. The first verse provides a clear indication of the obligation of defensive jihad and authorizes fighting against hostile disbelievers. The occasion of revelation is linked to the period after the Treaty of Hudaibiyyah, when the polytheists committed to allowing Muslims access to Mecca for three days in the following year for pilgrimage. The Prophet (peace be upon him and his family) did not fully trust the polytheists' commitment and feared that they might breach the agreement and block the route to Mecca; moreover, he was concerned about confronting them during the sacred months and being compelled into armed conflict. The verse was thus revealed, commanding combat against those who fight Muslims, while warning against exceeding the divinely set limits in this defensive jihad. The second verse treats the polytheists' fitnah as graver than fighting in the months of combat, thereby resolving the Prophet's concern. Some scholars have even suggested that the verse could encompass personal defense of life and property against a hostile combatant, and they maintain that the verse manifests

defensive jihad such that the sanctity of the location or the sacredness of the time does not bar defensive combat (40).

A key point derived from the second verse—directly relevant to the present discussion—is that reclaiming Islamic lands from the enemies of religion requires expelling them from those lands. Combat and jihad against polytheists who seize Islamic territories thus become necessary and obligatory. Mecca was the base of monotheism and the city of the Messenger of God, the center of revelation and Islam, and it belonged to the Muslims. The polytheists not only had no right to expel Muslims from this city, but rather they themselves were to be expelled from the sacred territory and the inviolable sanctuary. Accordingly, Muslims are commanded in this verse to engage in jihad against the instigators of fitnah to reclaim their land and drive them out of Mecca.

In discussing defense of Islamic territories based on scriptural texts, exegetes have outlined several scenarios. First, if the aggressor is a disbeliever, then it is obligatory upon all Muslims to rise to repel aggression in defense of the oppressed—such as defending Palestinian Muslims against an occupying regime. Second, if the aggressor is a Muslim faction or a Muslim nation, then all Muslims must first pursue reconciliation between the two Muslim groups; if reconciliation proves impossible, jihad must be undertaken against the party that initiated the aggression until it returns to God’s command, after which reconciliation must be carried out with justice—meaning that divine rulings must be applied regarding any violation of life, honor, wealth, or rights (12). Third, there is the defense of oppressed people who extend a plea for assistance to Muslims (Qur’an 4:75): [“And what is [the matter] with you that you do not fight in the path of God and [for] the oppressed among men, women, and children...”]. This group, in addition to being believers, is oppressed, afflicted, and cries out in distress; the oppressors did not merely wrong themselves but also inflicted various forms of oppression and torture upon this oppressed group, and this reflects historical reality (12). Supporting and defending the oppressed holds particular importance in juristic sources, as indicated by the counsel of Imam ‘Ali (peace be upon him) in his final moments: “Be an adversary to the oppressor and a helper to the oppressed” (41).

Furthermore, the obligation of defensive jihad in the present hypothesis is also grounded in scriptural directives aimed at the unity of the Islamic world (Qur’an 3:103) and the struggle against fitnah and its removal from the world (Qur’an 2:193). There is no doubt that genuine unity among Islamic governments and countries guarantees the survival of Islam and the dignity, honor, and independence of Muslims, while the root of disorder and foreign exploitation in Islamic lands is the result of discord, division, and the absence of unity. Therefore, it is obligatory upon Muslims worldwide, by virtue of the verse [“Hold fast, all together, to the rope of God, and do not be divided...”], to act in order to preserve the independence and honor (life, property, and inviolable honor) of Islamic lands and nations—since holding fast to God and His Messenger (peace be upon him and his family) is holding fast to the rope of God (12).

As for jihad against the instigators of fitnah based on the text “Fight them until there is no fitnah” (Qur’an 2:193): as long as centers of corruption, turmoil, and fitnah remain active in the world, defense against them is a duty of every free person—especially Muslims. Of course, prior to combat, people should be invited; if they accept, there is no fighting, but if they reject, they no longer possess any divinely granted guardianship, meaning that God—who is the best Protector and best Helper—will not be their guardian nor aid them, because God supports only His believing servants (12).

