

Islam and Just War Theory

Abdul Karim Bangura
School of International Service &
Center for Global Peace
American University
Washington, DC 20016

Details of Dr Bangura's career and his contact details for those who wish to discuss the issues he raises in this paper may be accessed at <http://www.american.edu/sis/faculty/facultybiographies/bangura.htm>

Introduction

“In the name of Prophet Muhammad! In the name of Allah!’ BOOM!” And the world knows the rest of the story; it replays every night on television sets across the globe. First: bodies are counted, tears are broadcast to boost ratings, and hearts and stomachs are assaulted just after prime time. Retaliations and recriminations are to follow, and more explosions in the name of another ideal that is remarkably similar yet calculated precisely not to seem so, until suddenly – BOOM – the cycle repeats once more.

And all this time, where is the analysis? Where is the attempt to understand what keeps this wheel turning, or where to find the brake pedal? It is there, in articles titled “Why They Hate Us,” but most often analysis is condemned as collusion, and academics are pilloried as Benedict Arnolds for attempting to solve what has plagued our society for decades in a manner that is not measured in kilotons. But with no clear end in sight, perhaps it is time to abandon this policy of ignorance and really look at this war with, or on, Islam. As the conflict involves two sides – us and them – it must be analyzed from both as well. However, great attention has already been given in our society to our side, our reasons for war and our philosophies that govern it. Most of the time, we tend simply to assume that the others act in the same fashion and that violence and war are framed in the same context. This is a fatal flaw, and it must be remedied – not just in the case of that between the West and the Muslim world, but as an understanding of the religion and its philosophies of violence as a whole. Regardless of the socio-political or economic level of a country, there are three common types of war. The first type, the War of Attrition, is usually bloody and can only be measured in terms of ground forces. In this type of war, the advancing forces tend to destroy strategic channels or infrastructure facilities before any type of troop movement starts. This can be achieved by heavily bombing the target by use of missile, planes, etc. The second kind, War of Manoeuvre, is different from the first one. While the War of Attrition is fought to destroy the enemy's means to fight, War of Manoeuvre is fought to destroy the enemy's ability or will to fight. The effects of War of Manoeuvre are far more devastating, and it is considered a huge asset for a country, as it allows a small force to destroy a large one. The third form is War of Revolution; this war is quite bloody, as there are no frontlines or completely transparent enemies. It is also referred to as Guerilla Warfare, where the enemy is elusive and is hard to fight. It is one of the most difficult types of wars to fight, both economically and in terms of human losses suffered by both sides.

In the instance of Islamic war, the most obvious solution is to examine its very source, Islam. Therefore, the following analysis begins with a brief exploration of other contending theories of war and then Just War Theory. After that, the analysis shifts to Islamic teachings on war, in both the Qur'an and Hadith, and establishes that Islam is very critical of any sort of conflict, only giving allowances for violence in the direst of circumstances. It then moves to the interpretations of imams and scholars and the actions of ancient and current Islamic political systems that have turned away from true Islam in this aspect to declare war in the name of the religion. Finally, it exposes the theological flaws in these “Holy Wars” by examining several case studies.

“War,” as a concept, is loaded with linguistic and cultural symbolism; thus, a brief moment should be taken to define its use in this essay. In contrast to modern realist political theory, war is much more complex than just the armed conflict between the regimented militaries of sovereign states. In this modern era of independence struggles and ethnic conflicts, such archaic notions are incomplete. Terrorist organizations and liberation

movements are just as capable of waging war as are nation-states and, thus, a new definition must be coined. From this point forward (and retroactively as well), the term “war” shall refer to an attempt to realize a specific end by a group of individuals through the use of physically destructive force upon another. This excludes such acts as economic sanctions (although they can be used in conjunction with war), but it includes ethnic conflict, terrorism, and hostilities waged by sovereign powers without an open declaration of war.

