

Jurisprudential and Legal Foundations of Martyrdom Operations in the Defense of Islamic Sanctities

1. Mohammad Sajad Aghjery^{id}: Ph.D. student, Department of Jurisprudence and Fundamentals of Law, Ah.C., Islamic Azad University, Ahvaz, Iran

2. Hassan Heidary^{id}*: Department of Jurisprudence and Fundamentals of Law, Ah.C., Islamic Azad University, Ahvaz, Iran

3. Farajollah Barati^{id}: Department of Theology and Islamic Philosophy, Ah.C., Islamic Azad University, Ahvaz, Iran

4. Zinab Darveshi^{id}: Department of Islamic Studies, Ah.C., Islamic Azad University, Ahvaz, Iran

*Correspondence: Hassan.Heidary@iau.ac.ir

Abstract

Martyrdom operations, as one of the forms of jihad in Islam, have been particularly emphasized under specific circumstances, especially in the defense of Islamic sanctities. This study examines and analyzes the jurisprudential and legal foundations of martyrdom operations in the defense of Islamic sanctities. The article first explores the diverse viewpoints of Islamic jurists regarding the legitimacy of such operations, and subsequently compares these perspectives with the principles of human rights and international law. The study also addresses the social and political implications of martyrdom operations in both Islamic and international contexts, illustrating that while such actions are considered a legitimate defense of Islam in some societies, from an Islamic jurisprudential perspective, jihad is viewed as a religious duty and a form of defense of faith and sanctities, within which martyrdom operations can be contextualized. Nevertheless, differences of opinion among jurists persist—some deem these operations legitimate, while others, particularly in the modern era, regard them as conditional or impermissible. The findings of this research reveal that martyrdom operations in defense of Islamic sanctities face serious challenges in the contemporary world. The divergence among jurists regarding their legitimacy, especially under present conditions, signifies the necessity of reexamining the jurisprudential foundations. International law and human rights principles—particularly the distinction between civilians and combatants and the prohibition of deliberate harm to noncombatants—affect the legitimacy of such operations. While martyrdom operations may be perceived as lawful within Islamic societies, they are often regarded globally, particularly in the West, as acts of terrorism. Therefore, a reconsideration of the jurisprudential and legal foundations, in alignment with contemporary developments and international obligations, is essential.

Keywords: martyrdom operations, Islamic jihad, defense of Islamic sanctities, international law

Received: 22 July 2025

Revised: 16 October 2025

Accepted: 24 October 2025

Initial Publish: 24 November 2025

Final Publish: 01 April 2026



Copyright: © 2026 by the authors. Published under the terms and conditions of Creative Commons Attribution-NonCommercial 4.0 International (CC BY-NC 4.0) License.

Citation: Aghjery, M. S., Heidary, H., Barati, F., & Darveshi, Z. (2026). Jurisprudential and Legal Foundations of Martyrdom Operations in the Defense of Islamic Sanctities. *Legal Studies in Digital Age*, 5(2), 1-9.

1. Introduction

The defense of Islamic sanctities and Muslim lands has always been one of the principal concerns of Islamic societies (Setayeshpour & Khalili, 2020). Among these, martyrdom operations—as one of the modes of struggle against enemies—have consistently been examined from diverse jurisprudential, legal, ethical, and political perspectives (Ashraf & Saghi, 2009). This form of operation, characterized by an individual's voluntary sacrifice for sacred objectives, has inspired varied and sometimes conflicting interpretations in Islamic texts and international law. Some scholars regard it as a legitimate form of *jihad* and defense of Islam, permissible under specific conditions, while others—invoking principles such as the prohibition of killing oneself, the interdiction of suicide, and adherence to ethical norms in warfare—view it as an illegitimate and un-Islamic act (Rahami & Parvizi, 2013).

