Studien zur Friedensethik
Studies on Peace Ethics | 57

Heydar Shadi [ed.]

Islamic Peace Ethics

Legitimate and Illegitimate Violence in Contemporary Islamic Thought

Nomos
Aschendorff Verlag

https://doi.org/10.5771/9783845283494, am 12.10.2024, 10:23:47
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Studien zur Friedensethik
Studies on Peace Ethics

herausgegeben von
Prof. Dr. Heinz-Gerhard Justenhoven
Dr. Bernhard Koch

Band 57

https://doi.org/10.5771/9783845283494, am 12.10.2024, 10:23:47
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Die Deutsche Nationalbibliothek lists this publication in the Deutsche Nationalbibliografie; detailed bibliographic data is available in the Internet at http://dnb.d-nb.de

ISBN HB (Nomos) 978-3-8487-4050-5
ePDF (Nomos) 978-3-8452-8349-4

British Library Cataloguing-in-Publication Data
A catalogue record for this book is available from the British Library.

ISBN HB (Nomos) 978-3-8487-4050-5
ePDF (Nomos) 978-3-8452-8349-4

Library of Congress Cataloging-in-Publication Data
Shadi, Heydar
Islamic Peace Ethics
Legitimate and Illegitimate Violence in Contemporary Islamic Thought
Heydar Shadi (ed.)
263 p.
Includes bibliographic references.

ISBN HB (Nomos) 978-3-8487-4050-5
ePDF (Nomos) 978-3-8452-8349-4

ISBN 978-3-402-11704-0 (Aschendorff Verlag, Münster, Print)
ISBN 978-3-402-11704-0 (Aschendorff Verlag, Münster, ePDF)

Die Schriftenreihen ‚Beiträge zur Friedensethik' und ‚Theologie und Frieden' sind jeweils bis Band 44 beim Verlag W. Kohlhammer, Stuttgart, erschienen.

1. Edition 2017
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Introduction

This book is based on the proceedings of the international workshop 'Islamic Peace Ethics: Legitimate and Illegitimate Violence in Contemporary Islamic Thought', which were held by the *Institut für Theologie und Frieden* (Institute for Theology and Peace) (ithf) 15-17 October 2015 in Hamburg, Germany.

A significant characteristic of these proceedings is taking into account the confessional, geographical, and ideological diversity of contemporary Islamic peace ethics. The book includes papers discussing peace ethics from different groups and scholars representing both Sunni and Shi'ah branches of Islam, as well as different positions towards violence from pacifism and traditionalism to fundamentalism. The contributors are academics from different countries including Indonesia, Pakistan, Iran, Germany, UK, US, and Belgium. The papers discuss peace and war in contemporary Islamic thought from different disciplinary perspectives such as theology, philosophy, religious studies, cultural studies and the political sciences. They are divided into three parts: a. Methodology and Theory, b. *Jus ad bellum*[1] and c. *Jus in bello*.

I. Methodologies and Theories of Islamic Peace Ethics

The main emphasis of this book is on the methodological aspects of Islamic peace ethics. In addition to the papers in the first section, the 'Methodology and Theory', which deal directly with methodological issues, the papers in two other parts, '*jus ad bellum*' and '*jus in bello*' focus on the methodology and structure of arguments used by contemporary Muslim scholars for legitimizing and delegitimizing violence.

One of the methodological issues that are discussed is the normative disciplines in Islamic knowledge culture that have dealt or can deal with

1 *Jus ad bellum* is a part of just war theory in the Roman-Catholic tradition that discusses the conditions in which a war can be justified. Other parts are *jus in bello*, the rules of doing a war, and *post in bellum*, the rules of ending a war and what obligations exist post war.

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issues relating to peace and war. In 'Some Methodological Remarks on Islamic Peace Ethics', Heydar Shadi problematizes the almost exclusive focus of current debates in Islamic peace ethics on the legal tradition (Shari'ah-*fiqh*), and argues for a more comprehensive approach by taking into consideration the non-*fiqhi* and non-legal fields such as philosophical and mystical ethics, political philosophy (for example Farabi) and *adab* literature. Referring to the diversity of Islamic normative fields, Shadi points out that comparative studies on Islamic and Jewish peace ethics can be very helpful because the knowledge culture of Islamic and Jewish traditions have some significant similarities. Shari'ah with *halakhah*, *adab* with *mussar*, as well as philosophical ethics in both traditions, are comparable. Another strand in Shadi's 'methodological remarks' is problematizing the theological approach to violence. Warning of 'over-theologization of socio-political problems', Shadi holds that emphasizing the relationship between religion and violence, including research on this topic, can cause not only ignorance about violence, by not recognizing the real causes of violence, but become counter-productive by causing (epistemological) violence, through underestimating and masking the real (socio-political) causes of violence, and falsely laying blame elsewhere.

Other papers point out the difficulty of using the adjective 'Islamic' in current debates on violent phenomena. In 'Discussing Islamic Peace Ethics: Conceptual Considerations of the Normative', Sybille Reinke de Buitrago maintains that the workshop title implies that Islam and/or Islamic thought encompasses forms of violence. While any religion can be used for the legitimization of violence, some parts of current political and public discourse portray Islam as violent – and thereby also Muslims. In political terms, she adds, the inquiry into Islamic peace ethics can also be seen as a Western application of power. Thus, Islam and Muslims may be devalued and diminished, while the Western self is safeguarded. Reinke de Buitrago then remarks on two conceptual themes. The first theme relates to the normative, and in particular the plurality versus the universality of norms. Should we take the world's cultural and socio-political diversity as a principle to guide us? Or, following those who are against relativizing culture and norms, should we maintain the dominant position by asserting our norms? The second and linked theme is one of the self-other constructions and the processes of Othering. As identity is formed in its difference from an 'other', self-other constructions are a normal part of human existence. Yet, hierarchical self-other constructions that lead to processes of Othering, and even dehumanization of the 'other', enable violence and are

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highly destructive. Western thinking about Islam often illustrates such hierarchical self-other constructions and the associated processes of Othering. When we inquire into Islamic peace ethics, we thus need to remain self-reflective and open to unknowns and alternatives to enable an understanding that does not reproduce Western biases. Insights generated in such a manner can aid a renewed dialogue with the 'other', and help to deal with self-other difference non-violently.

This kind of labelling and adopting of a religious approach in peace/war studies is discussed as being part of the problem, creating bias and hostile Othering and producing further violence. Therefore, the theologization and Islamization of violent phenomena can be regarded as epistemological violence. These approaches, accordingly, can be used for legitimizing the violence of the centre and delegitimizing the defense of the oppressed.

In 'Is it Essentialism to Claim that Some Religions Foster Violence – and Some Do Not?' Dirk Ansorge also takes on this problem. He asks whether it exclusively depends on circumstances that religions either foster or discourage violence? Is it really impossible to identify a core message from religions in reference to violence? And how might an affirmative answer to these questions escape the allegation of essentialism?

Oliver Leaman's article, 'Peace and Violence in Islam: Philosophical Issues', uses deontological and consequentialist approaches in philosophical ethics to analyze different methodologies among contemporary Muslim scholars towards violence. According to Leaman, both absolutist and consequentalist approaches can be found in Islamic discourses on violence. The absolutists, Leaman maintains, tend to concentrate on particular *ayat* in the Qur'an, and their accompanying *hadith*, and use them to defend wide ethical principles that forbid or permit certain kinds of peaceful or violent behaviour. This approach tends to defend the status quo, since it often rules out violence in the ways it is often used to bring about regime or radical change. The ethical principle involved here is that, whatever the consequences, there are certain things that must never be done, and that obviously restricts aggressive actions from a moral point of view. On the other hand, according to Leaman, there are the consequentialists, who argue that Islam justifies radical steps in order to bring about the correct sort of objectives, those that are of course themselves justified by religion. Those *ayats*, which the absolutists appeal to, are of course respected by the consequentialists but they are put within a context which restricts their scope and does not interfere with consequentialist ethics. According to Leaman, religions have the ability to make harmony between these two

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ethical schools. In the Islamic case, Leaman believes, *hadith* literature has the greatest potential to realize this harmony.

II. Jus ad bellum

It is held that Islamic classic peace/war ethics were engaged mostly, if not exclusively, with regard to *jus in bello*, the rules of fighting in a war, rather than *jus ad bellum*, rights to war. However, due to modern developments in international law, there is an increasing interest in *jus ad bellum* in Islamic discourses on peace and war, where the conditions and principles of a just war are discussed. The articles in this section are all case studies that focus on a contemporary Muslim scholar or Muslim community. Out of seven articles, four are about Sunni scholars or contexts, two are about Shi‘ah scholars and one is about Sufi discourse.

Asfa Widiyanto discusses the arguments of Habib Rizieq Syihab, an Islamist scholar from Indonesia, about religious violence using the concept of ‘commanding good and forbidding evil’. According to Widiyanto, the founding fathers of FPI (most notably Habib Rizieq Syihab) thought that the government of Indonesia remained silent towards evil events which spread throughout the country and accordingly felt the necessity of ‘commanding good and forbidding evil’, by organizing some actions to bring a halt to evil in Indonesian society. Widiyanto focused on Syihab’s book entitled *Hancurkan Liberalisme, Tegakkan Syariat Islam* (*Destroy Liberalism, Enforce Islamic Law*, 2011) and discusses subsequent problems: (a) How does Syihab justify the violence in the corpus of Islamic doctrines? (b) What are the rhetorical modes that Syihab employs in his book *Destroy Liberalism, Enforce Islamic Law*? (c) What agency does Syihab use in transmitting his idea of ‘commanding good and forbidding evil’ and (d) What are the socio-political factors which surround Habib Rizieq Syihab’s ideas on violence?

The next two articles address Pakistani discourses on peace and war. Najia Mukhtar discusses in her paper, ‘Ideas on Citizenship and Violence against Religious Difference in Contemporary Pakistan’, a problematic in the argument of both religious extremist groups and moderate groups in the Pakistani context. Mukhtar shows that moderate Muslim scholars justify, rather as extremists do, religious violence against rebels, by excluding them from citizenship. Remarking that the Pakistani Taliban targets religious Others, for example, Christians and Shi‘ahs, Mukhtar analyses the

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responses of two contemporary Pakistani figures who actively criticize religious violence: the 'moderate' Sunni scholar, Javed Ahmed Ghamidi and the Sufi scholar, Tahir-ul-Qadri. Specifically, she examines their notion of citizenship, constructed from Islamic source materials such as the Qur'an, *hadith*, and *fiqh*, to guarantee religious freedoms. However, *inclusive* citizenship that offers protection against violence directed at religious difference must also *exclude* certain types of religious difference, in order to be practicable. Both Ghamidi and Tahir-ul-Qadri argue for eliminating, through violent or coercive means, 'terrorists' and 'militants'. These people are categorized as dissidents and rebels, using the same Islamic source materials. Citizenship (in their versions of Islam) thus constitutes guarantees of protection from *illegitimate* violence against religious difference, necessarily predicated on the *legitimate* violent suppression of rebel citizens. By extension, the rebel's struggle (*jihad*) is illegitimate, whilst the state's *jihad* against the rebel is deemed legitimate.

Charles M. Ramsey, in his article 'Blessed Boundaries: Javed Ahmad Ghamidi (b. 1952) and the Limits of Sunnah in Legitimize Violence,' introduces a reformist voice on Islam and violence from Pakistan. Ramsey discusses how Javad Ahmad Ghamdi rejects the legitimization of violence through Sunnah by limiting the authority of Sunnah to religious matters rather than worldly and state matters. According to Ramsey, there is an established consensus that the exemplary way of the Prophet as recorded in *hadith* is a foundational source for prescribing licit behaviour. However, there is disagreement among scholars regarding which facets of the Prophet's example are applicable. Is Sunnah limited to Prophetic testimony pertaining to matters of religion (*din*), or does this include matters of state (*dunya*) as well? While some groups such as clerics of the Deoband (*mamati*) faction, like Abdul Aziz Ghazi, *khatib* of Lal Masjid in Islamabad, appeal to a prophetic example in order to legitimize attacks not only on government forces but also on their dependents. Representatives of the Islahi School sternly disagree. A leading example of this position is Javed Ahmad Ghamidi (b. 1952), a student and then critic of the late Maulana Mawdudi (d. 1979). Unlike Ghazi, Ghamidi argues that Sunnah does not include the Prophet's actions as a statesman.

Two articles on *jus ad bellum* in Shi'ah contexts discuss the ideas of Seyyed Muhammad Husain Fadlallah (Lebanon) and Ayatollah Khoei (Iraq). Bianka Speidl analyzes in her paper 'The Rhetoric of Power in Muhammad Husayn Fadlallah's *al-Islam wa-mantiq al-quwwa*' how rhetoric supports a theory of empowerment that conveys the call to action

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and justifies violence. She identifes the rhetorical patterns and devices applied by Muhammad Husayn Fadlallah in his book *al-Islam wa-mantiq al-quwwa* (*Islam and the Logic of Power*). Speidl examines the rhetorical strategies and the various rhetorical tools that Fadlallah's philosophy of power transmits. Fadlallah's writings, according to Speidl, include arguments from scripture, necessity, virtue and instrumentality. Fadlallah has recourse to rhetorical questions, antinomy, metaphors and repetition to make his discourse convincing and effective. Moreover, he uses master narratives to frame his view of power in Shi‘ah salvation history. Spiedl shows how Fadlallah supports his argument with Qur’anic references as a final authority, and quotes from the Qur’an widely to legitimize power and the use of force. Speidl concludes that Fadlallah’s discourse constructs a religious ideology in which force is understood as virtuous, instrumental and inevitable. Each element of his rhetoric is aimed mainly at reassuring the quietists that the quest for power is justified, and at mobilizing the Shi‘ah to take action, even if it leads to violence.

