

PEACE

AND THE LIMITS OF WAR

Transcending the Classical Conception of Jihad



THE INTERNATIONAL INSTITUTE OF ISLAMIC THOUGHT

PEACE AND THE LIMITS OF WAR

*Transcending the Classical
Conception of Jihad*



LOUAY M. SAFI



THE INTERNATIONAL INSTITUTE OF ISLAMIC THOUGHT
LONDON · WASHINGTON

© The International Institute of Islamic Thought

SECOND EDITION, 2003 CE

FIRST EDITION, 2001 CE

THE INTERNATIONAL INSTITUTE OF ISLAMIC THOUGHT

P.O. BOX 669, HERNDON, VA 22070, USA

LONDON OFFICE

P.O. BOX 126, RICHMOND, SURREY TW9 2UD, UK

*This book is in copyright. Subject to statutory exception
and to the provisions of relevant collective licensing agreements,
no reproduction of any part may take place without
the written permission of the publishers.*

ISBN 1-56564-402-6 *paperback*

Typeset by Sohail Nakhooda

Cover Design by Saddiq Ali

Printed in the United Kingdom

by Biddles Limited, Guildford and King's Lynn

www.biddles.co.uk

PERSPECTIVES ON ISLAMIC THOUGHT SERIES

Contents

<i>Foreword</i>	v
<i>Author's Preface to the First Edition</i>	vii
Introduction	I
I. Classical Views and Historical Conditions	5
Classical Doctrine of Jihad	5
War of Domination	7
Peaceful Coexistence: Abyssinia and Islam	16
2. Islam and Peace	19
Peace is the Essence	19
Respecting Individual Freedom of Belief	23
3. The Limits of War	27
1. War Against Oppression	27
2. War in Defense of Muslim Individuals and Property	28
3. War Against Foreign Aggression	29
4. War of Law Enforcement	29
Peace and the State of War	31
4. Principles and Realities	35
The Principles of Peace and its Strategy	35
Conclusion	37
<i>Appendix</i>	39
<i>Notes</i>	43
<i>Selected Bibliography</i>	49
<i>Glossary</i>	51
<i>Index</i>	54

Foreword

THE INTERNATIONAL INSTITUTE OF ISLAMIC THOUGHT (IIIT) has great pleasure in presenting a newly revised and edited edition of Dr. Louay Safi's treatise *Peace and the Limits of War: Transcending the Classical Conception of Jihad*, published under its Perspectives on Islamic Thought Series. Since publication of the first edition in 2001, the work has received wide attention from a growing circle of readership, generating enough interest, felt the publishers, to warrant the production of a second edition.

Peace and the concept of jihad are issues of vital importance. Firmly on the agenda of worldwide political debate and discourse they frame much of the parameters of analysis on Islam and the Middle East today. This work is an important addition to this analysis. Through careful and meticulous study into an area fraught with cultural misconceptions and near total confusion the author has sought to elucidate some of the subjective and negative fundamentals which have come to dominate much of the discourse on the issue today and restore a balanced understanding.

We would like to express our thanks to Dr. Louay M. Safi, who, throughout the various stages of the production of this edition, cooperated with the editorial group at the IIIT London Office.

We would also like to thank the editorial and production team at the London Office and those who were involved in the completion of this book: Sylvia Hunt, Sohail Nakhoda, Kereema Altomare, Shiraz Khan and Dr. Maryam Mahmood, all of whom worked tirelessly in preparing the book for publication. May God reward them and the author for all their efforts.

Jumada II 1424
August 2003

IIIT LONDON OFFICE

Author's Preface to the First Edition

THIS MONOGRAPH is an expanded version of an article published in the *American Journal of Islamic Social Sciences (AJISS)* in 1988, under the title "War and Peace in Islam." The article attempted then to clarify some of the misconceptions surrounding the notion of jihad. Thirteen years later, the same misconceptions and misunderstandings regarding war and peace in Islam are wide-spread in both the Muslim societies and the West.

