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Decoupling *Jihad* from Boko-Haram Insurgency: A Critical Analysis of Misconceptions and Realities in Nigeria

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Abstract

The concept of *Jihad* is an essential Islamic doctrine often misrepresented and misunderstood, particularly in contemporary discourse. *Jihad* has a well-defined framework in Islamic law but insurgent groups such as *Jama'atu Ahlis Sunnah Lida'awati wal Jihad* in Nigeria, popularly known as Boko-Haram, claim to act under its banner. The situation raises concerns about the distortion of *Jihad* and subsequent conflation with insurgency. Therefore, this study aimed to critically examine the principles of *Jihad* under Islamic law and determine the possible connection to the activities of Boko-Haram. The analysis of misconceptions surrounding *Jihad* was to clarify its distinction from insurgency. This was achieved through the adoption of a qualitative method to analyze the classical and contemporary Islamic legal texts in order to establish the parameters of *Jihad*. Moreover, the principles were compared with the actions of Boko-Haram to determine whether their claims could be substantiated in Islamic jurisprudence. The results showed that the activities of Boko-Haram were not in line with the principles of *Jihad* as prescribed in Islamic law. However, their actions reflected the characteristics of insurgency which negated the ethical and legal framework of *Jihad* rooted in justice, equity, and moral conduct. This study contributed to the discourse on *Jihad* by systematically distinguishing the concept from insurgency through Islamic legal principles, offering a scholarly response to contemporary misinterpretations. The analysis further served as a foundation for future studies on religious misinterpretations

in justifying violence and could also inform policy formulation, counter-radicalization tactics, and public awareness initiatives.

Keywords: Boko-Haram; Insurgency; Islamic Law; Jihad; Misinterpretation.

Abstrak

Konsep Jihad adalah doktrin ajaran Islam yang mulia yang sering disalahartikan dan disalahpahami, terutama dalam wacana kontemporer. Jihad memiliki kerangka kerja yang jelas dalam hukum Islam, namun kelompok-kelompok pemberontak seperti *Jama'atu Ahlis Sunnah Lida'awati wal Jihad* di Nigeria, yang dikenal dengan nama Boko-Haram, mengklaim bahwa mereka bertindak di bawah panji-panjinya. Situasi ini menimbulkan kekhawatiran tentang distorsi Jihad dan konfluensi berikutnya dengan pemberontakan. Oleh karena itu, penelitian ini bertujuan untuk menguji secara kritis prinsip-prinsip Jihad dalam hukum Islam dan menentukan kemungkinan hubungannya dengan kegiatan Boko-Haram. Analisis kesalahpahaman seputar Jihad adalah untuk memperjelas perbedaannya dengan pemberontakan. Hal ini dicapai melalui penggunaan metode kualitatif untuk menganalisis teks-teks hukum Islam klasik dan kontemporer untuk menetapkan parameter Jihad. Selain itu, prinsip-prinsip tersebut dibandingkan dengan tindakan Boko-Haram untuk menentukan apakah klaim mereka dapat dibuktikan dalam yurisprudensi Islam. Hasil penelitian menunjukkan bahwa kegiatan Boko-Haram tidak sejalan dengan prinsip-prinsip Jihad sebagaimana diatur dalam hukum Islam. Namun, tindakan mereka mencerminkan karakteristik pemberontakan yang meniadakan kerangka etika dan hukum Jihad yang berakar pada keadilan, kesetaraan, dan perilaku moral. Penelitian ini berkontribusi pada wacana tentang Jihad dengan secara sistematis membedakan konsep tersebut dari pemberontakan melalui prinsip-prinsip hukum Islam, menawarkan tanggapan ilmiah terhadap kesalahan penafsiran kontemporer. Analisis ini selanjutnya berfungsi sebagai dasar untuk studi masa depan tentang kesalahan penafsiran agama dalam membenarkan kekerasan dan juga dapat menginformasikan perumusan kebijakan, taktik kontra-radikalisasi, dan inisiatif kesadaran publik..

Kata Kunci: Boko-Haram; Pemberontakan; Hukum Islam; Jihad; Salah Tafsir.

Introduction

Violence and armed conflicts are issues continuously identified as major global challenges and often justified through religious or ideological narratives. A significant portion of these conflicts is connected to extremist groups claiming to act in accordance with religious doctrines (Jensen et al., 2020; Svensson & Nilsson, 2017), leading to widespread misconceptions. An example of misinterpretation is the concept of *Jihad* in Islam, which is frequently equated with violence and terrorism (Al-Tarawneh, 2021). This misconception has fueled Islamophobia and contributed to policy decisions and security measures that often fail to distinguish between religious teachings and extremist ideologies (Ejiofor, 2024). Consequently, the need to clarify the authentic meaning of *Jihad* under Islamic law and distinguish the concept from violent insurgency has become important.