Through this analysis, we will be able to clear the blood off the hands of Islam and place it where it should lie: on those who would hide behind a beautiful, Abrahamic religion and corrupt its followers in violence that directly violates their faith. This is imperative not just for the esoteric purposes of treating Islam justly, but much more practically in illustrating to the world that the “war” with Islam is not with Islam at all but with the same socio-economic-political factors behind all other wars. Consequently, it is not a struggle against an emotional and irrational force, but with tangible, logical ones. As such, it can be solved through diplomacy and interaction, and both sides can emerge victorious from the conflict – a possibility that has of late become increasingly fantastic.

Theories of War

Before getting right to the heart of Just War Theory and the Islamic philosophy of war, something should be said about other contending war theories first. This will provide a point of comparison for the discussion – important in this case because war is as much a political question as it is a moral one. As such, theories of war must be analyzed according to both their effectiveness and their justifications, and then weighed to see whether or not said justifications are a viable defense for whatever means are the source of their effectiveness. I will now expand upon the leading contemporary theories, which are realist theory, self-defense theory, non-violent and pacifist theory, and then just war theory.

Political realism is not only the leading ideology of interstate violence, but it is also of international relations in general. Since antiquity, realists have contended that the world is an anarchy in which the state is the ultimate form of authority possible. The very first sentence of Aristotle’s *Politics* reads: “The state is the highest form of community and aims at the highest good” (Davis 2000: 7). Consequently, if there is no body or power higher than a state, then ultimate authority rests with the state to determine its destiny. A state pursues the “highest good” of its citizens, and only of its citizens, as it is subject to no higher considerations. From this flows a logical extrapolation of nearly all actions of which a state could possibly take, including war.

To realists, war can be waged for any reason acceptable to that society, as states are designed to pursue their self-interests. This does not, of course, necessarily mean that states will simply invade their neighbors at will. There is a political calculus involved that often prevents warmongers from acting. Governments have to justify to their citizens that the benefits of war will outweigh the human, material, and financial costs. Frequently, the causes of national interest, self-defense, collective security, and ideological spread are sufficient for the use of military force. In situations where the public has accepted these justifications (or in a state dominated enough to make public opinion irrelevant), states still have to stand before the international community and make their cases or else face the possibility of sanctions and intervention on behalf of whom they would seek to conquer (Goldstein 2001: 57-58). Power – its acquisition and projection upon others – is the currency of interstate relations and the central issue in realist warfare.

Moral idealism is the leading contender to realism’s dominance of global political order: euphemistically, the Rocky Balboa in an Apollo Creed world. Although two of the four preceding reasons justifying the use of war are considered valid under this philosophy as well, they are framed in a very different ideological context. Unlike realists, idealists believe in something higher than the temporal state, and that is the universal concept of law and morality. States must adhere to standards of conduct (known as human rights) and respect for members of other states. This conclusion is reached in a similar fashion as the conclusions of realism – through the use of logic; yet, they differ because of the assumptions made at the beginning. Realists assume that human beings are inherently evil and will take advantage of one another if they have the chance, so it is best to keep them at bay whenever possible. This leads to the logical end that trust, beneficence, and selflessness are in fact suicidal, similar to freeing the snared tiger only to find that he will hunt you once again. Idealists assert that humans are generally good and desire peace and prosperity for themselves as much as their neighbors. Consequently, it is in the self-interest of one to desire the success of another (Peck 2001: 565-566).

Self-defense theory is a branch of just war doctrine. It holds that a state can only engage in war in its own defense or, rather, in response to aggression from another state. This would seem to be very straightforward; but as in any aspect of international relations, there are always complicated arguments that can be used to manipulate the norm, as shall be shown. Self-defense is acceptable due to an international condemnation of

aggression. Ironically, this allows for aggression against an aggressor by both the original victims and their allies, in order to uphold the standard, defend the state that was abiding by international law, and punish the state that was not (Goldstein 2001: 337-338).