Yahya Sabbaghchi’s article, ‘A Qur’anic Revision of Offensive War with Emphasis on the Views of the Late Ayatollah Khoei’, presents a critical reading of the late Ayatollah Khoei's view on the legitimacy of offensive *jihad*. Sabbaghchi argues that a holistic reading of violence in the Qur’an rejects offensive *jihad*. According to Sabbaghchi, Allah introduces Islam as a global and pervasive religion and promises its conquest over other religions. In order to spread Islam, Muslims are encouraged to preach its teachings. This has prepared the ground for Islamic jurists and commentators to understand *jihad* verses in the Qur’an as the heavenly way of spreading Islam. In his paper, Sabbaghchi explains some Qur’anic theoretical principles, such as no compulsion in religion, the Prophet’s duty being only to communicate, emphasis on applying reason and proscribing blind adherence, the importance of human dignity and the authenticity of peace as the framework for *jihad* verses. By considering this framework, he argues for the inconsistency of offensive war (*jihad ebtedaei*) and the unassailable principles of the Qur’an, concluding that the defensive *jihad* is the genuine tenor of *jihad* verses.

In a geographical case study, Simona Merati discusses diverse views on violence among Muslims in post-Soviet Russia. According to Merati, Islam has flourished in post-Soviet Russia, revamping a long-professed faith, and reconnecting with the global *ummah*. The combination of old traditions with new Islamic influences from abroad, has enriched Russia’s Muslim communities, but has also created social friction. Particularly con-

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troversial is the (self)-positioning of Russia's Muslims toward the state. Merati adds that official Islamic institutions embrace the state-supported notion of Russian 'traditional Islam' (indicating the forms of Islam historically practiced in Russia) and its belonging to a 'Russian civilization'. Russian *muftis* reject assumptions that Islam is a violent religion and Muslims are enemies of the state. Some Muslim leaders and prominent scholars of Islam emphasize Islamic *wasatiyyah* ('moderateness', *umerennost'*) as preventing social conflict, even in multi-religious societies. Conversely, other Muslim thinkers find inspiration in the Iranian revolution, reinterpreted through the lens of Russian-Soviet history and traditional Russian messianism, to envision a new society based on 'justice' (*al-'Adalah*, *spravledivost*). Additionally, *jihadist* claims appear throughout Islamic discourse, especially in areas of conflict (North Caucasus). Separatist groups like Imarat Kavkaz are close to international terrorism, Al-Qaeda, and the Islamic State, with whom they are in considerable agreement.

The last chapter of the *jus ad bellum* section of the book is the only paper in this collection that sets out the non-violent approach in contemporary Islamic thought. In his article 'Jawdat Sa'id and the Philosophy of Peace', Abdessamad Belhaj discusses the philosophy of Jawdat Sa'id, a Sufi and activist from Syria. Inspired by Gandhi, Mohamamd Iqbal and Malik Bin Nabi, Jawdat Sa'id is, according to Belhaj, a leading voice for pacifism in the Islamic context, who has criticized both Islamist Seyed Qutb and the secular regime of Asad. Belhaj points out that peace has been a marginal topic in the main Islamic intellectual fields, namely *fiqh* and theology. According to Belhaj, Jawdat Sa'id owes his pacifism neither to *fiqh* nor to theology, but to sufism and philosophy.

III. Jus in bello

In the only *jus in bello* chapter of the book, Seyed Hassan Eslami Ardakani discusses 'Lying in War' in the Islamic tradition. According to Eslami Ardakani, on the one hand it is held that lying is a vice and prohibited from an Islamic standpoint. On the other hand, it is agreed by all Muslim ethicists and jurists, or *fuqaha*, that a Muslim army can lie in wartime. But the question is, how they can justify this? After briefly reviewing three main arguments for allowing lying in war in the Islamic tradition, he introduces a fourth position that questions the logical possibility of lying in

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war, since in war trust cannot be relied upon, and trust is a precondition on which lying depends.

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I. Methodology and Theory

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Some Methodological Remarks on Islamic Peace Ethics

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Abstract: This paper contains some methodological remarks on research into Islamic peace ethics. It can be interpreted also as a meta-ethics or analytical approach that tries to analyze and clarify the concepts and presuppositions of the topic. It discusses critical features of both mainstream research and the secondary literature in Islamic peace ethics:

I. First it reflects on 'peace' and 'ethics' in the phrase 'Islamic peace ethics' - using it as the title for this book - examining the problems that arise, because the literature in this area tends to concentrate more on the *law* of conduct in *war* (*fiqh al-jihad*) rather than *peace ethics* (*akhlaq al-salam*). 2. The second point reflects on *fiqh* as the almost exclusive normative discipline that the current literature on Islamic peace ethics uses, and asks whether *fiqh* is the only discipline in this regard or whether there are other normative fields in the Islamic knowledge tradition that discuss violence, peace and war issues. 3. The third point concerns the adjective 'Islamic' in the title and asks what does 'Islamic' mean in 'Islamic peace ethics'? Examining the Islamic, (the religious), and Islamicate, (the culture and civilization), it warns against confusing the two, risking reducing the Muslim world to a religious-theological dimension alone. This confusion can lead to neglecting non-religious normative resources in Islamic societies and the over-Islamization of Muslims. 4. The fourth point reflects on epistemological violence that results from locating Islam in a position of suspicion and relating violence to theology and religion when dealing with socio-economic-political phenomena (an over-theologization of violence). 5. The final remark warns about the danger of dealing with visible manifestations of violence and ignoring the ontological, anthropological and epidemiological aspects of the subject.

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1. Introduction

Institut für Theologie und Frieden (ithf), which conducts peace research from a Catholic-Christian perspective, had the intention of launching a research project about Islamic peace ethics. This research project was designed originally in order to 'acquire analytical knowledge about contemporary Islamic peace ethics'. The proposal stressed that 'besides finding and studying the main topics and positions in the Islamic world about peace-related issues, the focus will be on the reasons behind the positions. The methodologies and structures of the peace-related arguments in Islamic ethics will be studied in order to reconstruct the internal architecture of these positions.

Soon after the beginning of the research project, it became clear to the author that some methodological and conceptual presuppositions related to the research project should be noted and revised. One of the first difficulties that encouraged him to devote more time to the methodological dimension of the project, was choosing Muslim scholars, whose methodology and arguments on the peace/war issue needed to be studied. The question that suggested itself was what was meant by 'Muslim scholars'? To which normative discipline should they belong? Jurisprudence (*fiqh*), theology, Sufism or philosophy? These questions led in turn to a general question about the *normative system* and *normative fields* in Islam. What are the normative sources and disciplines in Islamic tradition? One question that required further investigation was in regard to Islamic *knowledge culture*. What are the main knowledge categories and methodologies in the Islamic tradition? What is the position of reason and scripture in Islamic knowledge culture? What are the relationships between normative fields, as well as their relation to non-normative Islamic sciences?

Another question that suggested itself was the religious and secular discourses on peace and war in Islamic countries. What do we mean by 'Muslim scholars'? Do we mean those scholars in Islamic countries who are religious and argue religiously, or do we mean those with an Islamic background, even without religious argumentation? The original proposal used the terms 'Islamic peace ethics' (*Islamische Friedensethik*) and 'Peace ethics in an Islamic shaped cultural sphere' (*Islamisch geprägten Kulturkreis*) alternatively. This usage of terms betrayed a confusion between Islam as religion and Islam as culture and civilization (Islamicate). This confusion can be the result of a reductionist approach, however unconscious, relating to the culture of Islamic countries. It was an approach

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that can hinder a comprehensive and objective understanding of the ongoing related debate.

Yet another conceptual question concerned the political-social dimensions and implications of this research project. Does this question presuppose the Islamic nature and background of some current conflicts? Is this research project politically correct? Does it not produce *epistemological violence* by putting Islam in a position of suspicion in the current cultural-political asymmetries?

This text discusses these and some other methodological and introductory points about the research project. It interrogates the basis of the research project, in order to reconsider some presuppositions. Indeed, this essay aims at developing a methodological introduction to Islamic peace studies.

To challenge the nature of the research project is understandable, if we take into account that there have been an increasing number of works addressing the topic in recent decades in Western scholarship. However, this scholarship is usually, as Ahmad Al-Dawoody, the author of The Islamic Law of War: Justifications and Regulations, shows,[1] accused of misunderstanding, oversimplification and manipulation. If Islam is, as Reuven Firestone holds, 'perhaps the most misunderstood religion to the West, and many stereotypes still hinder clarity about its tenets and practices',[2] then *jihad* is according to James Turner Johnson the most misunderstood topic. Johnson writes, 'between Western and Islamic culture there is possibly no other single issue at the same time as divisive or as poorly understood as that of *jihad*.'[3] Onder Bakircioglu, the author of a new book on the subject Islam and Warfare writes in a similar vein, 'The question of how Islamic law regulates the notions of just recourse to and just conduct in war has long been the topic of heated controversy, and is often subject to oversimplification in scholarship and journalism'.[4]

In order to avoid yet another book contributing to this misunderstanding in the field, it may be helpful to continue to question the approach of the

1 Al-Dawoody, Ahmad. The Islamic Law of War: Justifications and Regulations. New York, 2011, p. 2.
2 Firestone, Reuven. Jihad: The Origin of Holy War in Islam. New York, 1999, p. 13.
3 Johnson, James Turner. The Holy War Idea in Western and Islamic Traditions. Philadelphia, 1997, p. 19.
4 Bakircioglu, Onder. Islam and Warfare: Context and Compatibility with International Law. New York, 2014.

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research project, and try to provide a sound methodological groundwork for the research. Therefore, before talking about peace and violence potentialities in Islamic thought, or investigating the methodologies and approaches of contemporary Muslim scholars towards violence and peace, a *methodological suspension* of the research will be undertaken. This methodological suspension may help to detect the possible *blind spots* of the dominant paradigm and discourse about the topic, and develop new approaches and insights into this problem. Some introductory remarks that are briefly described in this text as methodological challenges for the research project are: intercultural and (cultural) translation challenges; the over-jurifidication of the Islamic normative system; the over-Islamization of Muslim societies; and the over-theologization of social-political problems.

2. *What does 'peace' mean in 'Islamic peace ethics'? Peace ethics or fiqh al-jihad (law of war)? An inter-cultural and translation challenge*

There is a widespread view in secondary literature about the Islamic ethics of war, that the classic Islamic tradition has focused on *jus ad bellum* and that it has reflected very little on *jus in bello*. Ahmad Al-Dawoody writes in this regard:

> Despite the vast extent of the literature written on jihad since the first century of Islam [...] much disagreement and misunderstanding still exist about the subject, mainly regarding the Islamic justifications for going to war. This is partly attributed to the fact that classical Muslim jurists give scant attention to the justifications for going to war compared with their extensive treatment of the rules regulating the conduct of Muslims during war. It is ironic that, contrary to the classical Muslim jurists, Western scholars have focused mainly on the justifications for jihad and almost disregarded the Islamic regulations for the conduct of war.[5]

If this is the case, one might suggest that we cannot talk about 'Islamic peace ethics' but just 'Islamic *jus in bello*' or *fiqh fi jihad* (law in war). However, the situation has it seems changed in post-classical Islamic

5 Al-Dawoody, Ahmad. The Islamic Law of War: Justifications and Regulations. New York, 2011, p. 4; see also Hashmi Sohail. 'Saving and Taking Life in War: Three Modern Muslim Views'. In: Islamic Ethics of Life: Abortion, War, and Euthanasia, Jonathan E. Brockopp (Ed.) Columbia SC, 2003, pp. 129-154, here p. 129. Originally in: *The Muslim World*, April 1999, LXXXIX, 2, pp. 158-180.

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scholarship. Ahmad Al-Dawoody holds that a kind of Islamic *jus ad bellum* emerged in the 13th century with Ibn Taymayyah, 'In fact, it took classical Muslim jurists about seven centuries until a manuscript devoted to the treatment of the justifications for war was written by the encyclopedic Muslim scholar Ibn Taymiyyah (d. 728/1328)'.[6] Sohail Hashmi, professor of international relations at Mount Holyoke College, US, and author of several works on the Islamic ethics of peace and war, dates this change to the modern era and believes that modern Muslim scholars wrote, in contrast to classical Muslim scholars, mostly on *jus ad bellum*. He starts his article 'Saving and Taking Life in War: Three Modern Muslim Views' as follows:

> A curious invention of foci is evident in modern Islamic discussions of war when compared with the medieval literature. The majority of medieval writers began with a consensus on the grounds for war (*jus ad bellum*), which held *jihad* to be both a war of defense as well as for the expansion of a *pax Islamica*. They focused in their writings much more on concerns of legitimate means in warfare (*jus in bello*). Modern writers, on the other hand, concentrate heavily on *jus ad bellum* while devoting very little attention to *jus in bello*.'[7]

Questions such as why Islamic tradition and Islamic law (*fiqh*) focused in the pre-modern era on *jus in bello* and why and how the shift to *jus ad bellum* happened in the 13th century or the modern era can be answered in different ways, and deserve an investigation at later stages of the research project, but it is not the concern of this text.[8] The main point here is that Islamic tradition has reflected more, according to the secondary literature,

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6 Al-Dawoody, Ahmad. The Islamic Law of War: Justifications and Regulations, p. 78.