In Nigeria, Boko-Haram insurgency has been part of the deadliest security crises, causing large-scale displacement, destruction, and loss of lives (Okolo & Akubo, 2019). The group with the full name “*Jama'atu Ahlis Sunnah Lida'awati wal Jihad*” falsely claims to act under the principles of *Jihad* while carrying out acts of terrorism. The widespread violence

in states such as Borno, Yobe, Adamawa, and Bauchi under the pretext of religious liberation raises serious concerns about the misuse of Islamic doctrines (Alexander, 2018). This situation necessitates an in-depth analysis of how the activities of Boko-Haram relate—or fail to connect—with Islamic law, particularly regarding the principles of *Jihad* and the prohibition of insurgency.

Several studies have examined the relationship between *Jihad*, terrorism, and insurgency. For example, *Jihad* was historically interpreted and manipulated for political ends, distinguishing between the classical and modern applications of the concept (Galsim, 2022). An analysis of classical Islamic sources and showed that *Jihad* was governed by strict ethical and legal constraints (Li, 2016). Moreover, Boko-Haram insurgency and reported how the group distorted Islamic teachings to justify violence (Okeahialam, 2018). The broader implications of religious extremism on Nigerian state security, showing the socio-political dimensions of insurgency (Udom & Okolie, 2022). Critically examined Islamic legal perspectives on terrorism, arguing that groups such as Boko-Haram operated entirely outside the boundaries of Islamic law (Adebayo et al., 2016). These studies provide valuable insights but often lack a direct legal analysis comparing the actions of Boko-Haram with the established principles of *Jihad* in Islamic jurisprudence.

Despite extensive studies on Boko-Haram and *Jihad*, there remains a gap in the literature that systematically negates the ideology and activities of Boko-Haram with the principles of *Jihad* under Islamic law. Most existing studies either focus on the political and security dimensions or provide general discussions on extremism without a direct legal analysis. Therefore, this study aims to fill the gap by conducting a comprehensive legal assessment of the claims of Boko-Haram to be engaging in *Jihad* and evaluating the actions conducted against the principles outlined in Islamic jurisprudence. The primary objective is to determine whether the activities of Boko-Haram are in line with the legal framework of *Jihad* in Islamic law.

Methods

This study adopted an empirical qualitative method to analyze the legal principles of *Jihad* in Islamic law and their relevance in assessing the claims of Boko-Haram related to religious justification in Nigeria. The method was considered appropriate due to the opportunity provided to conduct a thorough examination of primary legal sources and insurgent ideologies, facilitating a structured comparison between the doctrinal framework of *Jihad* and the actions of Boko-Haram. Moreover, the focus on legal principles, statutes, and case law allowed this study to achieve a comprehensive assessment of whether the claims of Boko-Haram were in line with Islamic jurisprudence.

Data were obtained from two primary categories of sources to ensure accuracy and reliability. The first category consisted of Islamic legal texts, including the Qur'an, Hadith (Sunnah), and classical Fiqh literature from established schools of thought. These sources provided doctrinal principles governing *Jihad*, supplemented by contemporary legal commentaries and scholarly analyses. The second category consisted of the statements and actions of Boko-Haram such as speeches, manifestos, and ideological pronouncements. These materials were obtained from verified sources, including reports from the Institute for Security Studies (ISS), the United Nations Office on Drugs and Crime (UNODC), and academic publications. Moreover, the sources were cross verified to enhance the credibility of the data.

A comparative legal analysis was adopted to assess the ideological claims of Boko-Haram against the established principles of *Jihad* in Islamic law (Akowe, 2024). This process included (a) identifying key doctrinal elements of *Jihad* from Islamic jurisprudence, (b) evaluating the claims of Boko-Haram in the doctrinal framework, and (c) determining whether the activities qualify as legitimate *Jihad* or constitute insurgency and terrorism. The structured method ensured a rigorous legal analysis that distinguished between doctrinally sound interpretations and extremist distortions. Ethical considerations were central to this study, particularly in handling sensitive topics such as terrorism and religious interpretation. All sources were obtained from credible institutions and academic works to prevent the dissemination of unverified or biased information. Furthermore, this study followed ethical guidelines by maintaining objectivity, avoiding political or sectarian bias, and ensuring the analysis was framed in the principles of academic integrity. This method satisfied scholarly standards while contributing to a balanced discourse on misrepresentation of *Jihad*.

