

The Rules of War and Jihad According to Islam

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After the attacks in London on 7/7/05 it is clear that the whole area of militancy within the UK and global Muslim communities is a very complicated one. One component is that there are individuals and groups that consider the Muslim Ummah (community) to be in a state of war. If that is the case (and I'm not going to debate that) then these people should be adhering to the rules of war sent by Allah. These are detailed and discussed below. Suicide attacks are discussed elsewhere. My aim is to highlight the correct conduct of Muslims when a war is being waged within the bounds of the Islamic faith and also to tackle the issue of jihad. All of this does raise a question, are those who are "at war" in the name of the Ummah following the rules of Islam? My own analysis would suggest that the answer is an emphatic "no!" Islam and the ethics of war

Islam sets down clear guidelines as to when war is ethically right, and clear guidelines as to how such a war should be conducted. In brief, war is permitted:

- in self defence
- when other nations have attacked an Islamic state
- if another state is oppressing its own Muslims

War should be conducted:

- in a disciplined way
- so as to avoid injuring non-combatants
- with the minimum necessary force
- without anger
- with humane treatment towards prisoners of war

Muslims must only wage war according to the principles of Allah's justice.

"Those who believe fight in the way of Allah, and those who disbelieve fight in the way of the Shaitan." Quran 4:76

Islam allows war in self-defence (Quran 22:39), to defend Islam (rather than to spread it), to protect those who have been removed from their homes by force because they are Muslims (Quran 22:40), and to protect the innocent who are being oppressed (Quran 4:75).

But the idea of a total and unrestricted conflict is completely unIslamic.

"Fight in the cause of God against those who fight you, but do not transgress limits. God does not love transgressors." Quran 2:1

Islam is in favour of peace and against violence. Murdering the innocent leads to punishment in Hell:

"If anyone killed a person - unless it was for murder or for spreading mischief in the land - it would be as if he killed the whole people" Quran 5:32

"The only reward of those who make war upon Allah and His messenger and strive after corruption in the land will be that they will be killed or crucified, or have their hands and feet on alternate sides cut off, or will be expelled out of the land. Such will be their degradation in the world, and in the Hereafter theirs will be an awful doom" Quran 5:33

The aims of war

The Quran emphasises that war should be fought only for noble motives without seeking any earthly reward: "Those who readily fight in the cause of God are those who forsake this world in favour of the Hereafter. Whoever fights in the cause of God, then gets killed, or attains victory, we will surely grant him a great recompense." Quran 4:74

The conduct of war

Islam bans the killing of non-combatants (Quran 2:190 above), or of a combatant who has been captured.

Muslims are forbidden from attacking wounded soldiers (unless the wounded person is still fighting).

The Prophet's (pbuh) view of non-combatants is shown by a Hadith in which Muhammad (pbuh) sees a woman killed in the battlefield and condemns the action.

When an enemy is defeated he should be made prisoner rather than be killed:

"So when you meet in battle those who disbelieve, then smite the necks until when you have overcome them, then make (them) prisoners, and afterwards either set them free as a favour or let them ransom (themselves) until the war terminates." Quran 47:

Abu Bakr (the First Caliph) gave these rules to an army he was sending to battle: "Do not commit treachery or deviate from the right path. "You must not mutilate dead bodies. "Neither kill a child, nor a woman, nor an aged man. "Bring no harm to the trees, nor burn them with fire, especially those which are fruitful. "Slay not any of the enemy's flock, save for your food. "You are likely to pass by people who have devoted their lives to monastic services; leave them alone"

A noble example of ideal Muslim conduct of war is the capture of Jerusalem by Saladin in 1187. Although a number of holy Muslim places had been violated by Christians, Saladin prohibited acts of vengeance, and his army was so disciplined that there were no deaths or violence after the city surrendered. The residents were taken prisoner, but their ransom was set at a token amount.

Jihad: Introduction

The literal meaning of Jihad is struggle or effort, and it means much more than holy war.

Muslims use the word Jihad to describe three different kinds of struggle: A believer's internal struggle to live out the Muslim faith as well as possible The struggle to build a good Muslim society Holy War: The struggle to defend Islam, with force if necessary

Many modern writers claim that the main meaning of Jihad is the internal spiritual struggle, and this is accepted by many Muslims.