7 Hashmi, Sohail. Saving and Taking Life in War: Three Modern Muslim Views. In: Islamic Ethics of Life: Abortion, War, and Euthanasia. Jonathan E. Brockopp (Ed.). Columbia, SC 2003, pp. 129-154. Originally in: *The Muslim World*. LXXXIX, 2. April 1999, pp. 158-180

8 One may relate this shift to Islamic theology, as God has in Islam both merciful and aggressive attributes and similarly Mohammad was both peace initiator and war commander. Hashmi holds that due to this theological - ontological difference Thomas Aquinas's question about war was not proposed in Islamic tradition. He writes, 'The use of force by the Muslim community is, therefore, sanctioned by God as a necessary response to the existence of evil in the world.' (Hashmi, 2002, p. 198) Similar to Hashmi, but in a different articulation, Jackson concludes that 'a prevailing "state of war", rather than difference of religion, was the *raison d'être* of jihad and that this "state of war" has given way in modern times to a global "state

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on the law and rules of *war* '*fiqh* in *jihad*/ *jus in bello*' (in the classical period) and '*fiqh* of *jihad/ jus ad bellum*' (in the modern era) and not on Islamic peace ethics. Talking about Islamic peace ethics is indeed, one may hold, an unjustifiable translation from the Catholic tradition to the Islamic tradition. Using the term peace ethics for Islamic *jus in bello* can be interpreted, as it lacks the necessary theoretical foundation, suggesting an 'artificial' peace ethics that is unlikely to serve a real and sustainable peace building process. In addition, producing such peace ethics may hinder the development of a native and authentic peace ethics. The literature on 'imported' Islamic peace ethics risk causing a kind of fake sufficiency. Yet, the search for a possible Islamic peace ethics may still be justifiable as an intercultural study, even though the contextual differences should be taken into account in order to prevent misunderstanding.

3. What does 'ethics' mean in Islamic peace ethics? An over-juridification of Islamic normative system?

The claim that classical Islamic *jurists* focused on *jus in bello*, but modern Muslim scholars focused on *jus ad bellum*, may be correct. However, it seems that the almost exclusive focus of secondary literature on the normative discussion of peace/war in Islam is directed towards *fiqh*/law. It is said in Islamic studies that Islamic culture is a law-based tradition.[9] This opinion has been criticized in recent years as a colonialist-orientalist approach that concentrated on a part of Islamic tradition that was reformed for colonial purposes.[10] In addition, is it still legitimate to ask if Muslim

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of peace" that rejects the unwarranted violation of the territorial sovereignty of all nations.' Jackson, Sherman. Jihad and the Modern World. In: *Journal of Islamic Law and Culture*. 2002, 7 /1, p. 25.

9 Joseph Schacht, famous German orientalist, writes in this regard, 'Islamic law is the epitome of Islamic thought, the most typical manifestation of the Islamic way of life, the core and kernel of Islam itself.' Schacht, Joseph. An Introduction to Islamic Law. Oxford, 1964, p.1.

10 Wael Halalq writes in this regard: "Without a full, or even adequate, understanding of theology, mysticism or Arabic philosophy, the colonialist enterprise could have still been carried on, but without intimate familiarity with the law of Islam, this enterprise, or at least its ultimate success, might have been called into question'. Hallaq, Wael B. 'The Quest for Origins or Doctrine-Islamic Legal Studies as Colonialist Discourse." In: *UCLA J. Islamic & Near EL 2*. 2002, pp. 1-31, here pp. 1-2.

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philosophers, theologians, mystics, and politicians discussed war, peace and violence from a normative perspective? Is there any non-legal normative field in the Islamic tradition and knowledge culture that has discussed war and peace? Sohail Hashmi's text implies a negative answer to this question. Referring to this challenge in his article 'Interpreting the Islamic Ethics of War and Peace,' he writes:

> Much of the controversy surrounding the concept of jihad among Muslims today emerges from the tension between its legal and ethical dimensions. This tension arises because it is the juristic, and not the philosophical or ethical, literature that has historically defined Muslim discourse on war and peace. With the rise of the legalistic tradition, ethical inquiry became a narrow and secondary concern in Islamic scholarship. What we find from the medieval period are legal treatises propounding the rules of jihad and discussing related issues, but few ethical works outlining a framework of principles derived from the Qur'an and sunna upon which these rules could be based.[11]

Hashmi's answer, however, needs further investigation. One of the main points of conflict between the two theological schools in classical Islam, Ash'ari and Mu'tazila, was the normative and ethical approach. They discussed the nature and ontology of values: whether a value, for example justice, is good in itself and by nature, or because of the intention and will of God. In addition, Hashmi talks about the situation following 'the rise of the legalistic tradition'. One might ask what the situation was before the emergence of a legalistic tradition? What has been the less dominant non-legal normative tradition beside the dominant legalistic tradition? Can we reconstruct a non-legalistic normative approach to war in the Islamic tradition?[12] Therefore, the question of violence in Islamic tradition should first elaborate on the general normative system in Islam. Is *fiqh* equal to law in the Western tradition? Focusing on *fiqh*/law, when it comes to normative questions in Islam, does not seem a very convincing position, and might be called an 'over-juridification' of the Islamic normative system. As mentioned above, there were intensive theological debates about the nature and ontology of values and norms among Ash'arite and Mu'tazilite schools in the classical Islamic tradition. It should be asked what the current theological-normative discourses are, and what the interaction be-

11 Hashmi, Sohail H. "Interpreting the Islamic Ethics of War and Peace". In: Sohail H. Hashmi, Jack Miles (Eds.). Islamic Political Ethics Civil Society, Pluralism, and Conflict. Princeton, 2002, p. 195.

12 See for a non-legal approach to peace and Islam. Kalin, Ibrahim. Islam and Peace. Amman, 2012.

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tween contemporary Islamic jurisprudence and theological ethics is? In addition to theological ethics (the Ash'arite-Mu'tazilite debate) there has been a philosophical ethics tradition in Islamic knowledge culture that was mainly drawn from ancient Greek ethics. Was there any peace/war related debate in these philosophical ethics? How did they interact with Islamic jurisprudence and other normative fields? Does this ethical tradition still have authority in Islamic societies?[13]

So, one methodological question this research project needs to address is the nature of the general normative system in the Islamic tradition. What are the normative disciplines in Islamic knowledge culture? What are their internal interactions? Are there any non-law normative fields such as philosophical ethics, theological ethics, mystical ethics, political practical ethics (*Fürstenspiegel*) and scripturalist ethics, etc.?

This quest for alternative normative and intellectual resources in Islamic tradition is important because one might argue that the Islamic law tradition (*fiqh*) has methodological shortcomings to overcome the modern socio-political challenges, including religiously motivated violence. This is what several contemporary Muslim thinkers have reflected and written about. Muhammad Iqbal (1877-1936, Muslim India), Fazlur Rahman (1919-1988, Pakistan), Muhammad Arkoun (1928-2010, Algeria), Muhammad 'Abed al-Jabri (1936-2010, Morocco), Hamid Abu Zayd (1943-2010, Egypt), and Abdolkarim Soroush (1945- Iran), are some of the representatives of this critical approach.[14] A Malaysian academic makes this point explicitly in his comment on the open letter of Muslim

13 Currently there is a related research project in Göttingen University under the title of 'The Islamic moral philosopher and historian Miskawayh (d. 1030) inbetween reception and transformation'. This research project analyses how Miskawayh, the Muslim ethicist from 10th century "received, modified and reconstructed the ethical and educational ideas of ancient pagans as well as later Jewish, Christian, and Muslim authorities in the light of his own images of God, human, and the world". http://www.uni-goettingen.de/de/521153.html (access: 10.02.2017).

14 See for primary literature:
Iqbal, Mohammad. Reconstruction of Religious Thought in Islam. London, 1934; Rahman, Fazlur. Revival and Reform in Islam. Oxford, 1999; Abed al-Jabri, Muhammed. *Kritik der arabischen Vernunft. Die Einführung.*Berlin, 2009; Abu Zayd, Nasr Hamid. Reformation of Islamic Thought: A Critical Analysis. Amsterdam, 2006; Arkoun, Mohammed. The Unthought in Contemporary Islamic Thought. London, 2002; Soroush, Abdolkarim. The Expansion of Prophetic Experience: Essays on Historicity: Contingency and Plurality in Religion. Nilou

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scholars to Abubakr al-Baghdadi,[15] the leader of IS, in which 128 Muslim scholars argued using classical Islamic methodology against the IS interpretation of Islam. He argues that traditional Sunnism has, despite many differences, also many commonalities with IS when it comes to methodology. Therefore, he believes that Muslim intellectuals should consider whether they can deal with such problems in addition to traditional Sunnism. He writes:

> While IS is outside traditional Sunnism when it comes to the treatment of non-Muslims (although even here the lines are blurred at times - e.g. the issue of the fate of captives of war, offensive jihad in Shafi'i madhahb) it is undeniable that the IS approach to religious texts shares many crucial assumptions with traditional Sunnism (and sh'ism for that matter) - most faithfully the *ahl-hadith manhaj* - such as on gender issues or literal application of the *hudud* laws including death for apostasy. This is what the learned author [of the letter to IS] failed to mention. [...] To my mind, if anything, the rise of IS has highlighted the many problematic elements of traditional Islam (based on their outdated worldview and outdated interpretational approaches) that have never been resolved. And I think that this is the time for us, Muslims, take a hard, critical and constructive look at our tradition, and ONCE AND FOR ALL confront these issues with intellectual honesty and develop an alternative worldview and more adequate hermeneutics which would reflect more faithfully the spirit of the islamic message as captured by contemporary human rights based ethics which do not discriminate on the basis of faith, gender or social class.[16]

This methodological remark demands a reappraisal of a dominant law-oriented approach in Islam-peace scholarship and pleads for the inclusion of the alternative normative resources within Islamic tradition to deal with

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Mobasser (Ed., Trans.). Analytical Introduction by Forough Jahanbakhsh. Leiden, 2009.
For secondary literature:
Kurzman, Charles (Ed.). Liberal Islam: a Sourcebook. New York, 1998; von Kügelgen, Anke. *Averroes und die arabische Moderne: Ansätze zu einer Neubegründung des Rationalismus im Islam*. Leiden, 1994; Dahlén, Ashk. Islamic Law, Epistemology, and Modernity: Legal Philosophy in Contemporary Iran. New York, 2003; Hildebrandt, Thomas. *Neo-Mutazilismus? Intention und Kontext im modernen arabischen Umgang mit dem rationalistischen Erbe des Islam*. Leiden, 2007; Troll, Christian. *Progressives Denken im zeitgenössischen Islam, Vortrag bei der Tagung der Friedrich-Ebert-Stiftung, der Konrad-Adenauer-Stiftung und der Bundeszentrale für Politische Bildung*. 2005, 09, pp 22-24.

15 The text is available in different languages including English and German in the following link: http://lettertobaghdadi.com (access: 12.01.2017)

16 The email of the scholar to the 'Sociology of Islam' mailing group. 08.11.2014.

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the question of violence. Accordingly, there should always be a clear mention in any study on Islam and peace regarding the specific type of the normative field of study. Talking or writing about Islam and war in general, and then merely referring to the law tradition, can imply a factual limitation and lead to misunderstanding. There are some scholars that have addressed this methodological problematic and called for going beyond *sharia* in Islamic war-peace ethics discourse. Prof. Abdul Aziz Said and his team at Chair for Islamic Peace at American University is one of rare, if not unique, research centers in this regard. However, their main goal seems to be promoting peace in Islamic discourse through focusing on Sufi tradition.[17] Dr. Qamar al-Huda in the United States Institute of Peace who has published *Crescent and dove: peace and conflict resolution in Islam*[18] expresses also explicitly this methodological problem. Qamar al-Huda points to this methodological problem in his interview about the purpose of their research project on Islamic peace at USIP and the book: "[The purpose was to ask] How to reframe the current debate on violence and Islam, and nonviolence? How to move beyond jihad conversation? Most scholars started with legal rules of engagement to put limitations to the violence. Others contested that the legal interpretation [of the subject] is overemphasized in Islam. Many perspectives outside the legal world: philosophy, theology, sociology etc."[19]

4. What does 'Islam' mean in Islamic peace ethics? Islamic/ Islamicate. An over-Islamization of Muslims?

The question of the ontology of Islam is one of the main concepts under consideration in this research. In the ontology of Islam the singularity-plu-

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17 See: Abdul Aziz Said, Nathan C. Funk, and Ayse S. Kadayifci (eds.). *Peace and Conflict Resolution in Islam: Precept and Practice*. Lanham, Md: University Press of America, 2001; Mohammed Abu-Nimer. *Nonviolence and Peacebuilding in Islam: Theory and Practice*. Gainesville, Fl.: University of Florida Press, 2003; Nathan C. Funk and Abdul Aziz Said. *Islam and Peacemaking in the Middle East*. Boulder, Colo.: Lynn Rienner Publishers, 2008.

18 Qamar al-Huda, (ed.). *Crescent and dove: peace and conflict resolution in Islam,* United States Institute of Peace, 2010.

19 Qamar al-Huda, Interview with Dr. Ayse Kadayifci at Rumi Forum: https://www.youtube.com/watch?v=TJT-EMfs_rw (Minute: 3, uploaded: 01.07.2011, access: 05.02.2017).

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rality, fluidity-solidity, sacrality-secularity of Islam, its ontological borders with culture, civilization and other religions etc., should be discussed. What do we mean by Islam when we ask about 'Islamic peace ethics'? Is it Islamic dogma and theology or is it Islamic culture and civilization? What distinguishes the sacral and secular in an Islamic society?