In addition to the jihad verses that establish the necessity of defending Islamic lands, Muslim independence, and Muslim dignity and honor as a category of jihad, narrations also indicate the necessity of defensive jihad. Imam ‘Ali

(peace be upon him) is reported to have said: “God, Mighty and Exalted, has made jihad obligatory, magnified it, and made it His support and helper; by God, neither the world nor religion is sound without it” (34). He also said: “Be an enemy to the oppressor and a helper to the oppressed” (41). In addition, the reward for participation in defensive jihad has been described as nearness to the Beloved (42); the welcoming of the fighters by angels through the Gate of the Mujāhidīn (43); attaining the reward of martyrdom (44); and being characterized as chivalrous generosity. Conversely, the punishment for refraining from participating in defensive jihad (where capability exists) has been described as humiliation, wearing the garment of disgrace, hardship and need in life, and the weakening of religion (43). Other narrations exist on this subject, but to avoid prolixity, they are not reproduced here.

The Ruling on Defensive Jihad

Jurists have identified the defining features of defensive jihad in matters such as: (1) the absence of any condition requiring the presence of the Imam (peace be upon him) or his specific deputy; (2) its obligation upon every capable person—whether man or woman, young or old, and others; (3) the criterion of obligation being one’s capacity to fight; (4) the permissibility of defensive jihad during the sacred months (Qur’an 2:217); (5) the non-obligation of calling to Islam in defensive jihad; and (6) the possibility of the obligation of defensive jihad recurring repeatedly within a single year (10, 31, 45, 46). Therefore, defending the integrity of Islam (bayḍat al-Islām) does not require the Imam’s authorization, and defensive jihad is obligatory in all circumstances (whether Muslims are few or many). Moreover, this action must be undertaken with the intention of defense, not the intention of initiating jihad. In addition, obedience to the person who calls people to defense (whether righteous or otherwise) against the enemies is obligatory, and obtaining the parents’ permission is not a condition. Furthermore, whoever is killed in defensive jihad has the ruling of a martyr, and it is permissible to bury him without ritual washing (ghusl) and shrouding (kafan) (10).

Preserving bayḍat al-Islām is among the most important divine obligations and, in cases of conflict (tazāhum) with other legal rulings, takes precedence over all of them (30). Moreover, defensive jihad—based on scriptural proof (Qur’an 22:39–40)—also indicates the necessity of defending sacred places, and its implicative meaning (dalālat al-iltizām) indicates the prohibition of destroying such places. At the same time, when the matter concerns bayḍat al-Islām, the decisive priority is to defend it by any possible means. The phrase “Permission has been granted to those who are fought because they have been wronged” likewise indicates that the authorization for those upon whom war is imposed—because they have been wronged—is not conditioned on the presence of the Imam (peace be upon him) or his specific deputy. The significance of defensive jihad is such that it is deemed permissible even during the sacred months, based on scriptural proof (Qur’an 2:217), even if it occurs repeatedly in a single year (10, 31, 45).

Likewise, the verses (Qur’an 4:75–76) [“And what is [the matter] with you that you do not fight in the path of God and [for] the oppressed among men, women, and children...”; “Those who believe fight in the path of God, and those who disbelieve fight in the path of ṭāghūt...”] indicate the preservation of the existence and integrity of Islam (bayḍat al-Islām). Other verses such as “Strive for God with the striving due to Him; He has chosen you...” (Qur’an 22:78) and “So let those fight in the path of God who sell the worldly life for the Hereafter...” (Qur’an 4:74) are among the clearest instances of “the path of God.” In addition, the practice (sunnah) of the Infallible Imams (peace be upon them) also indicates the obligation of defensive jihad for the preservation of bayḍat al-Islām (47, 48). This matter is also a point of agreement among Islamic jurists and is consistent with the practice of rational agents

(‘uqalā’) (10, 49). Accordingly, at present, defensive jihad is an individual obligation (wājib ‘aynī) upon every Muslim—man or woman, young or old—and its realization does not require the presence of the Imam (peace be upon him); rather, once danger to bayḍat al-Islām is perceived, defense becomes obligatory upon him by any means (2, 15, 31, 45). Spatial proximity or distance, and parental consent, have no determinative role in defensive jihad (2, 15).