Results and Discussion

Insurgency

Insurgency is an organized movement that attempts to challenge, subvert, or overthrow a government through armed force, propaganda, and ideological mobilization (Schram, 2019). It is characterized by politically motivated violence, unconventional warfare, and coercion aimed at destabilizing state structures and asserting control over territory or populations. Unlike conventional warfare, insurgency often requires the participation of non-state actors using asymmetric tactics such as guerrilla warfare, terrorism, and civil disobedience to weaken governmental authority.

Insurgency is frequently conflated with terrorism, but the two concepts are distinct. This is due to the fact that insurgency focuses on a broader ideological or political struggle while terrorism emphasizes indiscriminate violence to instill fear and influence

political decisions. Legal frameworks, such as Nigeria’s Terrorism Act (Chitimira & Animashaun, 2023) and the African Union Convention on Terrorism (Mensah, 2023), define terrorism in ways that often overlap with insurgency (Bala & Tar, 2021). However, insurgency primarily aims at regime change or territorial control compared to terrorism which often functions as a tactic in broader insurgent movements.

Boko-Haram presents a case study where insurgency and terrorism intersect (Lenshie et al., 2024). The activities of the group include both insurgent goals such as the desire to establish Islamic state in northern Nigeria and terrorist tactics which are in the form of suicide bombings, mass kidnappings, and indiscriminate attacks on civilians. The distinctions and overlaps identified are presented through a structured comparison in the following table:

Criteria	Insurgency	Terrorism	Boko-Haram Characteristics
Definition	Organized armed rebellion against a government	Indiscriminate attacks on civilians to spread fear	Engages in both rebellion and indiscriminate violence
Objective	Regime change, territorial control, or policy influence	Psychological impact, political intimidation	Seeks to establish Islamic caliphate
Tactics Used	Guerrilla warfare, political mobilization, territorial occupation	Suicide bombings, mass killings, kidnappings	Uses both guerrilla warfare and terror attacks
Targets	Government forces, infrastructure, and sometimes civilians	Non-combatants and symbolic locations	Attacks military bases, schools, mosques, and churches
Legitimacy in Islamic Law	Subject to conditions of <i>Jihad</i> and state authority	Generally condemned due to indiscriminate violence	Lacks legitimacy under Islamic jurisprudence

Source: Author interpretation

The actions of Boko-Haram are observed to be hybrid due to the operation as an insurgent movement with territorial ambitions and simultaneous application of terrorist tactics (Pius et al., 2024). However, under Islamic law, neither insurgency nor terrorism in its modern violent form is in line with the principles of *Jihad*, which mandates strict ethical constraints on warfare. This structured analysis assists in clarifying why the activities of Boko-Haram cannot be classified as legitimate *Jihad* and shows the need for precise legal and academic differentiation between insurgency and terrorism.

Boko-Haram Insurgency in Nigeria

Boko-Haram is a purported Nigerian militant Islamist group that desires to impose *Shariah* law in 12 northern states of the country (The Editors of Encyclopaedia Britannica,

2025). The official name of the group in Arabic is *Jama' atul Ahlis Sunna Lidda' a wati wal-Jihad*, which means 'People Committed to the Propagation of the Prophet's Teachings and Jihad' (The Editors of Encyclopaedia Britannica, 2025). The group was tagged with the name Boko-Haram by the surrounding communities due to the strong opposition to Western civilization which was believed to be the background to the corruption of Muslim leaders and followers (Adesoji, 2010). The word 'Boko-Haram' shows that 'the westernized elites and their systems negate Islam not only in educational aspect but also in governance, economy, and society at large (Adesote et al., 2024). This claim has been stated in one statement of the sect:

Boko-Haram does not in any way mean 'Western Education is a sin' as the infidel media continue to portray us. Boko-Haram actually means 'Western Civilization is forbidden'. The difference is that while the first gives the impression that we are opposed to formal education coming from the West, that is Europe, which is not true, the second affirms our belief in the supremacy of Islamic culture (not education), for culture is broader, it includes education but not determined by Western Education. In this case, we are talking of Western ways of life which include: constitutional provision as it relates to, for instance, the rights and privileges of women, the idea of homosexuality, lesbianism, sanctions in cases of terrible crimes like drug trafficking, rape of infants, multiparty democracy in an overwhelmingly Islamic country like Nigeria, blue films, prostitution, drinking beer and alcohol and many others that are opposed to Islamic civilization (Umaru, 2009).