Islam is now often associated in the West with war and violence. This is, however, not a new phenomenon. 'For the West, Islam has been for centuries a source of fear and suspicion.'[20] The long conflict history between pre-modern Islamic and Christian political powers, the so-called crusades, can be interpreted as a prototype of these conflicts. Orientalists, as well as pre-modern polemic theological scholarship on Islam in the West, have depicted the religion and culture of Islam as an inferior Other to the religion and culture of the West.[21] However, what is not clear in this scholarship, is Islam itself. One aspect of this ambiguity is the singularity and plurality of Islam. Which Islam do we mean when we ask about Islamic peace ethics? In addition to the traditional confessional (Sunni-) theological (Mu'tazila, Ash'ari) and jurisprudential (Maliki, Hanbali, Shafi'i, Hanafi, Ja'fari), there are the cultural/ethnic (Arabic, Iranian, Turkish, Indian, Indonesian, etc.) and ideological/intellectual (traditionalist, liberal, fundamentalist, etc.) diverse categories in the Islamic cultural sphere. Therefore, the specific type of Islam should be specified, in order to avoid generalization.

Another aspect of this ambiguity is using the term Islam as a religion and at the same time as a culture-civilization. Do we mean by Islam in contemporary Islamic peace ethics, what contemporary Muslim scholars think about war? Or do we mean what the 'religious' contemporary Muslim scholars argue, regarding peace/war issues based on Islamic sources?[22] A problem searching for Islamic peace ethics is the over-theologization of Muslim societies, or the over-Islamization of Muslims. It limits the Muslim society to its religious resources alone, and deprives it of its other normative-cultural resources. This impoverishment can get in the way of de-

20 Al-Dawoody, Ahmad. The Islamic Law of War: Justifications and Regulations, p. 2.

21 Johnson, James Turner. The Holy War Idea in Western and Islamic Traditions. Philadelphia, 1997, p. 21.

22 This question has many dimensions. One may ask further about the very religious-secular binary. What are the sacred and secular elements in the normative system in an Islamic society? How is their relationship and how they interact?

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veloping a comprehensive and functional normative attitude in these societies towards any one topic, for example war.

Marshal Hodgson, an American historian, introduced the concept of *Islamicate* in his book *The Venture of Islam*, in order to distinguish Islam as religion (Islamic), from Islam as a culture and civilization (Islamicate).[23] This distinction can be helpful in avoiding this reductionist approach. Taking this distinction into account, we can ask, regarding this research project, if we mean by Islamic in 'Islamic peace ethics' either Islamic or Islamicate? After reviewing Hodgson's book on its 40th anniversary of publication, and warning about giving the Muslims the role of 'the bad other' in the West, Bruce B. Lawrence writes, 'Hodgson is both so necessary and so perilous as a catalyst for our 21st century engagement with Islam'.[24] It is of course plausible to study the attitude of religious tradition alone in Islamicate societies, but the distinction needs to be explicitly made, or there can be limiting and exclusionary implications that lead to misunderstanding. Talking about the religious discourse of peace in Islamic societies, and not mentioning this distinction, implicitly reduces Islamic societies to their religious dimension.

After his critique on the lack of adequate scholarship about Islam and war in the West, James Johnson remarks in his book *The Holy War Idea in Western and Islamic Traditions* that 'there exist no general histories treating the understanding of normative tradition on religion, statecraft, and war in Islamic societies or in Islamic religious thought. Many significant subjects remain unexplored for lack of researchers with the necessary training and language skills.'[25] The lack of a comprehensive account of peace in Islam in the West can be explained partly because of the reductionist approach towards Islam in orientalism, in imperialistic scholarship. The reductionist approach is usually an aspect of the mechanism where the

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23 Hodgson, M.G.S. The Venture of Islam: Conscience and History in a World Civilization. 1–3. Chicago, 1974. See also: Arnason, J.P. Marshall Hodgson's civilizational analysis of Islam: theoretical and comparative perspectives. 2006. In: J.P. Arnason, A. Salvatore, G. Stauth (Eds.). *Sociology of Islam* (Yearbook n. 7): Islam in Process. New Brunswick, 2006.

24 Lawrence, Bruce B. "Genius Denied and Reclaimed: A 40-Year Retrospect on Marshall G.S. Hodgson's 'The Venture of Islam'". http://marginalia.lareviewofbooks.org/retrospect-hodgson-venture-islam/ (access: 11.11. 2016).

25 Johnson, James Turner. The Holy War Idea in Western and Islamic Traditions. Philadelphia, 1997, p. 23. Cited in Al-Dawoody, Ahmad. The Islamic Law of War: Justifications and Regulations, p. 2.

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centre deals with the periphery. This reductionism is partly responsible for the current situation in the Middle East that seems to be 'incapable to regenerate itself'.[26] For a regeneration and renaissance, the Islamic world should redefine itself, its intellectual history - a decolonized self and history. As Asma Afsaruddin reminds us, 'The diversity of voices and opinions that continue to characterize Muslim-majority societies, as well as the rich spiritual and intellectual resources available within the Islamic tradition (both as a religion and civilization)'[27] should be taken into account.

Another limiting consequence of the Islamization of Muslims and certain regions is depriving a region of its pre-Islamic cultural heritage. One might hold that in dealing with topics such as peace and war in Islamic societies we should regard Islam in its larger cultural context, and study its exchanges and mutual influences in relation to its historical or contemporary neighbouring cultures and religions, such as Mesopotamian, Egyptian, Greek, Iranian, Judaism, Pre-Islamic Arab culture, Christianity etc. These studies can help to understand the normative patterns in societies better, as well as hinder one-sided and ahistorical essentialist approaches to the problem. The comparative investigation of concepts such as violence, war, peace, martyrdom, defense, missionary action, expansion etc. in these different cultures can provide helpful insights. As the Ancient Greek and Roman sources of the Christian-Western tradition generally, specifically in peace ethics, show, the study of the sources of Islamic tradition and peace ethics, including that of Mesopotamia and ancient manifestations of the civilization in the region, can help to explain and understand the normative system of Islamic tradition and societies. The current attitude toward violence in this cultural sphere may be rooted in the mythological and archetypical attitudes of these peoples towards life, death, body, humanity, the Other etc. The (inter)cultural-historical studies of this research topic can help firstly to avoid dichotomous and essentialist results, as well as gaining deep and analytical knowledge through exploring the general and specific archetypes, such as individual-collective contraction-expansions, security-threat conceptions and the self-other etc.

A helpful approach might be a comparative study of Jewish and Islamic peace ethics, because there is an obvious similarity in the normative order

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26 Afsaruddin, Asma. "Contemporary Muslims and the Challenge of Modernity". Oxford, 17.07.2015: https://blog.oup.com/2015/07/contemporary-misconceptions-islam/ (access: 11.11. 2016).

27 Afsaruddin. Contemporary Muslims. Oxford. 17.07.2015.

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of the knowledge cultures in both religions. Jewish religious scholarship is divided into two main categories: *halakhah* and *aggadah*. *Halakhah* is the practical and legal part and *aggadah* is the belief and dogma part. '*Halakhah* is comprehensive and has the sentence of every detailed act of a Jew. *Halakhah* means a 'going' a 'change' and denotes the way prescribed by the Jewish religion from cradle to grave'.[28] This is very similar to the Islamic case, as the practical part of Islamic scholarship is called *Shari'ah* and it also means 'path'. Marchal Breger, the Professor of law at the American Catholic University, writes in his short essay about this similarity:

> Similarities between Judaism and Islam are easy to see. [...] In both, law is central, and personal and social existence is governed by a divinely ordained legal system. There are also many obvious parallels between Judaism's legal system, known as *Halachah*, and the Islamic legal order of Shari'ah. Both purport to instruct us in how to attend to every aspect of one's life: one's getting up and one's going out, one's sexual practice and one's business practices. For some adherents of each, religious law also dictates political life, such as for whom to vote.[29]

It is indeed no surprise that Islam owes a debt to Judaism for its dogma, rituals, and historiography. This has been acknowledged in the Qur'an and other Islamic primary sources. This demands a rethinking of the concept of Islam in Islamic peace ethics, and pleads for a more inclusive approach to normative sources of Islami*cate* societies.

5. *Religion and violence: the over-theologization of socio-political problems?*

Another methodological question about the research project is the relation between the normative and social-political aspects of violence and peace. Asking about a normative approach to violence and peace, as this research project does, can be misleading about the real and false root causes of violence and peace. This research question presupposes and implies the reli-

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28 von Stuckrad, Kocku (Ed.). *The Brill Dictionary of Religion*, "Judaism". Leiden, 2006, p. 1083.

29 Breger, Marchall. "Why Jews Can't Criticize Shari'a Law". In: *Moment: Jewish Politics, culture, and religion*. January-February 2012. http://www.momentmag.com/why-jews-cant-criticize-sharia-law/ (access: 11.11. 2016).

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gious or normative nature (at least normative dimension) of current violent acts by some Muslim groups. This may, however, be problematized as the o*ver-theologization* of socio-political problems.[30] Taking into account that different world religions or ideologies have had both violative and tolerative phases in their history, it is plausible to ask what the determining factor is in such socio-political phenomena? What is the role of religion in the approach of a given society towards peace and war? What is the relation between religious and non-religious factors? Is it the holy text and dogma of these religions and ideologies, or the secular factors that cause violence or peace? Do some cases of high tolerance in Islamic history, for example in the 15th-16th century when Sephardi Jews were allowed to emigrate from Christendom to Islamdom - the so-called *Alhambra Decree* - mean an Islamic theological-religious consensus, or were socio-political factors playing a determining role? Is the current opposite reaction and intolerance towards the Other in Islamdom because of their violence fostering theology and poor normative peace tradition, or the result of regional and global non-theological factors, including becoming marginalized in the modern world and being subject to poverty and injustice? Does the colonial history of Islamic countries play any role in Islamic radicalism? Some Islamic countries were colonized in 19th and 20th centuries. The region was left with a longstanding legacy: artificial borders and national identities causing ongoing conflicts, with local military elites allied to the colonizers and world powers. Context as well as methodologies can play a significant role in the position of contemporary Muslim scholars towards peace and war. In this regard, the question of Islamic peace ethics needs to take into consideration the socio-political context.

It seems that the question of Islamic peace ethics assumes that there is an operating ethical or theological position. If, as some theories of international relations such as *dependency theory* holds, the 'failed modernization' in peripheral countries, including Islamic countries, is a constitutive part of the *world system* but is not due to their local conditions, one must ask whether the violence in such peripheral countries, including some Islamic countries, is a result of the world system, or a consequence of their local culture or social system. There are some scholars, for example Olivièr Roy, who reject any relation between Islam as religion and the re-

30 Bayat, Asef. "Islam and Democracy: What is the Real Question?", Amsterdam University Press, ISIM Paper 8, 2007.

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cent Islamist-militant movements. Roy explains these movements as the result of secularism and imperialism and being removed from Islamic tradition. He says:

> I think that the current struggle is a continuation of the old confrontation between anti-imperialist movements based in the Third World with the West and specifically the US. [...] Al-Qaida is obviously a generational movement, it is made up of young people who have distanced themselves from their families and their social surroundings and who are not even interested in their country of origin. Al-Qaida has an astonishing number of converts among its members, a fact which is recognized but has not received sufficient attention. The converts are rebels without a cause who, thirty years ago, would have joined the Red Army Faction (RAF) or the Red Brigades, but who now opt for the most successful movement on the anti-imperialist market. [...] The new movements are profoundly skeptical about building an ideal society, which explains the suicidal dimension also present in the RAF.[31]

This remark is highly relevant because our interpretation of conflicts affect also the solutions and strategies we adopt to manage them. If this research project leads to a misleading account of the root causes of the conflicts, through focusing on religious-normative aspects rather than its socio-political roots, it could also contribute to a failure of conflict management.

5.1. Research on 'Islamic peace ethics' as epistemological violence from the centre?

The sceptical view of the normative approach toward Islam-related violent phenomena is more complicated if we take the concept of *epistemological violence* into account. Epistemological violence is exerting force and reproducing hierarchy through research design, data collection, analysis, and communication of the findings. Any phase of a research process entails 'violent' acts, by making exclusions and inclusions. A research project on Islamic peace ethics can become, due to the research asymmetry, an instrument that the centre in the world system uses, in order to burden the shoulders of the victim and exculpate itself from any responsibility, for problems that are the result of the centre's colonialist-imperialist history,

31 "Holy Secularism: Oliviér Roy talked to Eren Gvercin". In: *New Perspectives Quarterly.* 27/3. Summer 2010. http://www.digitalnpq.org/archive/2010_summer/21_roy.html (access: 11.11. 2016).

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and the current unjust world system. A research project on Islamic peace ethics may serve the centre firstly by putting the burden of responsibility on the shoulders of the victim, secondly by calling the victim's resistance 'violent' and thirdly by ascribing socio-political problems as inherent parts of their culture and religion, and as irrational characteristics of the victim. Thus, conducting a *theological* research into Islamic peace ethics, when the determining factor of peace and war is socio-political, not only fails to explain much about the problem and confuses the real socio-political causes (previously remarked upon) but it also frees the real perpitrator from blame and gets in the way of the victim resisting. Therefore, this research project should be wary of the question of epistemological violence and be cautious in regard to any presuppositions concerning this aspect of the research.