The uprising of Imam Husayn (peace be upon him) is presented as a clear instance of defensive jihad (50). Likewise, the movement of Imam Khomeini (may God have mercy on him) and, in the present time, the defense of Palestine and its Muslim people are described as prominent instances of defensive jihad, because Palestine—as the first qiblah of Muslims—constitutes part of Islamic territory and, in the expression attributed to Imam Khomeini, is “a part of the body of Islam” and belongs to all Muslims (1). Hence, jihad against Israel, which has usurped part of Islamic lands, is an individual obligation upon all Muslims—men and women, young and old—and they are obligated to withhold no form of support and to continue this sustained struggle until the usurpers are expelled and the first qiblah of Muslims is liberated (2).

Evidences for the Obligation of Defensive Jihad

The evidences for the obligation of defensive jihad upon Muslims may be summarized in matters such as: (1) the exaltation and superiority of Islam, and (2) the negation of any domination of the disbeliever over the Muslim. These evidences are likewise grounded in scriptural proofs.

The Exaltation and Superiority of Islam

The verse “Prepare against them whatever force you can and steeds of war, by which you may terrify the enemy of God and your enemy” (Qur’an 8:60) contains a command for Muslims to maintain military readiness and equipment by every possible means so that the enemies of God remain in fear of Muslim power and military capability. Ordinarily, such a command is issued to secure preparedness for defense against any aggression and functions as deterrence, so that military capability prevents hostile encroachment. Even though the instruction may also cover circumstances where an army intends to attack, it is more congruent with defensive preparedness. If military readiness by every possible means is obligatory, then defense against aggression—which is the aim of such readiness—is certainly obligatory. Muslims are obligated to remain so prepared that God’s enemies and the enemies of Muslims do not even contemplate aggression.

Likewise, the well-known Prophetic report “Islam is superior and nothing is superior to it” is presented as indicating the authority, exaltation, and rank of Islam above other religions and creedal systems (35). Jurists have understood this report as indicating the absolute superiority of Islam and have therefore employed it as a legal maxim (qā’idah). On this basis, the highest rank and standing belong to Islam (51). In the present hypothesis, the Islamic ruler must secure the safety of bayḍat al-Islām and its lands and ensure that the foundations of Islam and the dignity, honor, and independence of Islamic territories are not jeopardized. Moreover, jurists have deemed defensive jihad obligatory in these contexts with reference to the verse “And to God belongs [all] honor, and to His Messenger, and to the believers” (Qur’an 63:8) (10), because the dominance of disbelief is more harmful to Muslims than any other corruption. Thus, given the maxim that the highest standing belongs to Islam, abandoning defense of bayḍat al-Islām and its lands would facilitate the victory of disbelief over Muslims by any means and would result in humiliation for Islam and defeat for Muslims.

The Negation of Disbeliever Domination over Muslims (Nafy al-Sabīl)

The verse “God will never make for the disbelievers over the believers a way” (Qur’an 4:141) negates every form of “way” (sabīl)—i.e., domination—of disbelievers over Muslims (an indefinite term in the context of negation conveys generality). The majority of exegetes have treated the verse as an injunctive formulation (52). The majority of jurists understand the negation of “sabīl” to mean the negation of disbeliever authority and domination over the Muslim (15, 36, 51, 53-55). That is, God has not legislated any rule by which a disbeliever may gain authority over a Muslim. Therefore, Muslims must, by implementing divine law, avoid every form of accepting domination before an enemy. Jurists have constructed from this verse the juristic maxim of “Nafy al-Sabīl” and have invoked it across jurisprudential discussions wherever any form of disbeliever guardianship or dominance over a Muslim is at issue—such as marriage of a Muslim woman to a disbelieving man, ownership by a disbeliever over a Muslim slave, and the invalidity of any treaty that results in disbeliever domination over Muslims, as well as the barrier of disbelief to inheritance, and many other applications (36, 51). This is because negating “sabīl” and disbeliever domination is the first step in guaranteeing the independence of the Islamic world. Accordingly, Islam not only does not recognize disbeliever domination over Muslims, but also affirms the guardianship and honor of Islam and Muslims over all nations and schools: “And to God belongs [all] honor, and to His Messenger, and to the believers” (Qur’an 63:8). It is therefore evident that enemy assault on Islamic territories—leading to their domination over diverse dimensions of Muslim life—is illegitimate, and defense against such assault is an individual obligation (wājib ‘aynī) upon all Muslims.