Yet, the problem does not arise from a question of the legality of self-defense, but rather what constitutes aggression. States are not willing to require that enemy forces must have already breached their borders, or that their nationals have been harmed or killed by opposing forces before determining that aggression has occurred. The threat of aggression is sufficient – the question is what constitutes a threat. Mobilizing an army and massing it at a border amidst fiery speeches of imperial glory would universally ring the alarm bell, but mere armament or rivalry would not. But what about armament and general antagonism with a history of aggression? It is clear why this issue is so confusing (Goldstein 2001: 337-338). Nonetheless, unresolved, the issue of aggression has remained at the forefront of current events, most notably with the recent invasion of Iraq by the United States. Here, we Americans claimed that Saddam Hussein was arming himself, was generally antagonistic to modern world order, and had a history of aggressing his neighbors and subjects. The world proceeded to split on whether or not this constituted aggression with some saying it was and that war was justified, others agreeing but saying that war was not justified, still others saying that it was not and, thus, the United States was the aggressor, and the rest asking for more proof to support these claims. In the end, the question was resolved oligarchically by the “Coalition of the Willing,” and its legal and political aftermath remains to be seen.

Pacifism and its sister ideology, non-violence, go one step beyond just war and self-defense by forbidding the use of force altogether. There is no state that accepts only non-violence as its means of defense (although some like Sweden and Costa Rica have been functionally non-violent for centuries), but political movements across the globe tout this philosophy as the only moral international order. In other words, the only just war is no war. Non-violence as a concept is remarkably similar to political realism. It relies on using power to achieve a desired end (with the restriction that violence is not allowed as a tool of power). The major differences come when non-violence is put into practice. In practice, non-violence is much more than a theory; it is a way of life with almost spiritual feeling. This is due to its source as a moral philosophy highlighting the sanctity of life (in contrast to realism’s rational evolution), leading followers of non-violence to adopt its precepts into all aspects of their lives, both internal and external. For example, not only would an advocate of non-violence oppose war as a tool of foreign policy, but (to varying degrees) also the death penalty, abortion, the consumption of meat, and any action that does not kill but harms another creature (Vellacott 2000: 137-138).

Pacifism is quite similar to non-violence, just without the trappings of political activism. Whereas a non-violent activist would speak out against forms of violence, a pacifist uses his or her political power through a lack of action and personal example. Pacifism comes from the root word, passive, and the inaction connoted within is the reason that many peace movements have moved to describe themselves as “non-violent” (Goldstein 2001: 157). The reason for this difference in action is that pacifists do not agree with the power politics of non-violence (the attempt to force another party into a desired action through the use of a force other than violence), as they would consider such coercion to be violence of a non-physical form. Others simply feel that their philosophy gains more moral credibility the further it disassociates itself from political realism. Whatever their reasoning, pacifists unite on the position that removing themselves from a system that either approves of or engages in violence is a higher priority than any legal obligations they may have to that system.

Just War Theory

In a world ruled by law and order, particularly if it is based on moral normativism, states face many more restrictions to their foreign policy Rolodex. War is still a possibility; there are just many more hoops that policymakers must jump through before it can be legitimized. The theory on the justification of war can be found in Article 51 of the United Nations Charter, stating that a country can initiate a war for the purposes of self-defense and in Article Seven of the United Nations which qualifies a threat to international security and peace as a justification to engage in war (Freedman 2003:18).

Justifying a war is important because it provides a legal basis for such actions. When a conflict escalates to a point where the declaration of war is necessary, it indicates a severe situation with no other feasible alternatives. Whenever possible, nations usually prefer dealing with conflicts under a label other than war. Conflicts that nations are reluctant to call a war are labeled something else, for example “enforcement actions” (Freedman 2003:17). When a conflict is labeled a war, several laws become active which hinder the flexibility of the nations’ actions.

Just war theory condemns war as immoral, yet it acknowledges that there are situations in which it may be unavoidable, such as when another state is invading yours, or when a “rouge state” threatens the peaceful order of the world; and unlike realism (in which the outside world is only considered in terms of whether or not it has the will and power to stop an action), war *must* be justified to the international community (Hoffman 2001: 275-276).