The origin of Boko-Haram has been traced to Yobe and Borno which have cultural backgrounds with a high level of respect for Islamic norms and values as observed in other northern states (The Editors of Encyclopaedia Britannica, 2025). The group emerged in 2002 under the leadership of Mohammed Yusuf with the aim of embarking on an ideological path, distinct from mainstream Islamists and Salafis in Nigeria. Yusuf participated actively in the enforcement of the Shari'ah (Islamic laws) in Borno state (Thurston, 2018). This was based on the belief that a 'pure' Shari'ah state would ostensibly be both more transparent and just than the existing order. Therefore, the group started the movement in Maiduguri in the same year by setting up a religious complex, which included a mosque and Islamic school. The facilities attracted several poor Muslim families from different parts of Nigeria and other neighboring countries to enroll their children at the school (French Institute for Research in Africa, 2014). The group lived in its own world and adopted Arabic as the official language of communication. In late December 2003, Boko-Haram declared the intention to migrate from Maiduguri to a village called Kanama in Yobe state for the purpose of setting up a separate Islamic community. The aim was to return to a life under 'true' Islamic law that showed a more perfect society compared to the corrupt Western-trained leadership (French Institute for Research in Africa, 2014).

A community dispute regarding fishing rights in a local pond led to a conflict where the members of the group overpowered a squad of police and took their weapons. The

confrontation ended in a shootout in which about 70 members of the sect were killed by the army (Alao, 2022). This was the first armed attack the group launched against security forces and the public. The activities became known internationally following riots that lasted from 25 to 30 July 2009 and spread across the four states of Bauchi, Kano, Yobe, and Borno. The riots in both Yobe and Borno were more volatile perhaps because it was the base of the movement leader (Barkindo, 2016). The immediate cause of the riot was related to the wearing of helmets and the crisis eventually spread to the other three states (Barkindo, 2016).

On July 30, 2009, a gang of security officers stormed the mosque of Boko-Haram in Maiduguri where Ustaz Muhammad Yusuf was captured at the house of his father-in-law and later shot dead in police custody. The crisis led to the death of 800 people and numerous public buildings, including government offices, police stations, schools, mosques, and churches were destroyed (Bonner, 2006). Moreover, several Boko-Haram militants were killed including a score of the leaders as well as several prominent supporters and the police also reported losing some men.

The surviving top members of the organization later assumed the leadership and fled to Niger and Chad for regrouping and mobilization (Hoechner, 2014). In January 2010, Al Qaeda Islamic Maghreb (AQIM) head, Abdelmalek Droukdel, stated in an interview with Aljazeera that his group would assist *Boko-Haram* with weapons, training, and other support in order to defend Muslims in Nigeria. Droukdel and the AQIM *shura* had already offered Shekau assistance in rebuilding Boko-Haram. A short period after the pronouncement, the deputy to the late Mohammed Yusuf, Abubakar bin Muhammad Shekau, appeared in a video and threatened vengeance (Hoechner, 2014). On September 7, 2010, Boko-Haram fighters successfully launched an attack on a federal prison in Bauchi State, freed more than 100 of fellow members awaiting trial since the uprising of the previous year, and scattered leaflets warning of further violence. On Christmas Eve 2010, the group claimed responsibility for setting off a string of seven improvised explosive devices (IED) in Christian communities in Jos, Plateau State, which left 80 dead, and several others wounded (The Guardian, 2010).

Boko-Haram launched the first suicide attack using a vehicle-borne IED in an operation on June 16, 2011, and the target was the Inspector General of Nigerian Police Force at the Force headquarters, Abuja (Pham, 2012). The explosion killed 2 innocent people and the incident showed the capacity of the group to coordinate attacks far from its usual areas of operation (Pham, 2012). A short period after this incident, Boko-Haram further gained worldwide attention following the suicide bombing of Nigerian headquarters of the United Nations in Abuja on August 26, 2011, causing the death of 25 people and a minimum of 80 were wounded (Warner & Matfess, 2017). From November 4,

2011, to January 20, 2012, the group was reported to have launched coordinated complex attacks, including an assault on Damaturu, the capital of Yobe State, through suicide attacks on several police stations followed by the massacre of people in the Christian quarter of the city (Warner & Matfess, 2017). The others were the Christmas morning bombing outside the Catholic Church in Mandalla, near Abuja, which killed several people as well as multiple and highly deadly attacks in Damaturu and Mandalla (Warner & Matfess, 2017). In June 2013, the group also attacked churches in three different states on three consecutive Sundays claiming the lives of several people (Bloom & Matfess, 2016). The militants also dressed in military uniforms and staged a fake checkpoint close to Benisheik in Borno on September 17, 2013, to burn vehicles and kill several travelers. Moreover, some girls were kidnapped from a hostel of the Government Girl Secondary School in Chibok, Borno (Bloom & Matfess, 2016).