Contextual Instances of Defensive Jihad in the Jurisprudence of Resistance

Formation of the Resistance Front

The first contemporary instance of defensive jihad is the formation of the “Resistance Front” following the transformations of the Arab Spring, with the aim of Islamic awakening and the enhancement of the Shi’a’s position. This movement took shape in southern Lebanon under the leadership of Imam Musa al-Sadr, with the cooperation of Mustafa Chamran and Yasser Arafat, among others, under the title of the Movement of the Deprived (Harakat al-Mahrūmīn), known as “Amal,” in the direction of struggle and resistance against the Zionists. In the words attributed to Adel Aoun, head of Amal’s military wing: “Today, Hezbollah has become a revolutionary model and a light for all freedom-seekers across the world and those who seek the liberation of Palestine. Within Lebanon, Hezbollah’s political role is grounded in a national–Arab–Islamic basis, and this feature has safeguarded the line of unity between Amal and Hezbollah.” In effect, it can be said that today the Amal Movement and Hezbollah in Lebanon—supported by Iran—are regarded as key allies of the Resistance Axis in the region.

Deployment of Military Advisers

Another instance of the current position of defensive jihad is the deployment of military advisers in pursuit of the objectives of Islamic awakening, framed as defending sacred sites and also defending the integrity of Islam, with the assistance of mobilizing volunteer forces from Islamic countries. On this basis, it can be said that when disbelievers are at war with an Islamic country, Muslims are duty-bound to defend the integrity of Islam, Muslims, and their country. Likewise, when disbelievers perpetrate oppression in a country other than an Islamic country against a group of Muslims—or even against a group of non-Muslims—and prevent them from accessing their

legitimate rights, then—even though, by virtue of the noble verse “And what is [the matter] with you that you do not fight in the path of God and [for] the oppressed...” (Qur’an 4:75), the duty of Muslims is to repel oppression and aggression from the oppressed—nevertheless, in the current global conditions, where (due to global necessities) principles such as non-interference in the affairs of states have been widely accepted, direct military intervention may not be feasible, because it could entail harmful consequences and the loss of other, more important interests. However, it appears that, at present, in international law and doctrine, the issue is raised that if people in a country or a region—however remote—are oppressed and basic human rights are violated, other states or international organizations (such as the Organization of Islamic Cooperation) may have a right or even a duty to support those people and prevent the oppression and aggression of tyrants and despots—an implication that the aforementioned verse also emphasizes (49).

Political and Cultural Conferences of Islamic Nations and Strengthening the Jurisprudence of Resistance

Strengthening the defensive capacity of Islamic countries in order to support the Resistance Front—and to instill fear and deterrence in the enemy—counts among the most important necessities, and it also has scriptural grounding: “Prepare against them whatever force you can...” (Qur’an 8:60). Resistance has principles, and a core principle of resistance is strengthening and fortification. In the current context of international law and doctrine, it is argued that if people in a country or region of the Islamic world—however remote—are subjected to oppression and their fundamental human rights are violated, other countries or international organizations (such as the Organization of Islamic Cooperation) have a right or duty to support them and prevent the aggression of tyrants and despots; and the divine command “And what is [the matter] with you that you do not fight in the path of God and [for] the oppressed...” likewise underscores this point (49).

Emphasis on Islamic Unity among Muslims

According to the emphases of the leaders of the Islamic Revolution, the unity of the Islamic community is a “strategic issue”: [“The goal of this is that, with the slogan of Muslim unity—which is also a correct and necessary slogan... Muslims should gradually reduce and eliminate these sectarian and group differences, because they serve the enemies...”]. The steadfastness of the Islamic Revolution and its efforts to aid and assist Muslims worldwide undoubtedly mean that the unity of the Islamic community produces strength for resistance against disbelievers. It is also stated—attributed to Imam Khomeini—that if Muslims were united, Israel would be swept away; and that sectarian division between Shi’a and Sunni is the desire of foreign powers, and Muslims across all lands must unite because hostile “satanic powers” seek to eliminate the foundation of Islam (1).