6. Philosophical foundations of the question

If the violence we witness today in the name of Islam is a socio-political phenomenon, and a reaction and resistance to a wider violence practiced by the global centre and the consequence of an unjust world order, the question that suggests itself is, can the centre's violence be overcome or is the centre-periphery model inherent in the world? One may hold that violence is inherent even though type and role-player changes. This question can be better understood if we take into consideration the fact that today's periphery was yesterday's centre, and it practiced more or less the same imperialist violence and Othering. Islam's expansion, for example, in late antiquity through Islamization and in some cases Arabization of the region, was not without violence, either physical or epistemological. This insight requires investigating the question of violence at a deeper level and asking further questions about the ontology and anthropology of violence. Is violence an essential and irremovable component of the Being and human, and therefore there was and always will be conflict in the world, or is it an accidental element in the world that can be overcome? What is the logic of its existence, if there is any? The importance and necessity of these philosophical elaborations on peace can be better understood if we take into account that, in spite of all efforts, there has been violence throughout human history and there has hardly been any progress. Charles Webel writes in this regard in his article 'Toward a philosophy and metapsychology of peace':

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> If peace [...] is both a normative ideal [...] as well as a psychological need [...] then why are violence and war (the apparent contraries of social, or outer, peace), as well as unhappiness and misery (the expressions of a lack of inner peace), so prevalent, not just in our time but for virtually all of recorded human history? Given the facts of history and the ever-progressing understanding of our genetic and hormonal nature, is peace even conceivable, much less possible?[32]

If violence cannot be overcome, but it just shifts deterministically from one space and geography to another (at an international level), then asking about its relation to one factor, for example Islamic or Christian tradition, becomes a question that presupposes a kind of causality, which may be a false question that confuses correlation as causality, due to a neglect of the more fundamental (ontological) dimensions of the phenomena.

The philosophical foundations of the question also include, in addition to the ontological and anthropological, the epistemological aspects of asking about the relationship between religion/Islam and peace/violence, how our perception of knowledge and the limitations of the human cognitive faculty influences the proposition, formulation and researching of the questions for this research project. How objective is our evaluation of an act or an idea as either violent or peaceful? Are such evaluations and interpretations not historical and contextual? What implications have the historicity and contextuality of the episteme for Islamic peace studies? How should we deal with the historicity and contextuality of our episteme in applied normative fields, such as peace/conflict studies? The social-political conditions of knowledge should be considered here too. How do power asymmetries influence our perception of the offensive and defensive characteristics of a violent act? How can we be sure not to confuse the position of offender and offender, victim and criminal?

32 Webel, Charles. 'Toward a Philosophy and Metapsychology of Peace.' In: Charles Webel, J. Galtung (Eds.). Handbook of Peace and Conflict Studies. New York, 2001, pp. 3-13.

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Is it Essentialism to Claim that Some Religions Foster Violence – and Some Do Not?

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Abstract: Leading representatives of religions involved in conflict frequently emphasize the pacific impact of their particular convictions. However, in studies of religions as well as in political science it seems to be commonplace that the impact of religions in conflict is ambiguous. The question arises: does it exclusively depend on the political, sociological, and economical circumstances that religions either foster or discourage violence? Is it possible to identify the core message of a certain religion in reference to violence? Moreover, how might an affirmative answer to the question escape the allegation of essentialism?

Introduction

At the beginning of the third millennium and throughout the world in military conflicts, on the one hand, political leaders recurrently legitimate their political claims or even violent measures by referring to religious arguments. On the other hand and simultaneously, religious representatives normally emphasize the appeasing and pacific character of the religion they profess.

Frequently this phenomenon in literature is called 'ambiguity of religion', or 'ambivalence of sacred'.[1] Ambiguity in this context means that religious arguments can be used to justify or even foster violence just as easily as to minimize or abate violence in conflicts, to establish peace and to promote reconciliation. Some essayists call this the 'Janus-faced nature'

1 Cf. Appleby, R. Scott. The Ambivalence of the Sacred: Religion, Violence, and Reconciliation. Lanham MD, 2000.

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of religion – referring to the two-faced Roman deity who looks both to the future and the past.[2]

But can we really accept the theory that religions are essentially ambivalent with regard to social, political, and military violence? For then we would be obliged to say that in the end religious ideas are completely irrelevant with regard to their influence on human behaviour. Religious ideas – as multifaceted as they might be – wouldn't have any effect on private, social, or political actions. They would be void of any normative or critical function in society. Religious ideas would have the sole function of legitimizing human behaviour – either before action or in retrospect – that would be primarily motivated by political, sociological, and economical reasons. Religions would serve as a maidservant to social or political actions.

It is clear that such a consequence is hardly acceptable for any committed adherent of a religion. Although it is difficult to present a comprehensive definition of 'religion', it is generally accepted that religions present a certain understanding of reality and human existence. From this starting point, religions offer some orientation in social relationships, they help to deal with suffering and contingency, and they nurture spiritual progress. Religions claim to establish helpful rules for individual, social, and even political behaviour. Evidently this self-concept of religion contradicts the previous theory that religion is of no key significance for human behaviour.

Therefore the question arises whether or not there is any substantial and normative impact of religions on human behaviour. Do the various religious ideas on nature and human beings have any effect on human behaviour, particularly with regard to violence and peace?

2 Cf. Schaefer, Heinrich. 'The Janus Face of Religion. On the Religious Factor in New Wars.' In: *Numen*. 51. 2004, pp. 407-431; Stewart, Pamela J. / Strathern, Andrew. 'Religion and Violence from an Anthropological Perspective.' In: Mark Juergensmeyer, Margo Kitts, Michael Jerryson (Eds.). The Oxford Handbook of Religion and Violence. Oxford, 2015, pp. 375-384, p. 380; Scheffler, Thomas (Ed.). Religion between Violence and Reconciliation. Würzburg, 2002, p.76.

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1. A challenging example

Frequently researchers refer to the performance of human sacrifices by Meso-American Aztecs when they consider the relationship between religion and violence.[3] In doing so it is important to realize that the Aztecs had good reasons to perform these sacrifices constantly. According to their religious convictions the Sun would not have kept moving, had they interrupted their sacrificial practices.

But these convictions would by no means suffice to allow us at the present time to sanction the Aztecs' practice of sacrifice. First of all it is compassion and advocacy for the victims that encourage commentators on the beginning of the 3rd millennium to criticize the Aztecs' belief and practice. Compassion appears legitimate, even if one is aware of the temporal gap that yawns between the age of the Aztecs and the present day. Compassion seems to be legitimate, even if one bears in mind the fact that moral standards have changed over the course of time. On the basis of compassion it seems to be legitimate – or even compulsory – to criticize the link between the Aztecs' religion and violence.

Furthermore, from a contemporary point of view, it is the normative standard of human rights that encourages judging the Aztecs' belief and practice to be intolerable. Human sacrifice does not respect the basic human right to life and physical integrity – not to mention other human rights that are violated by the practice of human sacrifice.

But bloodshed and human sacrifice are exactly what are demanded by Aztec mythology, the foundation for the Aztecs' mode of understanding reality. This mythology is the conceptual basis of social, ritual, and even political and military behaviour and action. On the ritual level it demands human sacrifice in order to maintain the world. Therefore one cannot easily deny that the religion of the Aztecs justifies and fosters violence.

Another question deals with the authorization for blaming the Aztecs' religion for fostering violence. The deep historical and cultural gap between the Actecs' time and the present age makes an affirmative answer difficult. Furthermore, is 'blaming' a legitimate category of historical survey?

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3 Cf. Carrasco, Davíd. 'Sacrifice / Human Sacrifice in Religious Traditions.' In: Juergensmeyer et al. (Eds.). The Oxford Handbook of Religion and Violence. Oxford, 2015, p. 209-225, here p. 217.

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In any case, although this frequently quoted example is somewhat extreme, it does allow a closer scrutiny of some basic aspects of the leading question, whether it is legitimate or even possible to state that some religions foster violence, and some do not. Presupposing contemporaneity of religions – what precisely is the basis on which a critique of religion referring to violence is feasible? Furthermore, does such a critique authorize the establishment of a sort of ranking of religions with regard to their inherent dynamics of violence and peace? And finally, as a possible caveat – would this ranking introduce a certain kind of essentialism? But what is the meaning of the concept 'essentialism'?

2. *Religion and 'essentialism'*

Apparently, the concept of essentialism is not well received in the scientific community. Usually it suggests that for any specific entity there is a set of attributes that are necessary to its identity and function.[4] This implies in particular to cultures and religions. It is evident that the subject of my inquiry doesn't aim at ontological or metaphysical essentialism, but at cultural or religious essentialism.[5] 'Cultural' or 'religious essentialism' means that somebody claims to be able to define what is necessarily – by nature – linked to a certain culture or religion.

Anne Phillips, Professor for Political and Gender Theory at the London School of Economics and Political Science, distinguishes four types of social essentialism:

> The first is the attribution of certain characteristics to everyone subsumed within a particular category: the '(all) women are caring and empathetic', '(all) Africans have rhythm', '(all) Asians are community oriented' syndrome. The second is the attribution of those characteristics to the category, in

4 Cf. Cartwright, Richard L. 'Some remarks on essentialism.' In: *The Journal of Philosophy*. 1968, 65, pp. 615–626.

5 Cf. Grillo, Ralph D. 'Cultural Essentialism and Cultural Anxiety'. In: Anthropological Theory, 2003, p. 158, 'By "cultural essentialism" I mean a system of belief grounded in a conception of human beings as "cultural" (and under certain conditions territorial and national) subjects, i.e. bearers of a culture, located within a boundaried world, which defines them and differentiates them from others'. Cf. Grillo, Ralph D. 'Islam and Transnationalism.' In: *Journal of Ethnic and Migration Studies*. 2004, 30. p. 864: 'It must be accepted that for some people a person's essence is captured by their religious identity.'

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> ways that naturalize or reify what may be socially created or constructed. The third is the invocation of a collectivity as either the subject or object of political action ('the working class', 'women', 'Third World women'), in a move that seems to presume a homogeneous and unified group. The fourth is the policing of this collective category, the treatment of its supposedly shared characteristics as the defining ones that cannot be questioned or modified without undermining an individual's claim to belong to that group.[6]

According to Phillips we can't avoid generalizations when we try to comprehend something. In biology this is evident: without a clear and well-defined taxonomy it is impossible to classify different animals or plants. Therefore, according to Phillips, avoiding essentialism is a matter of caution and prudence. What matters is – primarily – the intensity of generalizing characteristics.

Intensity of characteristics, in turn, is always a matter of dispute. To avoid a misguided essentialism – 'misguided' in the sense of naturalized characteristics that are socially created – there must be a distinctive openness to reassessment and criticism. Critical analysis takes for granted the capability and the willingness to reflect on one's own understanding of a phenomenon.

It is Phillips's second distinction that seems to be most instructive here: the attribution of specific characteristics to a certain religion, 'in ways that naturalize or reify what may be socially created or constructed'. Phillips encourages distinguishing between the adherents of a religion and the religion itself. 'Religion itself' doesn't exist in reality. Instead it is a mere social and conceptual construction that underlies multiple and alterable conditions. Thereby the expression 'religion itself' might be conceived to be the vanishing point of religious ideas, conceptions, and practices that define identity and behaviour of such persons we usually call the adherents of a certain religion.[7]

It is unnecessary to say that there are very different manners of adherence to certain religions. Furthermore, human beings always exist with multiple identities: they operate in the context of their belonging to a certain race, gender, culture, nationality, and social role in society very differ-

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6 Phillips, Anne. 'What's wrong with essentialism?' In: Gender and Culture. Cambridge, 2010, pp. 57-82, particularly 71 s.

7 In the present paper, I do not address the difficult question of how to discern between religion and ideology if one accepts this definition. Nor do I discuss the complex issue of the concept of 'violence' – what it is and what it is not.

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ently. This also applies to the individual's belonging to a certain religious tradition.

Therefore the appearance of a 'religion' in human society essentially depends on the manner in which normative texts and traditions are interpreted by ordinary adherents, or by religious authorities. It depends on the way in which these groups derive theoretical conclusions, spiritual benefits, and normative orientations from their interpretations of religious texts and traditions.

Although a clear distinction between religious ideas and believers is necessary, both dimensions are closely linked with each other. There is a dynamic and complex process of interaction between texts and traditions, between interpretation and behaviour.

Normative traditions are written corpora, oral traditions, ritual customs, and social practices that are transmitted from generation to generation. Their normative force is never released from interpretation. I only need make mention of Gadamer's famous 'hermeneutical circle' and his concept of 'prejudice' or 'mind-set' (Vorverständnis).[8] It requires a certain degree of self-consciousness, capability to discern, and willingness to question one's own convictions in order to reflect on the hermeneutical circle that guides every interpretation.

This fact applies to religious convictions as well. Normally believers and religious authorities feel obliged to act in a manner that respects religious texts and traditions. They tend to regard them as indisputable and unalterable commands. To reflect analytically about one's own understanding of normative texts, traditions, and practices in religious communities is not at all a matter of course.

This observation suggests to question the relationship between religions, on the one hand, and human reason on the other hand. Human reason is inevitably involved if religious texts, traditions, and practices are interpreted. This is even more the case if normative conclusions are drawn.[9]

But it is precisely this involvement of human reason that furnishes a criterion for questioning the relationship between a particular religion and violence, I would argue.

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8 Cf. Gadamer, Hans Georg. Truth and Method. 2nd ed. (1st English ed., 1975). J. Weinsheimer and D.G.Marshall (Trans.). New York, 1989, pp. 366-369.

9 Fundamentalism essentially means a denial of the critical function of human reason when religious texts and traditions are interpreted.

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3. Religion, human rights, and human reason

My thesis that human reason furnishes a criterion for questioning the relationship between a particular religion and violence might be clarified by a very brief reference to the vast complex of human rights.