A major question that emerges here then is the following: What is the origin of Just War Theory? According to Brother John Raymond, in his article, “The Just War Theory” (1986), this postulate is basically a Christian Ideology, which can be broken down into two categories: (1) the theoretical justification and (2) the historical justification. Theoretically, Just War Theory aims to guide nations to act in the right manner during potential conflicts. Historically, the theory deals with the past of a body of rules or agreements applied while in a state of a conflict.

In sum, these several theories of war – realist, self-defense, nonviolence, pacifism, and just war – have been discussed not only for their importance in modern international politics, but because they are extremely relevant to the study of Islamic theories of war. Islam has been and is more than just religious; it is political as well. As any other political body, it has defined its own criteria for engaging in war, and wars have been rationalized according to the teachings of Islam. As the reader shall see, realist, self-defense, nonviolent, pacifist, and just war ideologies have found justification in Islam.

Islamic Precepts on War

With an appreciation of the modern definition of “war,” it is possible to apply the second major characteristic of this essay: i.e. Islam. In analyzing “Islamic war,” we must first be certain of what the adjective “Islamic” means. There are two possible meanings. “Islamic” refers to the tenets and beliefs that are the core of the religion of Islam; it also connotes the actions of individuals who claim the identity of Islam. It is this second definition that has contributed so much to the difficulties between Islam and the West, as Westerners witness Muslims engaging in war and, thus, attribute their actions to be within the principles of Islam (as they are claiming Islam as their authority). Simultaneously, Muslims themselves look to these individuals as authoritative sources, and their actions are given the label “Islamic.”

This logic, however, is faulty, and I will not base my discussion of the meaning of “Islamic” on the actions of Muslims. This is because Islam is a religion and, therefore, subject to certain logical conditions. Religions are not simple philosophies (according to their own definitions); they are divine revelations. Islam is particularly adamant on the point that God revealed religion to the people through prophets, and their repetitions of the Divine Word are separate from other sources. That which is created by God is conditioned by the characteristics of God, and that which is created by man is of a different quality. God is eternal and perfect; thus, divine sources are as well. By definition, whatever is manmade is imperfect; but more importantly, it is also inferior to that which is made by God. In defining “Islamic,” we are given the choice between a divine source and a human one, and to select the latter would deny Islam of its very nature as a religion. Consequently, the conditions of war that come from the sources of Islam will be used; for the sake of academia, the human interpretations thereof will not be completely ignored, but nonetheless they will be tempered by their secondary status.

There are only three true Islamic sources, and these are the Torah, the Gospel, and the Qur’an. Of these, the Qur’an is more relevant, as it encompasses the meanings of the preceding two and serves to summarize and give closure to the religion.(See note A) The other source that guides Muslims, is the Hadith and also the opinions of Muslim scholars, which are in a category between Islamic and manmade, as they are studies of Islam and, thus, acknowledge the superiority of the Divine, but they are performed by the human and, therefore, subject to human qualities. This is not to say that they are incorrect, only that they cannot be taken as law because they are not The Law but, rather, guidelines. However, the judgments and theses of Muslim scholars are important in showing how the religion can function throughout time, yet they are not the primary focus of this essay, which concentrates principally on the Qur’an and the Hadith before scholarly interpretations.

Finally, then, what does Islam say? Is war permitted or forbidden? When permitted, is it unconditioned, or are there conditions on the conditions? Is it completely unrestricted? The answer, of course, is “yes, and no.” Even Shaitan, as the saying goes, can quote the Qur’an. The key to this conundrum lies in the question of conditionality and unconditionality, or whether or not the instances of a law are actually its universal regulations. From the earliest passages of the Torah, killing is forbidden: “Thou shalt not kill.” And what is war, if it is not organized killing? This essay would now be concluded, if not for the following passages such as *Sûrah al-Baqarah* 2:191, “And kill them wherever you find them, and turn them out where they have turned

you out. And *Al-Fitnah* [(polytheism and disbelief)] is worse than killing” (*al-Qur’an*: 2:191).(B) Now, logically, Islam risks completely invalidating itself, because nothing can say “do X, and do not do X,” and still be legitimate. That is, not unless they are conditioned, and these conditions are accorded defining status over these unconditional statements. Fortunately, there are conditional statements; the problem that persists is that it is difficult to determine which conditionals are to apply. These conditions arise from common sense and the nature of Islam. The key, however, is the nature of Islam: social justice.