Unconditional Support for the Resistance Front in Line with its Objectives

According to statements attributed to Imam Khomeini, defending the lives and property of Muslims is obligatory (1). Moreover, in a well-known narration transmitted from al-Sukūnī: “The Messenger of God (peace be upon him and his family) said: Whoever wakes up not caring about the affairs of Muslims is not a Muslim” (34). Accordingly, based on this ruling, in light of the requirements of the Resistance Front and the brutal crimes attributed to the Zionists in Gaza, Lebanon, and Palestine, it is observed that Muslim women did not refrain from donating their jewelry in order to assist the people of Gaza and Palestine in line with the objectives of the jurisprudence of resistance, and thus acted upon what they regarded as their religious duty. Likewise, in an extraordinary session of

the assembly of mayors of major cities and provincial centers, a campaign titled “Iran Hamdel” was reportedly launched in Shiraz on 30 Mehr 1403 to assist the Resistance Front. There is no doubt that today Palestine and Gaza are considered the front line of the Resistance Front of Islam; if this front line weakens and is unable to withstand the expansionist demands of the usurping Israel—portrayed as a representative of colonialism and atheism—then the entire Islamic world and Islamic countries will face a similar fate. Another movement formed in Gaza is the jihadi movement Hamas, which has today inflicted severe blows upon the body of the usurping regime. The Islamic community must support these forces and Islamic movements, participate in the major defensive jihad, and prepare itself to defend Palestine by any possible means. Today, the bloodshot eyes and grief-stricken hearts of the people of Gaza await the support of the Ummah of Muhammad (peace be upon him and his family). Whoever has the capacity must support Gaza through every possible and feasible form of jihad.

Therefore, given the conditions that have arisen for the people of Gaza and Palestine—and in view of the jihadi movement Hamas—unconditional support for the Resistance Front is a religious duty, the weight of which every Muslim feels upon his shoulders, and regarding the fulfillment of which he permits himself no hesitation.

Conclusion

The jurisprudence of resistance (fiqh al-muqāwamah) consists of the rulings and principles that Islam has established across individual, collective, political, security, cultural, artistic, and other domains in order to regulate the worldly and otherworldly life of Muslims. From a jurisprudential perspective, jihad is divided into five categories, four of which are defensive. Accordingly, the most excellent form of jihad is defensive jihad, which constitutes one of the essential dimensions of the jurisprudence of resistance. Defensive jihad, grounded in scriptural sources, is undertaken for the purpose of preserving the existence and integrity (bayḍat) of Islam and obligates Muslims throughout the world to confront aggression by disbelievers against Islamic lands, regardless of geographic location.

Furthermore, the consensus of jurists—both explicitly transmitted and independently established—indicates the obligation of defensive jihad in order to preserve the existence and territorial integrity of Islam. In the context of defending Islamic lands, if the aggressor is a disbeliever, it becomes obligatory upon all Muslims to rise in defense of the oppressed and repel aggression, such as defending Palestinian Muslims against an occupying regime. However, if the aggressor is a Muslim faction or nation, Muslims are first obligated to pursue reconciliation between the two parties; if reconciliation is not possible, then jihad must be undertaken against the party that initiated the aggression. The obligation of defensive jihad also serves the purpose of preserving the unity of the Islamic world, confronting instigators of discord, and eliminating corruption and fitnah from the global sphere. The significance of defensive jihad is such that it is deemed permissible even during the sacred months.