I already stated that criticizing the Aztec practice of human sacrifices might by encouraged by present standards of human rights comprising the basic rights of corporeal integrity and self-determination. In modern times, mankind reached the position of being able to claim that respect for human rights is based solely on the fact that someone is a human being. It doesn't matter to which nation or ethnic group he or she belongs.[10] Nor does it matter to what religion or ideology he or she adheres.

From a global perspective today, we have achieved an international standard of human rights that can't easily be ignored. Human rights are universally compelling – at least theoretically. They regulate human behaviour even if conflicts occur between members of different ideologies and cultures or between adherents of different religions. They should be respected even in the case of war.

However, both the extent and the authority of human rights are nowadays highly disputed throughout the world. Frequently they are suspected to be a means of Western colonialism.[11] Passionate disputes continue on women's rights and gender equality in general, and religious liberty for instance. Nevertheless, there is hardly any state in the world where politicians do not justify political measures or claims with reference to human rights.

Even if human rights are contentious issues, some pivotal rights exist that are accepted by nearly everybody. First and foremost is that a person's right to life and physical integrity should never be violated. In emergencies or in cases of self-defence there might be exceptions, but normally this basic human right is to be respected unconditionally.[12]

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10 Cf. Bielefeldt, Heiner. 'Historical and Philosophical Foundations of Human Rights.' In: Martin Scheinin, Catarina Krause (Eds.). International Protection of Human Rights: A Textbook. Åbo, 2009, pp. 3-18.

11 Cf. Burke, Roland. Decolonization and the Evolution of International Human Rights. Philadelphia, 2010.

12 Therefore torture according to UN Conventions is forbidden even in cases where it may serve to save innocent human beings (the ticking-bomb-scenario). Other human rights are the right to self-determination, the right to freedom of movement,

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Historically the various declarations of human rights have their origins in the need for political consensus as a consequence of the violent wars throughout the 16th and 17th centuries CE in Europe. Some of these wars have been justified by religious arguments that were advocated by different confessional denominations or churches.

In 1648, after the Thirty Year's War, a political consensus was established in Europe. The conclusion of peace agreements was rendered possible by a preceding exclusion of religion from the political sphere. The so-called 'Peace of Westphalia' was principally based on human reason, not on religious belief. The various agreements came about through political pragmatism. Simultaneously the opposed coalitions agreed to ban any religiously legitimated political claims to represent the only truth as Christian.

The philosophers Thomas Hobbes (1588-1679) and John Locke (1632-1704) designed their theories of the state on the basis of an analysis of the human condition and by focussing on human welfare. According to them it is human reason that offers a common ground to achieve a balance between conflicting interests, and not religion.[13]

The original impetus of the Enlightenment entailed a decided shift towards humanism, secularism, and rationalism in the Western world. Furthermore it is not revelation or divine will that should direct human behaviour but theoretical and practical reasoning. The last foundation of society is – or at least should be – the dignity of human beings and human reason. Mutual respect and tolerance should rule daily life. Differences should be acknowledged and even valued in order to enrich the plurality of a society. The only limits to be safeguarded in society are the property

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the right to freedom of thought and religion, and the right to peacefully assemble – including the right to live in a family.

13 Cf. Hobbes, Thomas. The Elements of Law, Natural and Politic. John Gaskin, Charles Addison (Eds.). Oxford, 1994 [1640], pp. 1-182; Hobbes, Thomas. Leviathan or The Matter, Forme and Power of a Common Wealth Ecclesiasticall and Civil. Ian Shapiro (Ed.). Yale, 2010 [1651]. – Cf. Hoekstra, Kinch. 'Hobbes on Law, Nature and Reason.' In: *Journal of the History of Philosophy*, 2003, 41, pp. 111–120; Krom, Michael P. The Limits of Reason in Hobbes's Commonwealth. New York, 2011; Venezia, Luciano. 'Hobbes' Two Accounts of Law and the Structure of Reasons for Political Obedience.' In: *European Journal of Political Theory*, 2013, 13, pp. 282-298; Locke, John. Letter Concerning Toleration. James Tully (Ed.). Indianapolis, 1983 [1689]; Locke, John. Two Treatises of Government. Peter Laslett (Ed.), Cambridge, 1988 [1689]; Cf. Grant, Ruth. 'John Locke on Custom's Power and Reason's Authority.' In: *Review of Politics*. 2012, 74, pp. 607–629.

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of human beings, mental and physical integrity, and religious belief and practice. A peaceful life in the community seems to be possible if these principles are respected by every citizen.

After World War II, however, and in the light of political totalitarianism, mankind realized that the age of Enlightenment was not able to exclude war and violence from European history. With regard to totalitarian regimes, the German philosophers Max Horkheimer (1895-1973) and Theodor Adorno (1903-1969) recognized the 'The Dialectic of Enlightenment' (1947).

According to Horkheimer and Adorno human reason bears a totalitarian tendency that is ushered in via its limitless claim to dominate nature and human reality. According to Horkheimer and Adorno, the Enlightenment's emphasis on reason leads to domination in a triple sense: the domination of nature by human beings, the domination of nature within human beings, and the domination of human beings by others.[14]

Consequently 'postmodern' philosophers attempt to justify different and even conflicting interpretations of the world. They suppose a plurality of reasons within human mind. They stress the value as well as the limits of different interpretations of reality.

These interpretations usually are characterized by conceptual coherence. But they are intentionally restricted with regard to their possible application to human life. Postmodern theories of truth deny that there is such a thing as an overwhelming reason that allows a comparison between different and competitive interpretations of the world, particularly with regard to their practical consequences. Evidently, this assumption also affects our attitudes to religion.

Indeed, one might doubt if universally compelling reason exists at all. From a postmodern point of view, one might claim that there are only limited fields or realms of language, culture, and religious beliefs. Today exponents of 'Postcolonial Studies' encourage questioning the existence of universal human reason. In their criticism of colonialism, violent 'othering', Eurocentrism, and exclusionary policies, they deny that one culture or religion is superior to another. Consequently, it is not possible to blame

14 Cf. Horkheimer, Max / Adorno, Theodor W. Dialectic of Enlightenment: Philosophical Fragments [1947]. Gunzelin Schmid Noerr (Ed.). Stanford, 2002.

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adherents of a certain religion with regard to their attitude towards violence.[15]

On the other hand, does the postmodern appreciation of conflicts justify the use of violence in conflicts? As a matter of course it doesn't. But how can one argue in favour of social, cultural, and ideological conflicts by simultaneously banning violent conflicts between members of different cultures or adherents of different religions?

It is communication that thus becomes indispensable in order to overcome conflicts and violence. Every attempt at understanding the position of an adversary is useful in order to ban violence and establish peace.

But how do members of different cultures or adherents of different religions communicate – particularly if they use different languages and symbols? Particularly in the shadow of violent and exclusionary policies we recognize the need for a human reason that is – at least to some extent – universally compelling.

Obviously we cannot compare human reason with an archipelago that consists of a number of solitary islands. Otherwise communication between human beings belonging to different languages and cultures would be completely impossible. Therefore, we cannot escape supposing the existence of certain sets of symbols, meanings, and concepts that facilitate communication across different languages, cultures, and even religions. But these sets are neither stable nor immutable. Sometimes they are taken for granted and sometimes they are a matter of dispute and conflict. In any case they have an essentially historical dimension.

Based on this premise, it seems to be legitimate or even compulsory to criticize religious beliefs and religious practices, particularly when they tend to disturb peaceful life.

Corresponding, national constitutions are normally a statement and codification of a certain kind of overwhelming consensus on the basic values of a multifaceted and pluralistic society. For the benefit of human society characterized by social diversity and religious plurality, it is essential that the guiding principles of its constitution dominate the statutes of particular groups – including religious groups. This principle has to be enforced even if these groups claim that they have to obey some 'higher' religious truth or revelation.

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15 Cf. Childs, Peter / Williams, Patrick. Introduction to Post-Colonial Theory. Hoboken, 2014.

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But what if adherents of a religious practice or creed are not committed to a rational reflection of their own presumptions? Such an attitude might well be justified by their own prevailing religious convictions. It seems impossible to oblige religious communities or even compel them by external pressure to elucidate their convictions and traditions using human reason. In this case, inevitably social conflicts are imminent.

In modern, secular, and pluralistic societies it is human reason alone that furnishes a basis for mutual understanding and tolerance. Here inevitably the question arises whether it is possible to achieve some coherence between human reason and religious beliefs? Usually this question cannot be answered in a general manner, because the variety of religions implies a variety of attitudes to, and connections with, human reason.

This variety becomes obvious in the light of the religions' attitude to human rights. One of the basic disagreements about human rights is the question of its foundation. Secularists insist on an autonomous foundation to human rights. Very often they argue explicitly in opposition to religious claims. They point to the indisputable fact that in the past and in the present religions frequently justify and even foster violence. They claim that in spite of its limitations, and its misuses, it is only human reason that in the long run preserves non-violence and peace. Religious authorities often reject this position because they regard it as an attack on the sovereignty of religion. Therefore they try to root human rights in religious traditions. The Cairo Declaration on Human Rights in Islam (1990) is a well-known example of this approach.[16]

Therefore a number of questions arise. Can the reference to human rights be generalized in order to criticize religions? What would justify such an extension? Can the reference to human rights furnish a basis for the evaluation and even a ranking of religions concerning their relationship to violence and peace?

According to Charles Seelengut, professor of the sociology of religion and expert on the psychology of religious movements, 'for the faithful, religious mandates are self-legitimating: they are true and proper rules not because they can be proven to be so by philosophers or because they have

16 Cf. the critical approach of Heiner Bielefeldt, '"Western" Versus "Islamic" Human Rights Conceptions? A Critique of Cultural Essentialism in the Discussion on Human Rights.' In: *Political Theory*. 28.2000, pp. 90-121.

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social benefits but because they emanate from a divine source'.[17] Consequently, logical reasoning does not play as much of a role as loyalty to one's religious creed.

But does it really matter in social or political practice whether human dignity is based on religious authority or on secular reasoning? To believe that a human being is created in the image of God – as it is proposed in the Holy Bible (Genesis 1:27) – or to assert that a human being is a moral subject – as it is proposed by humanists and by the philosophers of the Enlightenment – leads to the same practical consequence: every individual human being has to be respected unconditionally.[18] Immanuel Kant (1724-1804) argued that rational human beings should be dealt with not as a means to something else, but as an 'end-in-themselves'. This means that a human being's value doesn't depend on anything apart from being human.

The bottom line is that this philosophical conclusion by no means contradicts religiously founded valuations of human beings – at least if one considers the major religious groups today. Frequently in contemporary religious traditions, one encounters the idea of the "sanctity of human life". Although this idea does not directly furnish a basis for the claim of unconditional human rights, it might be taken as a starting point for a mutual understanding between adherents of a certain creed and secular philosophers.

Philosophers sometimes discern between discovery, justification, and validity of moral norms.[19] In our context, it might be useful to set aside the questions of discovery and justification. What is important is validity: the acceptance of human rights in principle, even if they are highly disputed in detail. For the acceptance of individual human rights encourages accepting difference and otherness – otherness of religious conviction, sexual orientation, political alignment etc.

The dispute about particular implications of human rights follows – or should follow – reasonable arguments primarily in order to clarify differ-

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17 Seelengut, Charles. Sacred Fury. Understanding Religious Violence. 2nd ed. Lanham, 2008, p. 6.

18 This applies at least in principle. Exceptions are given in war or if there is a conflict between human lifes in case of medical emergency – to give only two exemples.

19 Cf. Habermas, Juergen. 'Rightness Versus Truth.' In: Truth and Justification. Hoboken NJ, 2014, pp. 237-276, particularly p. 244 f.

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ent standpoints and claims. In public discourse, according to Habermas every disputant is obliged to ensure that everybody is able to understand his position and arguments even if he doesn't share the convictions of the opposite party. These clarifications will be based nowhere but on the field of human reason – even if it is limited or fragmented, as postmodern philosophers claim. And perhaps in the long run religious mind-sets will benefit from reasonable arguments as well. For reasonable arguments bear the potential not only to contaminate religious convictions and practices but also to purify them in the light of their own normative religious traditions.[20]

Thus we might say that human reason and respect for human dignity are the basis for the criteria that allows us to judge religious claims in general, and their relationship to violence in particular.

The alternative undoubtedly is even worse. If there were no categories to judge religious beliefs and practices, we would be obliged to give our assent to any kind of religion, or to any kind of cultural or social behaviour. Then we would have to accept that the sacrifices of the Aztecs as well as the crimes of the so-called Islamic State are justified by their particular reasons. The Aztecs' explanation of the cosmos was coherent and plausible, and consequently their practice of sacrifice was justifiable. The same argument is valid with regard to the Islamic State.

The conclusion seems compulsory: We can't abandon external criteria in order to disapprove forms of religiously motivated or justified violence. And it is human reason that furnishes these criteria – in spite of its limitations.

Additionally, I would argue that this lesson of European history and philosophy is universally valid. In any case, it should not be too hastily blamed as being a colonial discourse.

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20 Cf. Habermas, Juergen. 'Faith and Knowledge.' In: The Future of Human Nature. Cambridge, 2003, pp. 101-115. Cf. Audi, Robert / Wolterstorff, Nicolas (Edd.). Religion in the Public Square: The Place of Religious Convictions in Political Debate. Maryland 1997; Audi, Robert. Religious Commitment and Secular Reason. Cambridge, 2000.