From the standpoint of Islamic jurisprudence, the Qur'anic verses, narrations of the Infallibles (peace be upon them), and the opinions of jurists reveal differing attitudes toward martyrdom operations. A group of jurists, citing verses emphasizing *jihad fi sabil Allah*, regard these operations as an act of sacrifice and devotion in defense of religion and Islamic territories (Qudsi & Kouhiyan Afzal Dehkordi, 2009). Conversely, others maintain that any military act leading to the death of the perpetrator—except in direct combat—constitutes suicide and is therefore religiously impermissible. Moreover, the distinction between martyrdom and suicidal operations has been extensively discussed in jurisprudential literature, where criteria have been developed to differentiate the two concepts (Kusha & Ahmadzadeh, 2015).

From the perspective of international law, such operations are subject to significant controversy. Some interpret them as legitimate instruments of self-defense and resistance against occupation, while many international bodies and Western governments classify them as acts of terrorism and emphasize their illegitimacy (Basirzadeh & Shah Heydar, 2016). International humanitarian law provides criteria to distinguish legitimate resistance from terrorism, such as the prohibition of targeting civilians, the observance of proportionality in attacks, and adherence to the principles of just war. Nonetheless, many resistance movements in the Islamic world consider martyrdom operations as responses to oppression and occupation, interpreting them within the framework of the right to self-determination and self-defense (Setayeshpour & Khalili, 2020). Given the complexity of this issue, the present study examines the jurisprudential and legal foundations of martyrdom operations and seeks to analyze their legitimacy or illegitimacy through Islamic sources and legal principles. It also explores their political, security, and social implications at both regional and international levels.

2. Theoretical Foundations

2.1. *The Concept of Martyrdom Operations and Jihad in Islam*

In Islam, *jihad* represents a comprehensive concept that includes not only military struggle and the defense of Islamic territories but also the defense of sanctities and religious and social values. Within this framework, martyrdom operations are defined as acts of self-sacrifice for the protection of these sanctities. From the viewpoint of Islamic jurisprudence, *jihad* is carried out according to specific religious principles, one of the most important being the defense of faith, honor, and the sanctities of Muslims. Consequently, martyrdom operations are considered one of the instruments of *jihad* that may be legitimate under particular conditions, especially when performed to protect religious sanctities or resist external aggression (Tavakoli et al., 2015).

2.2. *Jurisprudential Perspectives on the Legitimacy of Martyrdom Operations*

Within Islamic jurisprudence, some jurists perceive martyrdom operations as a legitimate form of *jihad* and a means of defending religion and sanctities. According to these scholars, such operations are not only permissible but may even be regarded as a religious duty. Conversely, others—especially in modern times—view martyrdom operations as impermissible or conditional due to their humanitarian and legal consequences, arguing that they require context-sensitive evaluation. These differences are largely rooted in considerations of personal intention, the legitimacy of objectives, and the boundaries of lawful *jihad* (Nazarian et al., 2020).

2.3. *Social and Legal Developments and Their Impact on Martyrdom Operations*

In the contemporary world, influenced by legal and social transformations, martyrdom operations face severe challenges from the perspectives of international law and human rights. International law, including humanitarian and human rights law, protects civilians and condemns any military act that endangers them. Therefore, martyrdom operations that risk civilian lives—particularly when targeting public or nonmilitary spaces—are deemed unlawful under international law (Malakouti et al., 2016).

2.4. *Legal Definition of Martyrdom Operations in the Defense of Sanctities*

International humanitarian law and the laws of armed conflict—especially the Geneva Conventions and their Additional Protocols—stress principles such as distinguishing civilians from combatants, avoiding the use of civilians in hostilities, and prohibiting deliberate harm to persons not directly involved in combat. Consequently, many martyrdom operations, particularly those resulting in civilian harm or destruction of nonmilitary infrastructure, are deemed violations of these principles. Thus, an accurate legal analysis of martyrdom operations in the defense of Islamic sanctities requires careful assessment of their conformity with international law and human rights principles (Malakouti et al., 2016).

2.5. *Comparative Analysis of Martyrdom Operations and Other Forms of Defense of Sanctities*

Compared to other forms of defending Islamic sanctities—such as conventional warfare or peaceful resistance—martyrdom operations exhibit distinct features that set them apart. Whereas traditional forms of *jihad* are formally conducted within battlefield contexts under established legal frameworks, martyrdom operations are often individual acts lacking direct oversight from legal or state authorities. This highlights the need for renewed examination of their definition and operational conditions, particularly regarding their compatibility with human rights and international norms (Khorramshad, 2013).