The group attacked three villages in Borno State on the 13th Day of May 2014 and the villagers resisted, leading to the death of over 200 Boko-Haram militants. From the 3rd day to the 4th day of June 2014, some members of the group raided some parts of Maiduguri in Borno State and killed more than hundreds of people (CNN Editorial Research, 2024). Approximately over 2 months after the abduction of Chibok girls in Borno State, suspected members of the sect also kidnapped 20 young women over a weekend between the 7th and 8th day of June 2014 in Garkin Fulani, a village located 8 kilometers away from Chibok town (Audu, 2014).

Another sad incident occurred from the 18th to the 22nd of June 2014 when the militants held Kummabza Village in Borno State hostage for 4 days (VOA News, 2024). More than 60 females, including children, were abducted and 30 men were killed during the period. Between the 17th and 20th day of July 2014, the town of Damboa in Borno State was also raided and 66 residents were killed leaving over 150 people displaced (Bloom & Matfess, 2016). On the 3rd Day of January 2015, over 2000 were reportedly feared dead when multiple raids were launched on the town of Baga, neighboring villages, and a multinational military base in Northeast of Nigeria, leaving bodies scattered everywhere (Amnesty International, 2015). Another occurrence on the 1st day of July 2015 was the raid of three villages in Borno State, killing a minimum of 145 people (CNN Editorial Research, 2024). Moreover, two other villages were attacked in Northeast of Nigeria in February 2016, which led to the death of more than 30 people (VOA News, 2024). The group also used 2 female suicide bombers to kill 58 people at Nigerian refugee camp for villagers (Bloom & Matfess, 2016).

The state of Borno witnessed another abduction in February 2016 when a faction of Boko-Haram attacked the Government Girls Science and Technical College, Dapchi, and abducted about 110 Students (Pearson & Zenn, 2021). On the 1st Day of March 2018, an IDP

camp in Rann in the same state was attacked, killing a minimum of 3 Nigerian aid workers, injuring 3 others, and abducting 3 International Committee of the Red Cross (ICRC) aid workers (Idowu, 2018). ICRC reported that the abducted aid worker, Saifura Hussaini Ahmed Khorsa, and 25 others were killed on the 17th day of September 2018 while the abducted midwife, Hauwa Muhammad Liman, was executed after the deadline for negotiations expired in October 2018 (Omeni, 2017).

Another attack was launched in July 2019 on a funeral gathering in Northeast Nigeria which led to the death of at least 65 people (Busari et al., 2019). According to a local official, 21 people were initially killed during the gathering and an additional 44 were recorded when villagers ran after the assailants. The increased intensity of bombings in the north led to strategic mass movement of people from the most affected states, thereby causing displacement. There are several other attacks that cannot be covered in this study because of the limitation of space.

Boko-Haram could have been attributable to *Jihad* considering the actions were restricted to the propagation of Islamic teaching and condemnation of anti-Islamic civilization introduced by the West. However, the group transgressed from the moment the public started to be terrorized and attempts were made to form a parallel government in addition to bombing, killing, destruction of lives and property, abduction, and others. These terror acts are not in tandem with Islamic principles of *Jihad*.

The spate of violence occurring around the world with most justified as *Jihad* revolution has provided a certain impression about Islam. The current impression of laymen is that Islam supports violence through *Jihad*. The evaluation of the occurrence and reoccurrence of violence in some states such as Borno, Yobe, Adamawa, Bauchi, and certain parts of Nigeria on account of Islamic liberation (Thurston, 2018), requires determining the disposition of Islamic law towards eruption and promotion of violence in society. Therefore, this study intends to enlighten the people about the position of Islamic law towards rebellion and terrorism. An important information is that the terror of one man is the freedom fighter of another. This shows that Islam holds a position on insurgency but also frowns at injustice. Any form of insurgency, either assistance or patronage, does not have a place in Islamic law and is not considered synonymous with *Jihad*. This is because all the elements are anti-Islamic law and whoever claims engagement in the acts of insurgency in the name of *Jihad* shall be fully accountable to Allah. The accountability shall cover all souls lost in the course of the act and shall equally account for whatever suffering, hardship, inconvenience, discomfort, misfortune, and all forms of afflictions that society experiences in the process. This is observed from the position of the Glorious Qur'an that: "On the Day when every soul will be confronted with all the good it has done, and all the evil it has done, it will wish there were a great distance between it and

its evil. But Allah cautions you (To remember) Himself. And Allah is full of kindness to those that serve Him”.