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4. Religion, violence, and peace

Admittedly human reason is fundamentally shaped by culture, history, biography, and in no small measure by religious traditions. But if human reason is conditioned in many cases and multifaceted, can we then derive from it universal criteria to evaluate the relationship between a certain religion and violence?

In recent years, some remarkable theories have been presented that deal with the relationship between religion and violence, taking a universal approach. Mark Juergensmeyer for instance, a world-renowned scholar in religious studies and sociology, affirms that while violence is not an exclusive monopoly of religious individuals or groups, it is apparent that religions frequently provide compelling symbols that render violence more likely.[21] Because all religions are, in one way or another, inherently revolutionary, as Juergensmeyer argues, the motivations or the justifications for violence are not restricted to any single religious tradition.[22]

Jan Assmann, a German Egyptologist, took a similar position when he claimed that monotheism in particular is a compulsory source of religiously legitimated violence. According to Assmann, the assumption that there is only one God inevitably leads to religious intolerance. He argued that if one is convinced that there is only one God, the coercive consequence is that only one and single truth is prevailing. This truth has to be propagated all over the world in order to honour the one and only God. Everyone who continues to adhere to deities other than the one and only God is either deluded or an incorrigible liar. In consequence he has to be eradicated in order to establish the only legitimate social and political order in the world referring to the one and single truth.[23]

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21 Cf. Juergensmeyer, Mark. Terror in the Mind of God: The Global Rise of Religious Violence. Berkeley, 2001, p. 105.

22 Cf. Sloterdijk, Peter. God's Zeal: The Battle of the Three Monotheisms. Cambridge, 2009.

23 Cf. Assmann, Jan. Of God and Gods: Egypt, Israel, and the Rise of Monotheism. Madison WI, 2008; Assmann, Jan. The Mosaic Distinction or The Price of Monotheism. Stanford, 2009; Cf. already Langerak, Edward. 'Theism and Toleration.' In: Quinn, Philip L. / Taliaferro, Charles (Eds.). A Companion to Philosophy and Religion. Cambridge MA, 1997, p. 515, 'The motivation for religious intolerance and violence intensified when monotheism became not just universalistic but also exclusivistic and expansionistic, as it did with Christianity and Islam.'

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Christian theologians did not criticize Assmann solely with reference to peaceful traditions in the Bible.[24] More compelling is their objection that Assmann's argument is purely formal. By no means does it respect the conceptual content and normative implications of religious traditions and beliefs Assmann refers to.

Provided that the truth of the one and only God is summarized in God's command to love one another, it would be self–contradicting to propagate this truth by violent means. And this supposition is not a mere hypothesis. During World War II, Jehovah's Witnesses suffered a great deal by refusing military service, because they insisted on God's command that thou shalt not kill (Exodus 20:13). Today, Quakers in particular, and other churches committed to peace, are recognized primarily for their categorical rejection of violence as a justifiable form of behaviour.

What insight do we derive from this dispute? It encourages us not only to scrutinize the formal structure of a religion – if it is monotheistic or not, for instance – but also to scrutinize its contents. What are the basic ideas of a religion? What is the manner in which it interprets reality? What normative conclusions are derived from this interpretation?

These questions build up a comprehensive idea of a certain religion. It does not at all deny internal differences in a religious community – differences with regard to the interpretation of normative texts and traditions, as well as differences with regard to ritual or daily-life practice. But it focusses on the central beliefs of a religion, which might be considered as being at the heart of all its possible interpretations and practices. In spite of inner divergences therefore, it is not impossible to identify the core of a particular religion.[25]

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24 Cf. Zenger, Erich. 'Der Mosaische Monotheismus im Spannungsfeld von Gewalttätigkeit und Gewaltverzicht.' In: Peter Walter (Ed.). Das Gewaltpotential des Monotheismus und der dreieine Gott (Quaestiones disputatae 216). Freiburg, 2005, pp. 39-73; Zenger, Erich. 'Gewalt als Preis der Wahrheit? Alttestamentliche Beobachtungen zur sogenannten Mosaischen Unterscheidung.' In: Friedrich Schweitzer (Ed.). Religion, Politik und Gewalt (Veröffentlichungen der Wissenschaftlichen Gesellschaft für Theologie, 29). Gütersloh, 2006, pp. 37-39, particularly pp. 37-39; Cf. Bernstein, Richard. Violence: Thinking without Banisters. Hoboken New Jersey, 2013, The Mosaic Distinction.

25 For Christians this core probably is the belief in a triune God and his incarnation in a single human being; for Muslims the belief in the one and only God and his Prophet Mohammad.

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Inescapably, this core will be a matter of dispute in order to identify its theoretical and practical implications. These implications will change in different circumstances and at different times in history. But I would argue that in the course of these disputes there will appear a certain vanishing-point that directs all reflections and practices in the overwhelming framework of a certain religion – even if this point itself is unattainable.

I would like to make the case that there are essential ideas in a particular religion that cannot be negated without abandoning this religion. Otherwise it would be impossible to distinguish one religion from another. It does make a difference whether you believe in a triune God, or if you suppose a non-personal deity, for instance.

Does this mean 'essentialism'? The problem will be increased if we claim that believing has certain practical consequences that follow from the core of a certain religion.

In the early 20th century the German theologian Erik Peterson wrote his landmark essay on ancient political theology entitled 'Monotheism as a Political Problem'.[26] In this essay Peterson claimed that the belief in a triune God entails the acceptance of difference and plurality. This acceptance has immediate consequences for the interpretation of a political system. Peterson's idea is that strict monotheism fosters monarchianism, whereas the belief in a triune God fosters pluralism. Here indeed we face an approach we are more likely to call essentialism. Christian emperors, in Byzance as well as in Western Europe, continued to reign without any commitment to pluralism or even democracy. Obviously, one has to discern between theory and practice, between belief and behaviour.

Many researchers maintain that all religions foster violence because of their claim for supremacy.[27] In contradiction, I would argue that the adherents of a certain religion are less likely to justify and foster violence if the normative content of religious texts, traditions, and practices they refer to permits, or even encourages them to acknowledge religious and social plurality. Admittedly, history shows a large number of contradictory political

26 Cf. Peterson, Erik. 'Monotheism as a Political Problem' [1935]. In: Theological Tractates. Michael J. Hollerich (Ed.). Stanford, 2011, pp. 68-105.

27 Cf. Gort, Jerald D. / Vroom, M. Hendrick (Eds.). Religion, Conflict, and Reconciliation. Amsterdam, 2002, p. 3: 'The presence of many religions in the world and the claim for supremacy by all religions have led to conflict, dissentions, and vehement reactions to religion instead of uniting mankind.'

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practices. But it will hardly be possible to completely deny the influence of normative texts and traditions on human behaviour.

My thesis is that the texts, traditions, and practices bear their own force. Therefore they are not without any influence on social or political behaviour. In the long run they can animate the adherents of a certain religion to acknowledge difference, to question themselves, to accept ambiguity, and to be prepared for empathy and compassion, and in a word, promote peace.

Nevertheless, all these capacities are ruled and limited by historical conditions. Therefore their effects by no means are compulsory. Nevertheless, I would argue that this statement is sufficient to establish an at least provisional ranking of religions with regard to their capacity to overcome violence, to encourage peace, and to promote reconciliation.

This ranking depends on the manner in which normative texts and traditions are interpreted. It may change in time, and it may be passionately disputed amongst the adherents of a certain religion at a particular time. Therefore, the ranking is always subject to modification. However, this undeniable fact does not contradict the fundamental possibility of ranking.

5. Conclusion

In conclusion, the likely answer to the initial question whether it is essentialism to claim that some religions foster violence and some do not, depends on the manner in which one defines essentialism. According to Anne Phillips we can't avoid essentialism when we try to understand anything. Therefore essentialism is a matter of degree: to what extent are we willing to question our judgement on something we wish to comprehend? Our willingness to reach a dialogue between divergent positions might be an indicator as to whether we are really open to modify our judgement.

Evidently my question entails another dimension: is it legitimate to claim that some religions foster violence – and others do not? I dare to say: yes, it is – at least for a particular moment in history. Even if we take into account that we never get in contact with a religion itself – because it is always mediated by human interpretation and practice – we can distinguish between normative texts and traditions that foster violence, and different normative texts and traditions that do not. The case is clear if we compare the religion of the Aztecs with that of the Jehovah's Witnesses or

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the Quakers. Admittedly these examples are extremes, with a wide range of possibilities in between.

The claim that a certain religion fosters violence will inevitably provoke objections and disputes. These disputes are necessary in order to avoid misleading essentialism. Moreover they are necessary in order to preserve the ability of religiously committed people to revise their attitude towards violence.

Any statement about the relationship of a certain religion to violence is based on a complex analysis: one has to analyse the manner in which its adherents interpret reality, and what practical conclusions they derive from their interpretation. And one has to analyse to what extent social or political behaviour is oriented by a more or less considered interpretation of normative texts, traditions, and preceding practices.

In order to fulfil this task researchers are referred to the interplay between normative texts and traditions with contemporary religious figures. They are referred to the actual practice of the members of a religious community who bind themselves to religious texts, traditions, and authorities. Notably, they have to scrutinize the manner in which normative texts and traditions, religious authorities, and the 'ordinary' adherents of a religion interact. Who interprets normative texts and traditions? How is the interpretation executed, and how binding is its character? To what extend are the texts and their interpretations normative with regard to ritual commitment, and to daily life?

All these questions will have to be answered in detail in order to decide whether some religions foster violence and some do not – and in order to escape misleading essentialism.

https://doi.org/10.5771/9783845283494, am 12.10.2024, 10:23:47
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Discussing Islamic Peace Ethics: Conceptual Considerations of the Normative

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Abstract: This chapter is conceptual and raises significant issues framing and underlying the discussion of Islamic peace ethics. The workshop title, 'Islamic Peace Ethics: Legitimate and Illegitimate Violence in Contemporary Islamic Thought' implies the question whether or not Islam and/or Islamic thought embodies inherently violent forms. While any religion can be used for violence, parts of current political and public discourse portray Islam – and thereby also Muslims – as somehow violent, which is a highly problematic view. Biases are a natural part of any society. A bias is also illustrated, for example, when academics ask certain questions rather than others. In political terms, the inquiry into Islamic peace ethics can also be seen as an application of power. Thus, Islam and Muslims may be delimited while the West and Western self are safeguarded. This perspective leads us to two conceptual themes, which also have empirical implications. The first theme directly relates to the normative, in particular normative plurality versus universality. Should we take the world's cultural and socio-political diversity as a principle to guide us? Can we accept the plurality and hybridity of norms, and refrain from imposing our Western-democratic norms on others? Or, following those who are against relativizing culture and norms, should we maintain the dominant position by imposing our norms? The second and linked theme is the one of self-other constructions and processes of othering. As the self's identity is formed in differences to an 'other', self-other constructions are a normal part of human existence. Yet, hierarchical and dichotomous self-other constructions that lead to processes of othering, and even dehumanization of the 'other', enable violence and are highly destructive. Western thinking about Islam often illustrates a universal, Western approach and the hierarchical, dichotomous self-other constructions

* The author is grateful to the workshop organizer Dr. des Heydar Shadi and for helpful comments from workshop participants, in particular Prof. Oliver Leaman and Dr. Bianka Speidl.

https://doi.org/10.5771/9783845283494, am 12.10.2024, 10:23:47
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and othering processes linked to it. When we inquire into Islamic peace ethics, we need to remain self-reflective, and consider unknowns and alternatives in order to enable an understanding that does not reproduce Western biases. Insights generated in such a manner can aid a renewed dialogue with the 'other', and help to deal with self-other difference non-violently.

1. Introduction

The chapter raises significant conceptual issues that frame and underlie the inquiry into Islamic peace ethics. It is clear that any religion can be used for violence, and many have been in the past. But regarding Islam, we find an implicit and at times explicit link to violence in parts of contemporary political and public discourse. This is in itself problematic, and it is furthermore Muslims who are then implicitly or explicitly portrayed as violent. Such a link has significant political dimensions and constitutive effects. The West, or non-Muslims, can utilize such a discourse to exert power and dominance over Muslim populations or states, while safeguarding and strengthening Western identity and the Western self.

The aim here is to shed light on two core and interwoven themes. Both are conceptual in nature but have empirical implications. The first theme relates to the normative and the question of plurality versus the universality of norms. This then leads us to ask if we should accept the world's cultural and socio-political diversity as principle to guide us. Should and can we actually accept normative plurality and hybridity, where norms conflict with one another too? Answering yes to this question has significant consequences, for it would lead us to the need to refrain from asserting our Western-democratic norms onto other cultures and societies. Answering no to this question, in line with those who warn against relativizing culture, would lead us to further imposing our norms onto others, which in turn has practical consequences.

The second theme is the one of self-other constructions and processes of othering. To engage in othering is to engage in a process of constructing discursive and social boundaries to an 'other', so that the 'other' becomes the self's opposed other.[1] This chapter makes a clear distinction between

1 Neumann, Iver B. (Ed.). Uses of the Other. 'The East' in European Identity Formation. Manchester, 1999.

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self-other constructions and processes of othering. Whereas self-other constructions are a normal part of human existence, as identity is formed in difference to an 'other', othering is here considered as negatively oriented. While some argue that the 'other' can also be portrayed as different but neutral,[2] such processes clearly involve hierarchy-building.[3] Thus, those self-other constructions that up-value the self and devalue the 'other' build hierarchies and dichotomies, and enable marginalization and exclusion in destructive processes of othering. Western thinking about Islam often illustrates negative constructions of the 'other' and othering. Thus, this chapter argues to approach the topic of Islamic peace ethics in a self-reflective manner, so that gained insights do not simply reproduce Western biases about Islam but move beyond such biases. Insights that are generated in a self-reflective manner can form the basis for thinking about how to renew the dialogue within the West on Islam, between the West and Muslims, and within Islam. Such insights may aid us in addressing existing self-other difference in a non-violent manner.