However there are so many references to Jihad as a military struggle in Islamic writings that it is incorrect to claim that the interpretation of Jihad as holy war is wrong.

Jihad and the Prophet (pbuh)

The internal "Jihad" is the one that the Prophet (pbuh) is said to have called the "greater Jihad".

But the quotation in which the Prophet (pbuh) says this is regarded as coming from an unreliable source by some scholars. They regard the use of "Jihad" to mean "holy war" as the more important.

Holy War

When Muslims, or their faith or territory are under attack, Islam permits (some say directs) the believer to wage military war to protect them.

However Islamic (Shariah) law sets very strict rules for the conduct of such a war.

In recent years the most common meaning of Jihad has been Holy War.

And there is a long tradition of Jihad being used to mean a military struggle to benefit Islam.

The historian Bernard Lewis states that "the overwhelming majority of classical theologians, jurists, and traditionalists [i.e. Hadith experts] ... understood the obligation of jihad in a military sense."

What can justify Jihad? There are a number of reasons, but the Quran is clear that self-defence is always the underlying cause.

Permissible reasons for military Jihad: Self-defence Strengthening Islam Protecting the freedom of Muslims to practise their faith Protecting Muslims against oppression, which could include overthrowing a tyrannical ruler Punishing an enemy who breaks an oath Putting right a wrong

What a Jihad is not

A war is not a Jihad if the intention is to: Force people to convert to Islam Conquer other nations to colonise them Take territory for economic gain Settle disputes Demonstrate a leader's power

Although the Prophet (pbuh) engaged in military action on a number of occasions, these were battles to survive, rather than conquest, and took place at a time when fighting between tribes was common

The rules of Jihad

A military Jihad has to be obey very strict rules in order to be legitimate. It must not be fought to gain territory. It must be launched by a religious leader. It must be fought to bring about good - something that Allah will approve of. Every other way of solving the problem must be tried before resorting to war. Innocent people should not be killed. Women, children, or old people should not be killed or hurt. Women must not be raped. Enemies must be treated with justice. Wounded enemy soldiers must be treated in exactly the same way as one's own soldiers. The war must stop as soon as the enemy asks for peace. Property must not be damaged. Poisoning wells is forbidden. The modern analogy would be chemical or biological warfare.

The Quran on Jihad

The Quran has many passages about fighting. Some of them advocate peace, while some are very warlike. The Bible, the Jewish and Christian scripture, shows a similar variety of attitudes to war.

"Fight in the way of Allah against those who fight against you, but begin not hostilities. Lo! Allah loveth not aggressors."
Quran 2: 190

"Therefore if they withdraw from you but fight you not, and (instead) send you (Guarantees of) peace, then Allah Hath opened no way for you (to war against them)." Quran 4: 90

"But if the enemy incline towards peace, do thou (also) incline towards peace, and trust in Allah: for He is One that heareth and knoweth (all things)." Quran 8: 61

The Rules of War

Prior to the revelation of the Quran fourteen hundred years ago, there was no concept of civilized behaviour neither in war nor of the rights of enemies. Yet Islam decreed humane rules of war, many centuries before such ideas were put into conventions and agreements in the West

First, Islam draws a clear distinction between combatants and non-combatants. Non-combatants such as women, children, the old and infirm are not to be killed. Also, monks in monasteries and people in places of worship are to be spared.

These are the rights that Islam confers on combatants: No one should be burned alive or tortured with fire. Wounded soldiers who are neither unfit to fight, nor actually fighting, should not be attacked. Prisoners of war should not be killed. It is prohibited to kill anyone who is tied up or in captivity. Residential areas should not be pillaged, plundered or destroyed, nor should the Muslims touch the property of anyone except those who are fighting against them. Muslims must not take anything from the general public of the conquered country without paying for it. The corpses of the enemy must not be disgraced or mutilated. Corpses of the enemy should be returned. Treaties must not be broken. Muslims are prohibited from opening hostilities without properly declaring war against the enemy, unless the adversary has already started aggression against them.