Insurgency is punishable under Islamic law and is capable of leading to warfare. Therefore, this study shows the disposition of Islamic law towards insurgency vis-à-vis Boko-Haram insurgency in Nigeria with a specific consideration of activities claimed to have been conducted as *Jihad*.

Deviation from Classical Jihad Principles

Classical Islamic jurisprudence defines *Jihad* as a struggle or effort in the path of Allah, which can be spiritual, intellectual, or defensive warfare under strict ethical guidelines (Mutaqin, 2023). The fundamental principles emphasize the protection of civilians, the prohibition of indiscriminate violence, and the necessity of legitimate authority (Al-Būṭī, 2002). However, Boko-Haram diverged significantly from these principles in several ways:

1. Indiscriminate Attacks on Civilians: Classical *Jihad* mandates that non-combatants, women, children, and religious sites need to be protected but Boko-Haram deliberately targets civilians, including Muslims, Christians, and humanitarian workers (Lawal & Dauda, 2023). High-profile attacks such as the 2011 UN bombing in Abuja and the 2014 Chibok schoolgirl abductions show the disregard for Islamic wartime ethics (Hoechner, 2014).
2. Terror and Coercion: Islamic law prohibits the use of terror as a tool of warfare. However, Boko-Haram has used mass killings, abductions, and bombings to instill fear and assert dominance over regions in northeastern Nigeria (Boyle, 2024). The tactics implemented are more closely in relation to terrorism than legitimate armed struggle.
3. Formation of a Parallel Government: Boko-Haram declared a self-styled caliphate in Gwoza, Borno State, in 2014, mimicking extremist groups such as ISIS (Islamic State of Iraq and Syria). However, Islamic jurisprudence does not support the unilateral establishment of a state through rebellion without broad consensus and legitimate authority.
4. Alliance with Global Terrorist Networks: The alliance of Boko-Haram with Al-Qaeda in Islamic Maghreb (AQIM) and later ISIS shows a shift from local grievances to transnational *Jihadist* ideology. The coalition contradicts traditional Islamic scholarship, which distinguishes between defensive *Jihad* and global terrorism.

Insurgency of Boko-Haram cannot be classified as a legitimate *Jihad* under Islamic law. The group initially framed its struggle as a rejection of Western influence but progressively adopted terrorism, violating fundamental principles of Islamic warfare. The

actions implemented—targeting civilians, enforcing radical governance, and engaging in transnational terrorism—show a clear deviation from classical *Jihad* doctrines. The understanding of this ideological shift is important for counterterrorism efforts due to the emphasis placed on delegitimizing the narratives of Boko-Haram in Islamic discourse.

Jihad in Islamic Law

Jihad is broadly explained as the act of striving or struggling in the way of Allah. Moreover, Islamic scholarship distinguishes between two primary forms of *Jihad*, including *greater Jihad* (*Jihad al-nafs*) which is the internal struggle against sin, and *lesser Jihad* (*Jihad al-qital*) associated with armed struggle under specific conditions (Al-Būṭī, 2002). The latter is strictly regulated in Islamic law and only permitted under defensive circumstances or when sanctioned by a legitimate authority (Hoechner, 2014).

Islamic law further classifies *lesser Jihad* into two obligations (Salaymeh, 2021). First, *Fard Kifayah* (communal obligation), where a portion of Muslim community is responsible for engaging in combat and absolving others of direct participation. Second, *Fard Ayn* (individual obligation) applies when Muslim lands face direct aggression, requiring all capable people to participate in self-defense. However, strict ethical and legal constraints control the conduct of warfare even in such cases.

The Qur'an and Hadith establish clear principles regarding armed conflict. For instance, (Surah Al-Tawbah 9:123) instructs Muslims to fight oppressors while upholding justice: "O ye who believe! Fight the unbelievers who gird you about, and let them find firmness in you: and know that Allah is with those who fear Him." (Surah Al-Tawbah 9:38) similarly warns against negligence in responding to aggression and emphasizes moral discipline: "O ye who believe! What is the matter with you, that, when ye are asked to go forth in the cause of Allah, ye cling heavily to the earth? Do ye prefer the life of this world to the Hereafter?"