The first question that would have arisen from either a skeptic or a sincere follower would have been the following: “What happens when someone attacks us?” As illustrated earlier, self-defense is a long-defended principle of international relations, and Islam neither began nor diverged from this tradition. To be attacked by another is an abrogation of one’s rights and, thus, self-defense lies well within the boundaries of justice. “Permission to fight (against disbelievers) is given to those (believers) who are fought against, because they have been wronged” (*al-Qur’an*: 22:39). Remarkably, even when granted the right to self-preservation, the Qur’an does not do so unconditionally. Muslims are permitted to fight “against disbelievers,” meaning that instances of injustice within the Islamic society are to be dealt with in non-violent manners. Conditionality continues in the area of self-defense with prohibitions to ensure that “defense” does not evolve into aggression. The passage from *Sûrah al-Baqarah* must be revisited:

And fight in the Way of Allâh those who fight you, but transgress not the limits. Truly, Allâh likes not the transgressors. And kill them wherever you find them, and turn them out from where they have turned you out. And *Al-Fitnah* is worse than killing. And fight them not at *Al-Masjid-Al-Harâm* (the sanctuary at Makkah), unless they (first) fight you there. But if they attack you, then kill them. Such is the recompense of disbelievers. But if they cease, then Allâh is Oft-Forgiving, Most Merciful (*al-Qur’an*: 2:190-192). (See note B)

Several points must be made from this passage. First, the issue of transgression. The Qur’an enjoins Muslims to “transgress not the limits.” This implies that war, even in the cause of self-defense, is not to be unrestricted. Furthermore, it says “to kill them wherever you find them...And *Al-Fitnah* is worse than killing.” This is obviously the Divine warrant for warfare (in defense), but it is tempered by the following sentence: “And fight them not...unless they (first) fight you there.” This is reinforcing the fact that this passage intends only to permit war for the sake of self-defense, and not for any other purpose. Finally, there is the point of continuing the hostilities. Here the Qur’an defines what is defense, and it is not in the George W. Bush definition of pre-emption. “If they cease, then Allâh is Oft-Forgiving.” Defense ends when the attacker ceases aggression; and at this point, Muslims are charged to return to the usual business of peaceful cohabitation. It says: “But if they incline to peace, you also incline to it, and (put your) trust in Allâh” (*al-Qur’an*: 8:61). Muslims must prize justice above all else in their secular lives, but only in the cause of justice can they claim the mantle of “Righteous Avenger.”

Social justice is the core of Islam. It is seen in the prescriptions for *Zakat* and the way that Muhammad elevated the status of the poor and underprivileged. It is not surprising then that the question arose of what to do when social rights are not granted to Muslims by their leaders, or to other groups. Clearly, Muslims have an obligation to defend themselves and their common men, but the tools for doing so are not always unlimited. If the suppression of another people is occurring through a force of arms, there is little that others can do without a force of arms themselves (regardless of whether it is framed in an Islamic context or not). But Islam tells Muslims not to kill. Is this to mean that the only legitimate intervention is to subdue the aggressors without taking their lives, perhaps by charging and tackling the enemy soldiers, or capturing them in giant nets? Of course, not! In some cases, killing is allowed, as it says:

And what is wrong with you that you fight not in the Cause of Allâh, and for those weak, ill-treated and oppressed among men, women, and children, whose cry is: ‘Our Lord! Rescue us from this town whose people are oppressors; and raise for us from You one who will protect, and raise for us from You one who will help’ (*al-Qur’an*: 4:75).