Among the principal evidences for the obligation of defensive jihad are the exaltation and superiority of Islam and the prohibition of disbeliever domination over Muslims. The principle of negating domination (nafy al-sabīl) and rejecting disbeliever authority over Muslims represents the first step in guaranteeing the independence and sovereignty of the Islamic world. Contemporary instances of defensive jihad include the formation of the Resistance Front, the deployment of military advisers, the organization and participation in political and cultural conferences of Muslim nations aimed at strengthening intellectual and defensive capacities, the emphasis on Islamic unity in order to enhance the power of resistance, and unconditional support for resistance movements in pursuit of their objectives. Therefore, unconditional support for the Resistance Front, based on scriptural foundations, is regarded

as a religious obligation whose weight every Muslim feels upon his shoulders and toward whose fulfillment he permits no hesitation.

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All authors equally contributed to this study.

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References

1. Imam Khomeini SR. Sahifeh-ye Noor. Tehran: Cultural Documents Center of the Islamic Revolution; 1989.
2. Fazel Lankarani MJ. Jihad-e Dhabī (Defensive Jihad). Qom: Jurisprudential Center of Pure Imams; 2018.
3. Khosravi M, Hosseini-Khah SJ. The Theory of 'Defensive Jihad' in the Thought of Ayatollah Mohammad-Javad Fazel Lankarani and its Relation to the Jurisprudence of Resistance. Journal of Jurisprudence and Politics Studies. 2022(4).
4. Ka'bi A. Examining the Superiority of Defensive Jihad over Initiatory Jihad. Fiqh Kharij Lectures, Wasa'il Portal. 2017.
5. Al-Raghib a-I. Mufradat Alfaz al-Quran. Beirut: Dar al-Ilm li-al-Malayin; 1991.
6. Ibn Faris A. Mu'jam Maqa'is al-Lugha. Qom: Islamic Publications Office; 1983.
7. Sa'di AJ. Al-Qamus al-Fiqhi: Lughatan wa Istilahan. Damascus: Dar al-Fikr; 1987.
8. Al-Tabarsi FbH. Majma' al-Bayan fi Tafsir al-Quran. Beirut: Arab History Institute; 2009.
9. Qurayshi SAA. Qamus-e Quran. Tehran: Dar al-Kutub al-Islamiyya; 1991.
10. Sahib a-J. Jawahir al-Kalam fi Sharh Shara'i' al-Islam. Beirut: Dar Ihya al-Turath al-Arabi; 1983.
11. Al-Muhaqqiq a-H. Shara'i' al-Islam fi Masa'il al-Halal wa al-Haram. Qom: Esmaeilian Institute; 1987.
12. Allameh Tabataba'i SMH, Mousavi Hamedani SMB. Al-Mizan fi Tafsir al-Quran. Qom: Islamic Publications Office; 1996.
13. Ma'luf L. Al-Munjid.
14. Ibn Manzur M. Lisan al-Arab. Beirut: Dar al-Fikr; 1993.
15. Imam Khomeini SR. Al-Bay'. Tehran: Institute for Publication and Preservation of Imam Khomeini's Works; 2000.
16. Al-Muhaqqiq a-H. Al-Mukhtasar al-Nafi' fi Fiqh al-Imamiyya. Qom: Religious Publications Institute; 1997.
17. Ibn Barraji a-T. Al-Muhadhdhab. Qom: Islamic Publications Office; 1985.
18. Al-Shahid a-T. Masalik al-Afham ila Tanqih Shara'i' al-Islam. Qom: Islamic Knowledge Foundation; 1992.