2.6. *The Need to Reevaluate Jurisprudential and Legal Foundations of Martyrdom Operations*

A reevaluation of the jurisprudential and legal foundations of martyrdom operations in defense of Islamic sanctities must be undertaken in light of emerging developments in human rights, military technology, and global interactions. Given the complexity of today's global environment, Islamic jurisprudence must adapt to new realities. Such reevaluation should not only rest upon traditional jurisprudential principles but must also align with international and humanitarian norms. Analyzing the jurisprudential and legal bases of martyrdom operations reveals the necessity of reflection and reform within both Islamic and international legal frameworks. While some perspectives consider them legitimate acts of defense of sanctities, others—especially contemporary interpretations—emphasize their legal and social consequences. Therefore, aligning jurisprudential foundations with modern legal and social transformations requires renewed *ijtihad* and careful reconsideration of the definition and operational conditions of martyrdom actions (Ehsani, 2017; Khajeh Sarvi, 2010; Shakibaei, 2018).

3. **Materials and Methods**

This study is descriptive–analytical in nature and, using a library-based approach, examines the jurisprudential and legal foundations of martyrdom operations in the defense of Islamic sanctities. To this end, data-gathering instruments included note-taking from authoritative scholarly sources such as jurisprudential and legal books, articles published in academic journals, university theses, jurisprudential and legal documents, as well as searches of reputable databases in the pertinent fields. In addition, specialized jurisprudential software was used to extract and analyze jurists' opinions regarding the permissibility of martyrdom operations. The procedure for data collection and analysis comprised three main stages: in the first stage, through close reading of existing sources, data were compiled and key concepts were recorded, the various dimensions of the topic were identified, and the study's theoretical framework was developed. In the second stage, the collected information was evaluated using qualitative content analysis and a comparative review of jurisprudential and legal perspectives, creating coherence and alignment among the diverse data. In this stage, efforts were made to provide a comprehensive analysis of the

permissibility or impermissibility of martyrdom operations by drawing on juristic opinions, relevant jurisprudential maxims, legal principles, and international instruments. Finally, in the third stage, the findings were synthesized and consolidated, and based on the results, recommendations were offered to promote a better understanding of the issue and to propose legal and jurisprudential solutions. Given that this research is situated in the realm of jurisprudential and legal foundations, the method of data analysis was grounded in juristic reasoning, comparative examination, and content analysis of scholarly and religious texts. Accordingly, while reviewing diverse viewpoints, the study endeavored to present a comprehensive, well-documented, and argument-based account of the jurisprudential and legal underpinnings of martyrdom operations.

4. Findings

4.1. *The Permissibility or Impermissibility of Martyrdom Operations from the Perspective of Islamic Jurisprudence*

The permissibility or impermissibility of martyrdom operations from the standpoint of Islamic jurisprudence is a complex and contested issue that has gained particular salience in the contemporary world, especially under conditions of war and armed conflict. Martyrdom operations refer to actions in which an individual deliberately sacrifices their own life for a specific objective, often to strike an enemy or to resist oppression. Since suicide is prohibited in Islam, the central question is whether such operations may be considered permissible under particular circumstances. Some Islamic jurists hold that martyrdom operations are permissible when undertaken to defend Muslims and to confront oppression and corruption. They argue that in situations where no option exists other than the sacrifice of one's life, and where the aim is *jihad* in the path of God and the defense of religion, such acts may be regarded as a legitimate form of *jihad*. This view rests on the premise that if a person sacrifices their life for higher objectives—such as the preservation of religion and the lives of Muslims—then the act falls within the ambit of Islamic *jihad*.