Islamic jurisprudence mandates that *Jihad* is only obligatory upon adult, sane, and able-bodied Muslim men, with exemptions for the weak, ill, and those without sufficient resources (Surah Al-Tawbah 9:91). Furthermore, parental consent to participate in *Jihad* is recommended unless the situation demands immediate and universal defense (Sahih Bukhari, 1994). Islamic law strictly regulates the conduct of warfare. Combatants are required to adhere to ethical principles that prohibit:

- Targeting civilians, including women, children, the elderly, and religious figures.
- Acts of treachery, mutilation of the dead, and destruction of essential resources such as trees and livestock.
- The coercion of non-Muslims to accept Islam, rather, peaceful options such as diplomacy and taxation (*jizyah*) are required to be presented first.

Prophet Muhammad PBUH emphasized these principles in his military instructions: “Do not kill old men, children, or women. Do not commit treachery or mutilate the dead. When you meet your enemy, invite them to Islam first. If they refuse, offer them the option of living under Muslim rule and paying jizyah. Only if they reject both should combat ensue.”. The Caliphs Abu Bakr and Umar ibn Al-Khattab reinforced these guidelines by urging Muslim armies to uphold justice and avoid excessive aggression. This is observed from the address presented by Abu Bakr to his troops before warfare: “Do not commit treachery or deviate from the right path. Do not mutilate bodies, nor kill children, women, or the elderly. Do not destroy trees or burn them. Do not harm livestock except for food. You will encounter people devoted to religious service, leave them alone.”

These principles negate sharply with the violent tactics adopted by groups such as Boko-Haram, which systematically violate Islamic laws of armed conflict by targeting civilians, killing indiscriminately, and disregarding ethical constraints (Barkindo, 2016). The actions do not correlate with legitimate *Jihad* or the historical conduct of Muslim armies but rather with acts of terrorism condemned by both Islamic and international law.

The doctrine of *Jihad* is often misrepresented and misapplied by extremist groups (Hanafi et al., 2022). Islamic teachings emphasize that warfare is strictly conditional, defensive, and governed by ethical constraints. Any deviation from these principles—such as indiscriminate violence against civilians or acts of terrorism—is a direct violation of Islamic law and the teachings of Prophet Muhammad. Therefore, the understanding of *Jihad* in its correct context is very important to countering extremist ideologies and promoting peace.

Boko-Haram Insurgency under Islamic Law

Islamic law classifies insurgency as *baghy*, which refers to rebellion against a legitimate Islamic government (Santuraki, 2018). It differs from *hirābah* (Khasan, 2021), which represents terrorism, banditry, and acts of public disorder. The Qur’an and Hadith provide clear guidelines on how Islamic government is expected to handle insurgency (Alkhwaja, 2021), emphasizing reconciliation before military intervention.

Baghy is part of *Hudud Sab’a* (the seven major offenses punishable) under Islamic criminal law (Alotaibi, 2021). It is considered a political crime because the goal is typically to challenge authority and impose alternative political ideologies. Insurgencies can arise due to ideological, socio-economic, or political grievances (Ajil, 2020). Regardless of the motivations, Islamic law prescribes a structured response, as stated in the Qur’an; “If two parties among the believers fall into a quarrel, make peace between them. But if one of them transgresses against the other, then fight against the one that transgresses until it complies with the command of Allah. But if it complies, then make peace between them with justice

and be fair. Indeed, Allah loves those who act justly." (Surah al-Hujurat 49:9) This verse shows the core principle, reconciliation is expected to always be the first method. The state and society are also obligated to resist the persistence of insurgents in rebellion until there is a return to lawful governance. The acceptance of reconciliation needs to lead to immediate restoration of peace. Islamic law further emphasizes restraint in conflict: "Fight in the cause of Allah those who fight you, but do not transgress limits; for Allah does not love transgressors." (Surah al-Baqarah 2:190)

The injunction emphasizes that warfare, even against rebels, needs to follow ethical guidelines (Bartles-Smith, 2022). The use of force is expected to be proportionate and only as a last resort (Hine et al., 2018). Therefore, for an act to be legally categorized as *Baghy*, the following conditions should be met:

1. Use of force – The rebellion needs to include physical aggression.
2. Intent (*Mens Rea*) – The insurgents are required to have a deliberate intention to overthrow the government or undermine public order.
3. Targeting government authority – Insurgents typically aim attacks at state institutions and leadership.
4. Organized militancy – The rebels need to exhibit structured military opposition.