19. Seifi Mazandarani AA. Dalil Tahrir al-Wasila. Tehran: Institute for Publication and Preservation of Imam Khomeini's Works; 2008.
20. Al-Shahid al-Awwal. Al-Qawa'id wa al-Fawa'id. Qom: Mofid Bookstore.
21. Amili HbZa-D. Ma'alim al-Din wa Maladh al-Mujtahidin 1997.
22. Shahabi M. Periods of Jurisprudence. Tehran: Printing and Publishing Organization; 1996.
23. Jannati MI. Periods of Jurisprudence and the Quality of its Expression.
24. Mostafavi SH. Al-Tahqiq fi Kalimat al-Quran al-Karim. Tehran: Center for Book Translation and Publication; 1981.
25. Al-Zubaidi M, Shiri A. Taj al-Arus min Jawahir al-Qamus. Beirut: Dar al-Fikr; 1993.
26. Al-Turayhi Fa-D. Majma' al-Bahrayn. Tehran: Mortazavi Bookstore; 1995.
27. Al-Farahidi KbA. Kitab al-Ayn. Qom: Hijrat Publications; 1989.
28. Firuzabadi M. Al-Qamus al-Muhit. Beirut: Dar al-Kutub al-Ilmiyyah; 2005.
29. Al-Jawhari Ii. Al-Sihah: Taj al-Lugha wa Sihah al-Arabiyya. Beirut: Dar al-Ilm li-al-Malayin; 1989.
30. Group of R. Encyclopedia of Jurisprudence according to the Ahl al-Bayt School. 2005.
31. Kashif al-Ghita J. Kashf al-Ghita 'an Mubhamat al-Shari'a al-Gharra'. Qom: Islamic Propagation Office; 2001.
32. Al-Tusi Sa-Ti. Al-Nihaya fi Mujarrad al-Fiqh wa al-Fatawa. Beirut: Dar al-Kitab al-Arabi; 1979.
33. Mirza-ye Q. Jami' al-Shatat fi Ajwibat al-Su'alat. Tehran: Kayhan Institute; 1992.
34. Al-Kulayni MbYq. Al-Kafi. Tehran/Qom: Dar al-Hadith / Dar al-Kutub al-Islamiyya; 1986.
35. Al-Hurr al-Amili M. Wasa'il al-Shi'a. Qom: Al-Bayt Institute; 1988.
36. Al-Ansari M. Kitab al-Makasib. Qom: World Congress for the Commemoration of Shaykh al-Ansari; 1994.
37. Al-Tusi Sa-Ti. Al-Mabsut fi Fiqh al-Imamiyya. Tehran: Al-Maktabah al-Murtadawiyya; 1967.
38. Al-Hilli II. Al-Sara'ir al-Hawi li-Tahrir al-Fatawa. Qom: Islamic Publications Office; 1989.
39. Al-Halabi Aa-S. Al-Kafi fi al-Fiqh. Isfahan: Amir al-Mu'minin Public Library; 1982.
40. Muqaddas a-A. Zubdat al-Bayan fi Ahkam al-Quran. Tehran: Al-Maktabah al-Ja'fariyya.
41. Ali ibn Abi Talib I. Nahj al-Balagha: Various.
42. Al-Nouri H. Mustadrak al-Wasa'il wa Mustanbat al-Masa'il. Beirut: Al-Bayt Institute; 1987.
43. Ibn Babawayh. Thawab al-A'mal wa 'Iqab al-A'mal. Qom: Dar al-Sharif al-Radi; 1985.
44. Qumi AbI, Jazayeri TM. Tafsir al-Qumi. Qom: Dar al-Kitab; 1984.
45. Al-Bahrani Y. Al-Hada'iq al-Nadira. Qom: Islamic Publications Office; 1985.
46. Al-Na'ini MMH. Fawa'id al-Usul.
47. Al-Himiyari AbJ. Qurb al-Isnad. Qom: Al-Bayt Institute; 1992.
48. Al-Majlisi MB. Bihar al-Anwar. Beirut: Al-Tab' wa al-Nashr Institute; 1989.
49. Montazeri HA. Religious Government and Human Rights. Qom: Nashr-e Tafakkur; 2008.
50. Al-Muhaqqiq a-K. Jami' al-Maqasid fi Sharh al-Qawa'id. Qom: Al-Bayt Institute; 1993.
51. Mousavi Bojnourdi SM. Al-Qawa'id al-Fiqhiyya. Tehran: Orouj Institute; 1980.
52. Al-Tusi Sa-Ti. Al-Khilaf. Qom: Islamic Publications Office; 1986.
53. Al-Ahsa'i IAJ. Awali al-La'ali. Qom: Dar Sayyid al-Shuhada; 1984.
54. Fazel Lankarani M. Al-Qawa'id al-Fiqhiyya. Qom: Mehr Institute; 1995.
55. Tabataba'i Qomi ST. Thalath Rasa'il. Qom: Mahallati Publications; 2002.