In contrast, another group of jurists categorically opposes martyrdom operations and deems them impermissible. They contend that Islam never sanctions suicide and that no one has the right to deliberately sacrifice their life for any objective, even if that objective is the defense of Islam. They emphasize that under all circumstances, taking one's own life for even ostensibly legitimate ends is prohibited, and that any operation resulting in the killing of civilians or harm to the innocent contravenes Islamic ethical and jurisprudential principles. From this standpoint, even if an individual conceives their objective as the defense of Muslims, they should not deliberately expose themselves to certain death. Beyond strictly jurisprudential considerations, social and political conditions also heavily influence the analysis of the permissibility or impermissibility of martyrdom operations. In the modern world—particularly amid armed conflicts involving Muslim and non-Muslim states—such operations are sometimes regarded as a defensive response. In these circumstances, jurisprudential analysis must take into account the principles of the *shari'a* while also considering temporal and spatial conditions. If a martyrdom operation is carried out under exigent circumstances and with the aim of defending Muslims, some jurists may deem it permissible, while simultaneously insisting on adherence to the principles of Islamic *jihad* and the limitation of harm to innocents. Overall, the permissibility or impermissibility of martyrdom operations requires careful examination of the prevailing conditions, intentions, and objectives, since the issue depends not only on jurisprudential foundations but also on policy considerations and the broader social and political context.

4.2. *Analysis of the Legal Foundations of Martyrdom Operations in the International Legal Order*

Analyzing the legal foundations of martyrdom operations within the international legal order—particularly in the domains of human rights, the law of war, and international humanitarian law—is a complex and challenging matter. These operations, which typically involve an individual sacrificing their life for a specific objective, are often carried out in wartime or in situations of armed conflict. In this connection, the international legal system—especially in light of human rights principles and the laws of armed conflict—sets specific conditions for the lawful resort to force in war and for military actions. Among these principles, the principles of distinction and proportionality are paramount and must be scrupulously observed in the analysis of any military operation.

One of the principal instruments in this regard is the Geneva Conventions, which establish rules for conduct in war and for the protection of civilians and prisoners of war. Under these Conventions, any direct attack on civilians and the deliberate

targeting of civilians are prohibited, and military operations must be conducted in accordance with the principles of distinction (between combatants and civilians) and proportionality (between the military objective and the harm inflicted on civilians). Martyrdom operations, which often result in the death of the perpetrator and may cause harm to civilians, violate these principles to the extent that they lead to the killing of innocents or damage to public property, thereby conflicting with the law of war and human rights norms.

Moreover, many international treaties condemn martyrdom operations that aim—especially—at intimidating or killing civilians as acts of terrorism. Among such treaties are instruments combating terrorism that consider the deliberate targeting of civilians and the commission of violent acts for political or religious purposes to be unacceptable. Accordingly, where martyrdom operations intentionally or unintentionally result in civilian deaths, they are deemed violations of international humanitarian law and human rights law.

Within the international legal system, the principles of distinction and proportionality in military operations are of exceptional importance. The principle of distinction requires that armed forces differentiate clearly between combatants and civilians, focusing attacks solely on military objectives. The principle of proportionality requires that the use of force be commensurate with the military objective and the anticipated harm to civilians. Because martyrdom operations can indirectly lead to civilian casualties, they conflict with these principles. For this reason, a meticulous legal assessment of such operations under international law is essential.

Finally, international reactions to martyrdom operations are typically shaped by counterterrorism policies and the condemnation of violent acts. The United Nations Security Council and other international bodies denounce martyrdom operations—particularly those that harm civilians and civilian infrastructure—as violations of international law and human rights. Consequently, international law generally condemns such operations and views them as incompatible with ethical and humanitarian principles.

4.3. *The Role of Intention and Motive in Determining the Jurisprudential Ruling on Martyrdom Operations*

Intention and motive play a pivotal role in determining the jurisprudential ruling on martyrdom operations, because in Islamic jurisprudence many rulings—especially those related to *jihad* and martyrdom—depend on the individual's intention. Intention functions as a decisive factor that can render an act either legitimate or illegitimate. In this regard, martyrdom operations—often perceived as acts resembling suicide for particular ends—must be evaluated jurisprudentially with close attention to the operative intention.