The significance of this passage is not only that it allows Muslims to fight for the sake of their downtrodden brothers, but also that it provides a condition for doing so: the downtrodden brother. It does not say “go out and fight,” but “protect” and “help.” To further enshrine this obligation, in reference to the story of David and Goliath, obviously, David killed, but he was not punished for breaking this commandment. The Qur’an states,

however, that “if Allâh did not check one set of people by means of another, the earth would indeed be full of mischief [(corruption)]” (*al-Qur’an*: 2:251). Muslims are given permission to fight for justice; the question that remains is about what constitutes injustice.

Most scholars agree that invasion and oppression, as mentioned earlier, are among the qualities of injustice; but in the realm of Islamic studies, there have also been cases made that the absence of Islam is itself an injustice. To remedy this situation, Muslims must fight to establish Islam as the globally dominant religion. The Qur’an comes in defense of this argument as well:

Fight against those who (1) believe not in Allâh, (2) nor in the Last Day, (3) nor forbid that which has been forbidden by Allâh and His Messenger (Muhammad) (4) and those who acknowledge not the religion of truth (i.e. Islâm) among the people of the Scripture (Jews and Christians), until they pay the *Jizyah* [(tax leveled upon Jews and Christians under the protection of Muslims)] with willing submission, and feel themselves subdued (*al-Qur’an*: 9:29).

The famous 11th Century jurist, Abu al-Hasan al-Mawardi, devised a theory of Islamic governance that is still widely accepted as the definitive work. In outlining the various duties and responsibilities of the Imam (leader of the Muslim Empire), he includes the obligation to “make jihad against those who resist Islam after having been called to it until they submit or accept to live as a protected dhimmi-community” (al-Mawardi, Yate translator 1996: 27). This appears to be very aggressive, going off and conquering all the non-Muslims, but it is followed by a conditioning phrase stating that the purpose of this duty is to ensure that Islam and the word of God are supreme over all. This suggests that there is more to the issue of religious *jihad* than is revealed at a cursory glance, and that the ability to wage war must coincide with the religion and, therefore, the other requirements for war (Khan 1983: 37).

It would seem that war and fighting are perfectly acceptable for Muslims who want to spread their love of Islam; furthermore, it is mandatory. But justice does not easily condone the imposition of religion upon others, and it does not follow that Islam would so selfishly abandon justice. For this reason, it has been proposed that “fighting,” in this and similar instances, is intended as a metaphor for other forms of struggle. A fight is not necessarily carried out through weapons and violence; one can fight with words or example. This viewpoint is supported by two sources. The first illustrates that God desires that fighting to promote the religion is to take place through the beauty of Islam. “Invite (mankind, O Muhammad) to the way of your Lord (i.e. Islâm) with wisdom...and fair preaching, and argue with them in a way that is better” (*al-Qur’an*: 16:125). The second is a clear injunction against the imposition of religion: “There is no compulsion in religion. Verily, the Right Path has become distinct from the wrong path” (*al-Qur’an*: 2:256). It would not be possible for this statement to coexist logically with a policy of Islamic religious domination (inherently forceful), as the two are mutually exclusive.

Here is where the conditionality of the Qur’an returns. The only way that fighting for Islam and non-compulsion can coincide is if the “fighting” does not take the form of actual fighting, but is rather used metaphorically. Thus, to fight for God is to educate others about Islam, but only so far as can be done without forcing the other to accept it. But, again, Islam is a religion; and as a religion, it contains an ethereal element as well. This means that Muslims do not fight only in the tangible dimensions, but also in the divine dimension often represented by angels and demons locked in immortal combat. Theologically speaking, the good committed by the faithful is warfare against the forces of evil, just as evil deeds increase the strength of Shaitan on earth. *Sûrah An-Nisâ* addresses the divine struggle:

Those who believe, fight in the Cause of Allâh, and those who disbelieve, fight in the cause of *Tâghût* (Satan). So fight you against the friends of *Shaitân* (Satan). Ever feeble is the plot of *Shaitân* (Satan) (*al-Qur’an*: 4:76).

This is part of the definition of *jihad*, along with the restricted war against injustices and the personal “war” against one’s own poor qualities. Of these three forms of “Islamic war,” only one is an actual use of violence (the other two are metaphorical struggles with intangible forces), and this real war is permitted only for the causes of social justice (Salmi, Majul, and Tanham 1998: 67-68).