The attacks on the United States on September 11, 2001, by an apparently religiously inspired group, brought to the fore the question of jihad and war, and led a few misinformed and misguided individuals to confuse the Islamic concept of jihad with the medieval concept of holy war. The equation of the two is erroneous and misleading. Holy wars were fought in medieval Europe in the name of God against infidels, because the latter were perceived to stand against God. Jihad, on the other hand, is fought to repel aggression and lift the oppression of a brutal force, and is never directed at the other's faith. The fact that both are based on religious motivation does not make them equal. Religious motives have historically inspired both the noblest and the basest actions.

I, therefore, do hope that this monograph will contribute to bringing more meaningful discussion of the notion of jihad and the conception of war and peace in Islamic tradition. I also hope to be able to illustrate that the Islamic worldview and values stand on the side of world peace and global justice, and against aggression and brutality.

I wish to thank two good friends who have encouraged me to refine the early article I wrote on peace and war into the current monograph, Jamal Barzinji and Sayyid M. Syeed. Their encouragement and support are greatly appreciated.

INTRODUCTION

ISLAM IS A RELIGION OF PEACE. This fact is borne out by both Islamic teachings and the very name of “Islam.” The term Islam essentially means to submit and surrender one’s will to a higher truth and a transcendental law, so that one can lead a meaningful life informed by the divine purpose of creation – a life in which the dignity and freedom of all human beings can be equally protected. Islamic teachings assert the basic freedom and equality of all peoples. They stress the importance of mutual help and respect, and direct Muslims to extend friendship and goodwill to all, regardless of their religious, ethnic, or racial background.

Islam, on the other hand, permits its followers to resort to armed struggle to repel military aggression, and indeed urges them to fight oppression, brutality, and injustice. The Qur’anic term for such a struggle is jihad. Yet for many in the West, jihad is nothing less than a holy war, i.e., a war to enforce one’s religious beliefs on others. Most Muslims would reject the equation of jihad with holy war, and would insist that a better description that captures the essence of the Islamic concept of jihad is a just war. There are still small and vocal groups of Muslims who conceive jihad as a divine license to use violence to impose their will on anyone whom they could brand as an infidel, including fellow Muslims who may not fit their self-proclaimed categorization of right and wrong.

The confusion about the meaning of jihad and the debate over

whether jihad is a “holy war” or a “just war” are of great importance for Muslims and non-Muslims alike, particularly at this juncture of human history when the world has once again rejected narrow nationalist politics and is moving rapidly to embrace the notion of global peace and the notion of a multi-cultural and multi-religious society. It is, hence, crucial to expose the confusion of those who insist that jihad is a holy war and who place doubts on Islam’s ability to support global peace. The advocates of jihad as a holy war constitute today a tiny minority of intellectuals in both Muslim societies and the West. Western scholars, who accept jihad as holy war, feed on the position of radical Muslim ideologues, as well as on generalization of the particular and exceptional to the general.

Given the fact that radical interpretations of Islam have had a disproportionate influence on the way Islam’s position regarding peace and war is perceived and understood, I intend to focus my discussion on rebutting the propositions of the classical doctrine of jihad, embraced by radical Muslims, and to show that these propositions were predicated on a set of legal rulings (*ahkām shar‘īyyah*) pertaining to specific questions which arose under particular historical circumstances, namely, the armed struggle between the Islamic state during the Abbasid era, and the various European dynasties. I hope I will be able to demonstrate in the ensuing discussion that classical jurists did not intend to develop a holistic theory with universal claims.

I further aspire to introduce a more comprehensive conception of war and peace which takes into account the Qur’anic and Prophetic statements in their totality. This new conception is then used to establish the fundamental objectives of war as well as the basic conditions of peace.

Misunderstanding the position of Islam vis-à-vis war and peace alluded to earlier is essentially a problem of textual explication. It is a problem of how a Qur’anic text is and ought to be interpreted. What rules did classical scholars use in deriving concepts and doctrines from Islamic sources, and what rules should Muslims use today? And, because the analysis must engage the classical methods,

there is no escape from employing the terminology of Islamic jurisprudence, better known as *uṣūl al-fiqh*. The legalistic and textual analysis of Islamic texts is, however, joined by a historical and analytical discussion, aimed at examining the socio-political conditions surrounding the armed jihad between the early Islamic state and the various political communities that it fought.