The individual's intention in martyrdom operations matters because, in Islam, human actions are judged in accordance with intentions. This means that if a person undertakes a martyrdom operation with the intention of *jihad* in the path of God and for the defense of Muslims or the confrontation of oppression, that intention can confer legitimacy upon the act. This view is particularly invoked in circumstances where the individual is engaged in warfare or armed conflict undertaken to defend religious principles or to protect Muslims. In such situations, jurists may conclude that if the individual's intention is genuine and sincere *jihad* for the sake of God, the act can be deemed legitimate.

However, intention is not the only factor in determining the jurisprudential ruling on martyrdom operations; motive is equally fundamental. If a person's motive is grounded in erroneous concepts—such as revenge, personal aims, or non-religious objectives—jurists generally consider the act illegitimate. Islam places strong emphasis on purity of intention and motive in the performance of any deed, and actions driven by worldly or personal motives—such as retaliation or non-divine aims—are condemned in Islamic jurisprudence. Therefore, the individual's motive must be clearly and sincerely aligned with religious and divine goals for a martyrdom operation to be considered legitimate.

Ultimately, the assessment of intention and motive in martyrdom operations must proceed within the broader framework of general principles of Islamic jurisprudence and *shari'a* norms. While Islamic jurisprudence categorically prohibits suicide, in certain exceptional contexts—such as *jihad* in the path of God and the defense of Muslims—martyrdom operations may, depending on the individual's intention and motive, be deemed legitimate. Consequently, the actor's intention in undertaking such an operation must be scrutinized to determine whether the act was performed in pursuit of a higher, religious objective.

4.4. *A Comparative Assessment of Martyrdom Operations and Other Forms of Jihad in Islam*

As a particular form of *jihad* in Islam, martyrdom operations require careful, differentiated analysis vis-à-vis other forms of *jihad*. In Islamic jurisprudence, *jihad* is commonly divided into two main categories: offensive *jihad* and defensive *jihad*. Offensive *jihad* refers to military action undertaken by Muslims on the order of the lawful leader of the Muslim community with the aim of advancing Islam and confronting corruption and oppression in the world; it is permissible only in limited and specific circumstances. Defensive *jihad* occurs when Muslims defend themselves, their territories, and their religious values against external threats and aggression. Martyrdom operations primarily fall within the category of defensive *jihad*, since individuals typically resort to such actions under threat or invasion in order to defend religion and the Muslim community.

One of the distinguishing features of martyrdom operations compared to other forms of *jihad* is the individual's intention and motive. In ordinary *jihad*, the principal objective of warfare is typically the defense of religion, territory, and the Muslim community, whereas in martyrdom operations the individual deliberately sacrifices their own life for a specific goal. Depending on the individual's intention, such operations may be deemed jurisprudentially legitimate or illegitimate. Given Islam's emphasis on intention in all actions, if the intention aligns with *jihad* in the path of God and the defense of Muslims, the operation may be viewed as legitimate; if the intention is largely driven by personal or worldly motives, its legitimacy is called into question.

Moreover, the jurisprudential conditions governing martyrdom operations differ significantly from those of ordinary *jihad*. In conventional *jihad*, war must be undertaken under the command of the lawful leader of the Muslims and in accordance with directives from religious authorities, and it must pursue clearly defined, religiously acceptable objectives. In contrast, a martyrdom operation may be carried out independently by an individual without authorization from religious authorities. This has led to substantial disagreement among jurists. Some permit martyrdom operations when conducted under supervision and in defense of Islam, while others deem them impermissible because of their resemblance to suicide.

In the final analysis, the most salient difference between martyrdom operations and other forms of *jihad* lies in the emphasis on the actor's intention and motive. In ordinary *jihad*, the emphasis falls on collective objectives—such as defending Muslims and confronting oppression—whereas in martyrdom operations the individual knowingly sacrifices their life for a particular aim. These motives must be rigorously examined to determine whether the act constitutes *jihad* in the path of God and the defense of religion, or whether it was undertaken for personal or political objectives.