Thus, war is acceptable to Islam, but with reservations. A better way of describing this aspect of the religion would be to say that injustice is unacceptable to Islam, and war is one tool among many that may be used to right injustice. This definition is more appropriate because the conditions placed on the waging of war indicate that war is not theologically desired. Furthermore, these conditions placed on legitimizing war are not the only restrictions of war. Once determining that violence may be used, Muslims must then meet certain other

requirements in the way that they conduct war. Before engaging in war, Muslims are to offer the conditions of war and, more importantly, they are to offer the enemy a chance to avoid it. According to the example set by Prophet Muhammad, the Muslim army is to present its foe with three choices. First, they may accept Islam. By doing so, they would enter into an entirely new judicial category, and war is forbidden between Muslims. Second, they may enter into a treaty with the Muslims. Muslims are commanded to keep their word and to not be the ones who break the faith in an agreement. Thus, a covenant between the Muslims and their enemies (similar to the kind that would lead to the payment of *jizyah*) is nearly as desirable as bringing them to Islam. Finally, they may go through with the fighting, although to Prophet Muhammad, this was the least attractive possibility (Salmi, Majul, and Tanham 1998: 122).

Many other conditions exist on the conduct of war, if this last option is selected. All of these rules are extremely conditional, and they stem from the Qur'anic passage that states: "but transgress not the limits" (*al-Qur'an*: 2:190). For example, Muslim warriors may attack and kill, but they may not do so to non-combatants, unless the enemy is using those non-combatants as shields, but only so long as they do not cause any unavoidable harm. They are allowed to be clever – use ruses, ambushes, propaganda, and all manners of weapons (with reservations on poison); but they may not be treacherous and violate any agreements made with the enemy. Many other actions are outright forbidden, including the execution of prisoners, the degradation and mutilation of bodies, sexual violence against captive women, and property destruction (other than that which is necessary to support the army). Essentially, Muslims may only engage in war, if they act honorably, without cruelty, and in the defense of justice (Salmi, Majul, and Tanham 1998: 123-125).

Al-Mawardi further explains this, saying that it is forbidden to kill or attack those who have not been invited to Islam or are unaware of it. Furthermore, if an attack is made against such a group of people, blood money is to be paid to the victims by the Muslims. If, however, they take up arms against the Islamic army, then the Muslims will be justified in carrying on with the war (al-Mawardi, Yate translator 1996: 60-61). But al-Mawardi was constrained by the politics of his day (the feuding between the Abbasid and Buwahid dynasties), and his real opinions are, therefore, hidden in his writing (Khan 1983: 10-11). He was, nonetheless, a logician and a practical man, so the true meanings are not so hard to find. He says that war may be waged as mentioned earlier, but also that the Imam must respect the *Shari'ah*. Practicality leads one to allow the powerful leader to flatter himself as he desires (i.e. permitting war, which would be conducted for political gains rather than religious ones), but it leaves a trail for future generations to correct these temporal necessities. It is obvious that the allowance for war in this fashion is negated by *Shari'ah* conditions of peacefulness already mentioned in this essay; the Imam's obligations to uphold *Shari'ah* eliminate the option of aggression against the peaceful non-Muslims. So, in theory, this duty really only applies to the instances of aggression from the non-Muslims.

To put Islamic war in the context of modern theories of war, it bears a good deal of similarity to just war theory and self-defense theory. As with these two theories, war may only be waged when it is justified according to moral principles; this is unlike realist theory, which hinges upon efficiency and self-interests. Obviously, Muslim soldiers and empires availed themselves of the spoils of war; political interests were factored into war strategy, and rewards were sought for both now and the hereafter. These desires are religiously sanctioned, for it says: "Let those (believers) who sell the life of this world for the Hereafter fight in the Cause of Allâh, and who so fights in the Cause of Allâh, and is killed or gets victory, We shall bestow on him a great reward" (*al-Qur'an*: 4:74). This, however, should not be construed as meaning that God applauds war, but rather that it is treated realistically. Besides, the Muslim seeking these riches must still meet all the other requirements beforehand; otherwise, he would not be "fighting in the Cause of Allâh" and would forfeit the greatest reward of all.