The occurrence of rebellion requires the leader of Islamic state to first attempt reconciliation. Military action is justified—only against active combatants when the reconciliation fails. Meanwhile, non-combatants, including captives, the wounded, and those who surrender, should not be harmed. The Qur'an reinforces the principle of unity and peaceful coexistence: "And verily, this Brotherhood of yours is a single Brotherhood, and I am your Lord and Cherisher: therefore, fear Me." (Surah al-Mu'minun 23:52)

Islamic scholars have different positions on the treatment of captured rebels (Revkin, 2020). The Hanafi madhhab permits execution when necessary while Maliki, al-Shafi'i, and Hanbali madhhabs oppose the killing of captives under any circumstances (Ssenyonjo, 2024). The state is also prohibited from confiscating their property or forcing the captives into unfair treaties (Ruys & Silvestre, 2021). The Prophet Muhammad PBUH strongly opposed rebellion against rulers, even the oppressive government, unless there was an open denial of Islam. In one hadith, he stated: "The best of your rulers are those whom you love, and they love you. The worst of your rulers are those whom you hate, and they hate you. Someone asked: 'O Messenger of Allah! Should we not confront them with the sword?' The Prophet PBUH said: 'No, as long as they establish prayer among you. If you see something you dislike from your rulers, hate the action they do but do not rebel against them.'" (Sunan al-Tirmidhi, Hadith 1924)

Hudhayfah ibn al-Yaman reported that the Prophet Muhammad PBUH warned of corrupt rulers in the future but advised patience: "Obey them, even if they take your wealth

and strike your back." (Sunan Abu Dawood, Hadith 4760). This shows that Islamic governance prioritizes stability and opposes civil strife, emphasizing reform over rebellion. Moreover, the Qur'an prescribes severe consequences for those who spread terror and disorder: "The punishment for those who wage war against Allah and His Messenger and spread corruption in the land is execution, crucifixion, or the cutting off of their hands and feet from opposite sides, or exile from the land." (Surah al-Ma'idah 5:33)

Islamic law treats insurgents as those who wage war against Allah (Ahmad et al., 2023). The actions, such as bombings, mass killings, and indiscriminate violence, conducted violate Islamic principles. The Prophet Muhammad PBUH forbade killing by fire, stating: "It is not proper to punish with fire except the Lord of Fire." (Sahih Bukhari, Hadith 3016). Even in warfare, Islam mandates mercy: "And We have not sent you, [O Muhammad], except as a mercy to the worlds." (Surah al-Anbiya 21:107)

Islamic teachings uphold compassion, justice, and the sanctity of life, condemning unlawful killing and rebellion. Therefore, insurgents that justify their actions as *Jihad* negate the Qur'an injunction: "Do not take life, which Allah has made sacred, except by way of justice and law." (Surah al-An'am 6:151). Islamic law categorically opposes insurgency and advocates reconciliation before retaliation. The Qur'an, Hadith, and classical juristic interpretations emphasize governance based on justice and mercy. Therefore, insurgents who engage in unlawful killings and public disorder violate core Islamic principles and are subject to severe legal consequences.

Conclusion

In conclusion, this study critically examined the operations of Boko-Haram and its claim to wage *Jihad* under Islamic law. The analysis showed that the activities of the group fundamentally contradicted the principles of *Jihad* as prescribed in Islamic jurisprudence. The activities were more closely related to insurgency and terrorism due to the inclusion of indiscriminate killings, destruction of property, and widespread violence against civilians. Islam unequivocally condemned and classified such acts as rebellion (*Baghy*) and *Hirabah* (terrorism), both of which required severe legal and ethical consequences under Islamic law. Furthermore, Islamic law provided strict guidelines for armed conflict, emphasizing the protection of civilians, prohibiting unnecessary destruction, and upholding justice even in times of warfare. The tactics implemented by Boko-Haram, including attacks on soft targets, kidnappings, and bombings, blatantly violated these principles. The actions breached Islamic legal doctrines, disrupted social order, and negated the humanitarian essence of Islam. This study categorically distinguished between legitimate *Jihad* and insurgency waged by Boko-Haram. *Jihad*, in its true sense, was observed not to be an instrument of terror or lawlessness but a struggle for justice in

the ethical and legal bounds set by Islam. Any person or group engaging in unlawful killings, destruction of property, and acts of terror were believed to be in direct violation of Islamic legal principles. The actions warranted firm legal and social responses, as prescribed by Islamic law, to ensure peace and stability in society.

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