4.5. *Jurisprudential and Legal Challenges in Providing a Unified Definition of Martyrdom Operations*

The jurisprudential and legal challenges in providing a unified definition of martyrdom operations are substantial due to conceptual complexities and the diversity of interpretations found in religious and legal sources. These challenges arise across various domains of Islamic jurisprudence and international law, each directly affecting the permissibility or impermissibility of such operations. In this regard, attention must be paid to multiple factors, including religious interpretations, cultural and political differences, and human rights implications.

The first jurisprudential challenge in defining martyrdom operations concerns divergent interpretations of the concepts of *jihad* and martyrdom in religious sources. In Islamic jurisprudence, *jihad* is recognized as a religious duty in circumstances where Muslims are under threat. However, with respect to martyrdom operations—often perceived as individual and akin to suicide—jurists hold differing views. Some regard martyrdom operations as permissible when undertaken with the intention of *jihad* in the path of God and the defense of Muslims, whereas others deem them prohibited because of their suicidal characteristics. These differences preclude the formulation of a unified definition of martyrdom operations within Islamic jurisprudence and pose challenges for religious institutions.

At the legal level, significant challenges also exist in providing a unified definition of martyrdom operations. International law—especially in the realms of human rights and the law of armed conflict—does not provide a specific definition of martyrdom operations, generally treating the issue within the broader framework of counterterrorism and violent extremism. In international legal instruments, suicide-based actions framed as martyrdom operations are commonly recognized as violations of human rights and, in wartime, as war crimes. At the same time, certain states and religious groups may evaluate them within the framework of legitimate *jihad*. These legal divergences render the provision of a single definition of martyrdom operations particularly complex in international law.

Another challenge in formulating a unified definition lies in cultural and political differences in how such operations are approached. In some Islamic societies, martyrdom operations are seen as self-sacrifice in the path of God and the defense of Muslims, while in other societies—particularly Western ones—they are regarded as terrorism and a violation of human rights. These cultural and political disparities prevent a uniform legal and jurisprudential concept and definition of martyrdom operations and create challenges at the international level. Ultimately, due to semantic complexities and divergent understandings, a unified jurisprudential and legal definition of martyrdom operations is not feasible; the issue must instead be examined within specific religious, cultural, and legal frameworks. Addressing these challenges requires international and jurisprudential dialogue and cooperation to reach a shared understanding of the nature of martyrdom operations and their permissibility or impermissibility under particular conditions.

4.6. *Social and Political Consequences of Martyrdom Operations in Islamic Societies*

Martyrdom operations in Islamic societies have numerous social and political consequences that affect cultural and religious structures and even domestic and foreign policies. One immediate consequence is a shift in the concepts of *jihad* and self-sacrifice. In some Islamic societies, martyrdom operations are considered the highest form of devotion in the path of God and the defense of Islam. This viewpoint can strengthen a sense of solidarity and resistance against external threats. However, such operations may also distort the concept of *jihad*, which in Islam is more fundamentally defined as the defense of Muslims and the confrontation with injustice; martyrdom operations, which are regarded as suicide, may lead to a deviation from this core meaning.

Politically, martyrdom operations can significantly influence the domestic and foreign policies of Islamic countries. In some cases, these operations may bolster the internal legitimacy of Islamic governments, which, by invoking religious concepts, may garner public support. Conversely, they can also heighten international tensions and conflicts, particularly with non-Islamic states and opposing governments. In addition, such operations can strengthen extremist and terrorist groups globally and become a factor of division and tension within Islamic societies.

Martyrdom operations also have negative impacts on civil society and human rights in Islamic communities. They can pose a threat to internal security and social stability. In many instances, martyrdom operations result in further violence and human rights violations. They can promote a culture of violence among youth, encouraging emulation of such patterns. In this case, they threaten social cohesion and peaceful coexistence within society.

At the international level, martyrdom operations can intensify Islamophobia and provoke anti-Islamic responses. Global media often portray these operations as examples of terrorism, which may lead to widespread misunderstandings about Islam and Muslims. This negative image can target Muslims worldwide and increase discrimination and hate speech against them. Consequently, such operations may indirectly harm Muslim identity in non-Islamic societies and weaken intercultural relations.