Conclusion

The relationship between Islam and war is a complicated one. At once, war is both acceptable and forbidden – it is all a matter of circumstances. The many allowances that exist for the conduct of war (in the form of Qur'anic verses and historical traditions), are tempered by the many others that apply restrictions. These restrictions hold a greater influence because they act as the qualifying terms for war in general. This results in the requirements that war must be used as a last resort in cases of self-defense or injustice; and when it is permitted, that it be conducted "honorably" and according to the rules of engagement. With this knowledge as context, it is possible to return to the original question of the current conflict between the West and Islam in a search for ways that the chaos can be brought to an end.

The spiraling violence between Islam and the West is significantly due to the lack of educated discourse on the religious legality of using war as a tool of conflict resolution. This must be addressed internally on both

sides of the conflict, not just in inter-civilizational relations. For the Muslim side, the martyrs of the current *jihad* against the West must be confronted with the many restrictions on the use of war (and the fact that it is generally objectionable, even when it is legal), and they must know that the thinking is theologically flawed, and it may not ensure the results they are seeking. The religious texts and scholars clearly state that war and violence are not desirable actions, and that they are only acceptable in the cases of self-defense and the pursuit of social justice (although even then, they should be avoided if at all possible). Islamic conflict resolution is only limitedly realist; it is much more in line with just war, self-defense, and non-violence and pacifist theories. Of course, there are many Muslim advocates of non-violence and pacifism, and they need to be given the chance to advance their message in contention with that of the militants.

For their part, Westerners must understand that war is not necessarily the same phenomenon in Islamic culture as it is in theirs. Coming from a long history of political realism, the Western concept of war is that it is a political tool to advance certain interests, and that these interests have nothing to do with religion or culture. They are economic or political. While parts of this are true in the Islamic political structure – war is a means of achieving desired goals, there are only a meager few cases in which it can be used. These instances involve economic, social, political, and religious injustice, and only in the cause of the oppressed. With this in mind, the West must re-evaluate the current “war” with Islam and understand it as a struggle against injustice instead of a manoeuvre for increased power. Social conflict is distinctly different from self-interested machinations. Military force cannot resolve the issues; they must be addressed structurally. Furthermore, knowing that Islam only condones war for the sake of justice, we must re-evaluate the world and look to see if there really are injustices occurring, and how they can be approached so as to pre-empt violence.

Finally, in the area of relations between Islam and the West, both sides must recognize that war is neither desirable for nor desired by anyone. The moral traditions of both cultures seek and require peace and prosperity for all people. The West must show its understanding of Islam by confronting Muslims about their use of violence, and the Islamic World must show the West the gross injustices that are occurring throughout the world that must be remedied. There is benefit to be gained by all parties, which is the main goal of Muslim and Western realists and the rest of the world.

Editors Notes

A *This relationship between the revealed texts is stated in Q2.106 “None of Our revelations do We abrogate or cause to be forgotten, but We substitute something better or similar: Knowest thou not that Allah Hath power over all things?”*

B *Dr Bangura has cited from the al-Hilalai translation which is at variance with other translations upon the meaning of certain words and idioms and I have therefore added the text of the more accurate Yusuf Ali translation for comparison.*

Q2.190 : Fight in the cause of Allah those who fight you, but do not transgress limits; for Allah loveth not transgressors.

Q2.191 : And slay them wherever ye catch them, and turn them out from where they have Turned you out; for tumult and oppression are worse than slaughter; but fight them not at the Sacred Mosque, unless they (first) fight you there; but if they fight you, slay them. Such is the reward of those who suppress faith.

Q2.192 : But if they cease, Allah is Oft-forgiving, Most Merciful.

Q2.193 : And fight them on until there is no more Tumult or oppression, and there prevail justice and faith in Allah; but if they cease, Let there be no hostility except to those who practise oppression.

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