4.7. *The Necessity of Reassessing the Jurisprudential Foundations of Martyrdom Operations in Light of Contemporary Developments*

The necessity of reassessing the jurisprudential foundations of martyrdom operations in light of contemporary developments is increasingly felt due to social, political, and even cultural changes in today's world. In the present era, phenomena such as globalization, advances in military and security technologies, and the broad influence of the media on public opinion have compelled the reevaluation and redefinition of certain traditional jurisprudential concepts. Whereas martyrdom operations were previously discussed primarily within the framework of defending Muslims and *jihad* in the path of God, they may today carry broad negative consequences for Islamic and international communities. For this reason, it is essential to reassess the jurisprudential foundations of this issue to align more precisely with contemporary challenges.

One reason for this reassessment is the substantial diversity of jurisprudential and religious interpretations across Islamic societies. Some jurists view martyrdom operations as a legitimate form of *jihad* and defense of Islam, while others classify them as unlawful acts of suicide. These divergences have led to the perception in some Islamic communities that martyrdom operations constitute a legitimate strategy against enemies, while in other communities—particularly in the West—they are regarded as terrorism. A reassessment could foster a new jurisprudential and religious consensus consistent with Islamic principles and contemporary global conditions.

Contemporary developments such as technological advances—especially in military and security domains—also necessitate revisiting the jurisprudential foundations of martyrdom operations. In the past, *jihad* and the defense of Muslims were primarily conducted by traditional means; today, with the development of military technologies and the expansion of terrorist networks, the nature of such operations has changed. In the modern world, martyrdom operations may be regarded as threats to international security and human rights and may trigger global crises. These developments call for revising jurisprudential principles to harmonize the doctrine of *jihad* with new realities and to prevent the misuse of religious concepts for terrorist purposes.

Moreover, attention to the social and political effects of martyrdom operations in Islamic societies provides another rationale for reassessment. Among Muslim youth, these operations are sometimes portrayed as forms of self-sacrifice and resistance against injustice and corruption. Such portrayals can promote a culture of violence among certain groups and confront Islamic societies with social and security challenges. Conversely, these operations can intensify Islamophobia internationally and increase discrimination against Muslims. Reassessing the jurisprudential foundations of martyrdom operations can effectively prevent these social problems and strengthen a culture of peace and coexistence.

Finally, given the changes that have taken place in the field of human rights and international law, revisiting the jurisprudential foundations of martyrdom operations is also necessary to prevent violations of human rights and to develop approaches compatible with international standards. Human rights and international instruments strongly emphasize the prevention of violence and terrorism. In this context, reassessing the principles of *jihad* and martyrdom operations can help establish a balance between religious values and human rights principles and reduce the resort to violence in defense policies and strategies.

5. Conclusion

The present article underscores, in detail, the importance of reassessing and redefining the jurisprudential and legal foundations of martyrdom operations in the contemporary world. In today's rapidly changing environment, traditional jurisprudential concepts require renewed evaluation to align with new social, political, and technological realities. Whereas martyrdom operations were historically framed within *jihad* and the defense of Muslims against oppression and tyranny, they have become, under current conditions, a serious jurisprudential and legal challenge due to their adverse effects on Islamic and international communities. The article has shown that while some jurists regard martyrdom operations as legitimate acts within *jihad* and the defense of Islam, such operations today can lead to widespread problems, including increased violence, terrorism, and the weakening of international security. In light of extensive developments—such as advances in military and security domains, the proliferation of terrorist networks, and the media's influence on public opinion—martyrdom operations urgently require reevaluation. This reassessment should engage with diverse jurisprudential interpretations and, at the same time, align with human rights principles and international legal norms. The article further emphasizes the need to redefine *jihad* in Islam with precision so as to protect it from any potential deviation or misuse—especially for terrorist ends. While some Islamic societies interpret martyrdom operations as legitimate acts of defending Islam and resisting injustice and corruption, other societies, particularly in the West, consider them terrorist acts and threats to global security. These divergent interpretations necessitate more precise definitions of *jihad* and martyrdom operations to prevent misunderstandings and to ensure alignment between religious principles and contemporary developments. The article also highlights the social and political impacts of martyrdom operations in Islamic and international contexts. Although such operations may temporarily strengthen solidarity and resistance against external threats, they can simultaneously promote violence, deepen social divides, and fuel extremism. Moreover, they may contribute to the rise of global Islamophobia and to widespread discrimination against Muslims in non-Islamic societies. For these reasons, the reassessment of the jurisprudential foundations of martyrdom operations must aim both to prevent social harms and to promote peace and security at the global level. In conclusion, to harmonize Islamic principles with new conditions, it is essential to revisit the jurisprudential foundations of martyrdom operations in a manner grounded in human and ethical principles—especially respect for human life and human rights. To this end, religious scholars and jurists should collaborate to scrutinize the concepts of *jihad* and martyrdom operations and to offer interpretations consistent with contemporary realities. Likewise, the international community should, with due regard for Islamic and religious concepts, support an approach based on peaceful coexistence, particularly to reduce violence and strengthen amicable relations among

nations. Therefore, the article emphasizes the necessity of jurisprudential and legal reassessment and proposes that, through a comprehensive and modern approach, Islamic religious and jurisprudential principles be aligned with contemporary developments to prevent adverse social, political, and international consequences.

Ethical Considerations

All procedures performed in this study were under the ethical standards.

Acknowledgments

Authors thank all who helped us through this study.

Conflict of Interest

The authors report no conflict of interest.

Funding/Financial Support

According to the authors, this article has no financial support.

References

- Ashraf, S., & Saghi, T. t. (2009). The Jurisprudential and Legal Status of the Crime of Insulting Islamic Sanctities. *Jurisprudence and History of Civilization*, 5(19), 47-75.
- Basirzadeh, N., & Shah Heydar, A. K. (2016). *Identifying and Criminal Analysis of Essential Elements of Insulting Islamic Sanctities*.
- Ehsani, F. Z. (2017). *The Role of the Islamic Revolution and Islamic Movements in the New Islamic Civilization*.
- Khajeh Sarvi, G. (2010). The Islamic Wave of Democracy; The Impact of the Islamic Revolution on the Democratization Process of Islamic Countries. *Islamic Revolution Studies*, 7(23), 9-42.
- Khorramshad, M. B. (2013). The Islamic Revolution, Islamic Awakening, and New Islamic Civilization. *Culture Strategy*, 6(23), 127-153.
- Kusha, J. f., & Ahmadzadeh, A. (2015). Insult to Religious Sanctities as a Crime Against National Security. *Afaq-e Amniyat (Horizons of Security)*, 8(27), 123-154.
- Malakouti, S. H., Naseri, A., & Ghasem Abadi, M. (2016). Restrictions on Freedom of Expression in the Islamic Declaration of Human Rights with an Approach to International Instruments. *Islamic Law*, 13(50), 157-179.
- Nazarian, M. Q., Rahami, M., & Moradi, S. (2020). Analysis of the Crime of Insulting Sanctities in Iranian and Saudi Criminal Law with a Look at International Human Rights Instruments. *International Police Studies*, 11(42), 161-181.
- Qudsi, S. E., & Kouhiyan Afzal Dehkordi, A. (2009). Sanctities and Insult to Them in Iranian Criminal Law. *Jurisprudence and Principles (Islamic Studies)*(1/83), 165-206.
- Rahami, M., & Parvizi, S. (2013). Insult to Religious Sanctities in Iranian and English Law. *Legal Justice (Hoghuq-e Dadgostari)*, 77(81), 9-35.
- Setayeshpour, M., & Khalili, A. z. (2020). Insult to Sanctities from the Perspective of Human Rights. *Qanun Yar*, 4(16), 821-842.
- Shakibae, M. (2018). Belief Constructs and the Defense of Islamic Sanctities in Palestine. *Strategic Discourse of Palestine Quarterly*, 1(1), 117-129.
- Tavakoli, F., Aghababaei, H., & Shah Malekpour, H. (2015). Religious Foundations and Principles of Criminalizing Insult to Sanctities and the Challenges Ahead. *Criminal Law Research Journal*, 6(2), 49-74.