At this point, it should be said that, while this chapter raises important issues to consider when speaking about Islamic peace ethics, it will pose more questions than give answers. It is thus intended as a starting point for discussion, and it hopes to stimulate debate on conceptual dimensions of inquiry into Islamic peace ethics that are often sidelined, but that make their way into both methodology and empirical results. The chapter proceeds by discussing the issue of normative universality versus plurality. It then delves into the impact of a discourse of dominance and of threat by elaborating the effects of applying normative universality to self-other relations and Western-Muslim relations. It closes by raising the implications of such a discourse and by pointing to further questions regarding a possible balance between normative universality and cultural plurality.

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2 Diez, Thomas. 'Constructing the Self and Changing Others: Reconsidering "Normative Power Europe"'. In: *Millennium. Journal of International Studies.* 2005, 33/3, pp. 613-636, here pp. 628-629.

3 Houtum, Henk van. 'Human Blacklisting: The Global Apartheid of the EU's External Border Regime.' In: *Environment and Planning D: Society and Space*. 2010, 28, pp. 957-976, here p. 960; Hansen, Lene. Security as Practice: Discourse Analysis and the Bosnian War. Oxford, 2006, pp. 38-41.

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2. Universality versus Plurality of Norms

Our world shows a great variety of norms, values and ideas to guide human life, collective behaviour and political processes. Dealing with this normative variety has long been a subject of debate. Yet, there is no common – and no commonly accepted – definition of which norms should guide all, and there remain contradictions between some norms and their practice. For example, not all states accept or practice the norms that are stated in international declarations, and some provisions collide. Article 1 of the Universal Declaration of Human Rights[4] states that, 'All human beings are born free and equal in dignity and rights... endowed with reason and conscience and should act towards one another in a spirit of brotherhood.' Many freedoms are officially protected, among them the freedom of movement, of thought and expression, of religion, and social and cultural rights. That many governments and regimes do not live up in full or in part to these declared rights – not even democracies – is one concern. Another concern is that the rights laid down in the declaration easily illustrate potential conflict with one another. For example, how can one individual's or collective's right to free expression truly fit with that of another individual or collective? How can individual rights fit with those of collectives? What if a particular collective's cultural practices conflict with other rights set forth in the Universal Declaration? Thus, different rights and norms, as well as cultural practices and rights can collide. Of course, judgements and views on a given right or norm also differ. Which instances should or can decide in such normative conflicts? Is it not typically the dominant Western states that have the greatest judgement powers, and that often unilaterally or via international organizations set the standard? How truly universal then is the Universal Declaration? In fact, the drafting committee of the Declaration was made up of representatives from Australia, Canada, Chile, China, Lebanon, France, UK, US and USSR, with one from each of the listed countries. Most of these countries are considered Western, and the few non-Western drafters hardly represent the world's diversity. According to a UNESCO report, 'Values such as collective human survival, the primacy and protection of human life, the preservation of nature and the dignity of mankind, justice, freedom and

4 UN. The Universal Declaration of Human Rights. 1948, http://www.un.org/en/documents/udhr/ [18.07.2015].

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equity, already form the nucleus of universally accepted values', and they should also include a respect for diversity in culture and heritage. A number of years ago, this report noticed a 'growing antagonism' within many societies between new and old values.[5] The problem, however, lies in how these principles are defined in detail, how they are implemented and what it actually means to respect existing diversity.

The Friedrich-Naumann-Foundation, particularly concerned with liberal values in politics and society, asks how we can achieve conditions to coexist peacefully and in freedom, despite the diversity of cultural and religious differences. The foundation sees the answer in solving conflicts based on the principle of freedom being universal. Freedom is seen as possible when no one is allowed to act violently towards another being. Tolerance is thereby seen as important but limited when the rights of others are infringed and when a particular culture, religion or lifestyle is forced upon others.[6] This seems to be the crux of the matter: how to avoid acting violently toward the 'other' when considering our own values as universal. Violence is not only violence against life or property, but also psychological. Do we not force upon the 'other' our values, even though we claim not to do so? In many ways, the West seems simply unwilling to respect diversity elsewhere, particularly when it concerns value diversity. Fears seem to motivate this position, both rational and emotional in nature – fears that other, non-Western values could enter our society and dilute our values. Such fears then enable policies to protect the self and own values.

In practice, human rights are not universally applied. Furthermore, human rights are 'not universal as a cultural artefact, a kind of cultural invariant' and 'the question of universality is a particularly Western cultural question', with human rights as a concept resting on Western assumptions.[7] In efforts to universalize human rights, for example, some scholars argue that we must 'transfer these [human rights] into known cultural pat-

5 UNESCO. In Search of a Wisdom for the World. The Role of Ethical Values in Education. A collective investigation of the Club of Rome (February – October 1986). 1987, p. 15, http://unesdoc.unesco.org/images/0007/000767/076756eb.pdf [18.07.2015].

6 Bökenkamp, Gerárd/Reinartz, Armin. 'Universelle Werte? Universelle Prinzipien für eine pluralistische Welt.' In: *global + liberal*. 2014, 2, pp. 3-4, here p. 3.

7 Sousa Santos, Boaventura de. 'Toward a Multicultural Conception of Human Rights.' In: Berta Esperanza Hernández-Truyol (Ed.). Moral Imperialism. A Critical Anthology, New York and London, 2002, pp. 53-60, here p. 44.

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terns of a region without a loss of their substance'.[8] The Sudanese-American law professor and human rights activist Abdullah An-Na'im is cited as stating that 'only those that belong to a culture can affect a change from the inside'. It is also noteworthy that human rights cannot be forced upon others, so as not to spread the view of a value-imperialism, but that they can only be achieved by convincing others.[9] The approach advised here is generally constructive, but still leaves questions to answer. For example, does not a transfer of human rights into other cultures necessarily mean a change in the particulars of human rights, if not a dilution of their substance? When we follow the law professor's advice, should not the West then refrain from trying to bring its view of human rights to other contexts? How can the West help those inside a culture to foster human rights without some sort of force? Sousa Santos maintains that human rights policies since the end of the Second World War have mostly been used to serve 'economic and geopolitical interests of the hegemonic capitalist states.' In fact, 'The generous and seductive discourse on human rights has allowed for unspeakable atrocities that have been evaluated and dealt with according to revolting double standards.'[10] Alternative and non-Western human rights discourses that are counterhegemonic are ignored by the West,[11] which suggests a harsh critique of Western thinking and behaviour.

A stronger case for Western normative intervention may exist when there is a need to end outright physical violence in other countries. This is nothing new, and today it comes under the label of the responsibility to protect. R2P is a political-moral principle, not a legal norm. According to Rudolf,[12] justifications on the basis of R2P should also include a consideration of the concept of just war. The jus ad bellum (right to war) illustrates justifications for war, and the jus in bello (justice in war) illustrates what is legitimate in war. Justification for war can be the defense of others in the face of grave human rights violations, in practice today a legitimation of R2P. Conditions for applying just military force then relate to proportionality, a reasonable chance of success, as a means of last resort, of right in-

8 Kunze, Dirk/Abarbanell, Julius. '*Revolutionsrausch und "Wertimperialismus*".' In: *global + liberal*. 2014, 2, pp. 5-9, here p. 9.
9 Kunze/Abarbanell. *Revolutionsrausch*, p. 9.
10 Sousa Santos. *Toward,* p. 45.
11 Ibid. p. 46.
12 Rudolf, Peter. '*Zur Ethik militärischer Gewalt.'* SWP-Study 6. SWP – German Institute for International and Security Affairs, Berlin, March 2014.

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tention, and possibly legitimate authority. Rudolf recommends, also based on former high-ranking British Ministerial official David Fisher, a debate on the use of military force from an ethical angle, and that a government should present reasons for a military intervention based on just war criteria before and during an intervention. In the case of Germany, Rudolf furthermore points to the reluctance of accepting any limits to action by any testing criteria,[13] a position that should possibly be revised.

In trying to deal with 'the difficulty of finding firm foundations for human rights', there are efforts to move beyond the view that human rights are somehow natural rights predating political society; human rights result from the rights of citizens based on standards of behaviour having become more civilized.[14] Seeing human rights not as natural rights may create space and flexibility to build a truly common and shared understanding of those values we all want to live by. For this, we also have to be prepared to relinquish some of our power over others and to accept alternative views.

What does seem universal is the idea of peace.[15] All cultures refer to peace and its desirability in society or even the world, which are references we may build upon without enforcing any cultural superiority. For this, non-Western ideas of peace should be considered. Studies of peace should include the multiple ways of and towards peace, in order to arrive at a more inclusive understanding of our world and the various communities within.[16] Scholars argue that a culture's indigenous modes for conflict solution must be respected and should be seen as a rich resource to transcend conflict.[17] For example, the differentiation between individualism

13 Rudolf. Zur Ethik. pp. 21-27, 36-37.

14 Boucher, David. The Limits of Ethics in International Relations. Natural Law, Natural Rights, and Human Rights in Transition. Oxford and New York, 2009, p. 287.

15 Demenchonok, Edward (Ed.). 'Philosophy After Hiroshima. From Power Politics to the Ethics of Nonviolence and Co-Responsibility.' In: Between Global Violence and the Ethics of Peace: Philosophical Perspectives. Malden, MA and Oxford, 2009, pp. 9-49, here p. 37.

16 Said, Abdul Aziz/ Funk, Nathan C./ Kadayifci, Ayse. Peace and Conflict Resolution in Islam: Precept and Practice. Lanham MD, 2001.

17 Osman, Abdulahi A. 'Cultural Diversity and the Somali Conflict: Myth or Reality?' In: *African Journal on Conflict Resolution* 2007, 7/2, pp. 93-133, pp. 125-129.

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and collectivism in different cultures should be considered.[18] Whereas Buddhist thinking, for example, emphasizes the collective and limitlessness of the social and of time, Christianity emphasizes the individual. Buddhist thinking thus sees responsibility as something collective, where conflicts are collectivized and placed in infinite time with connections between all. Only in the collective can something be made right again and peace be built.[19] Also other scholars point to the collective and the individual receiving different emphases. Córdova contrasts the Western model of elected or selected authorities speaking for all with the model of indigenous communities in the Andes and their bottom-up, 'open and participatory' mechanism of decision making.[20] The achieved 'high community buy-in', due to open and transparent consultations and decision making, results in fewer conflicts.[21] The Jirga in Afghanistan and Pakistan is another collective institution for decision making and peace building. As 'a strategic exchange between two or more people to address an issue through verbal communication [it enables the involved parties] to maintain a certain level of formal communication, thus ensuring peace'.[22] In contrast to a Western system, the Jirga tries to resolve enmity between parties, address root causes and build preventive measures. In another example, Navajo peacemaking, we find a type of restorative justice that aims at treating members of a group as equals, maintaining relationships and harmony.[23] The Navajo justice system is seen as a circle, with all being equal and connected to one another and all participating (and able to do so equally). This is said to enable justice and healing, restoration and recon-

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18 Galtung, Johan. *'Frieden mit friedlichen Mitteln: Friede und Konflikt, Entwicklung und Kultur. Aus dem Englischen übersetzt von Hajo Schmidt.'* Münster, 2007, p. 222.

19 Ibid. p. 153, 156.

20 Córdova, Fabiola. 'Weaving Indigenous and Western Methods of Conflict Resolution in the Andes.' In: Akanmu G. Adebayo, Jesse J. Benjamin, Brandon D. Lundy. Indigenous Conflict Management Strategies: Global Perspectives. Lanham MD, 2014, pp. 15-31, here p. 20.

21 Ibid. p. 22.

22 Gohar, 'Ali. Jirga. 'An Indigenous Institution for Peacebuilding in the Pukhtoon Belt of Pakistan and Afghanistan.' In: Adebayo/ Benjamin/ Lundy. Indigenous Conflict Management Strategies: Global Perspectives. Lanham, MD, 2014, pp. 183-194, here p. 185.

23 Nielsen, Marianne O./ Zion, James W. (Eds.). 'Introduction to Peacemaking.' In: Navajo Nation Peacemaking: Living Traditional Justice. Tucson, 2005, pp. 3-19, here p. 3, 9.

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ciliation of the individual with his or her surroundings (including nature and cosmos), as well as group solidarity and integration into the group. Rather than finding out who is guilty, the well-being of the entire community is the goal. The Navajo Peacemaker Court, established by the Navajo Nation in 1982, exemplifies this approach.[24] Islamic thinking also centres on the concept of peace (al-Salam), which is linked to ideas of justice, human dignity and human welfare, development, harmony and ecological balance. Religious values, reconciliation rituals and practices of communal and inter-communal coexistence emphasize the connections between personal and group identity.[25]

To not simply reproduce Western thinking in considering non-Western concepts of peace and stability, one should be aware of the difficulties in comparing cultures critically. In many ways, and regarding many elements, different cultural contexts may not be comparable. A further difficulty, as argued by scholars, is that also researchers are ethnocentric and that their views are shaped by their cultural background.[26] One possibility for overcoming such biases may be more frequent cooperation with researchers from the cultural context studied. Additional problems relate to some indigenous elements in concepts of peace and stability that are not necessarily worthwhile to pursue. For example, if a particular tradition is illiberal, it may not be worth investing in it. Córdova illustrates this with the examples of a tradition affecting the exclusion of minority opinion or disenfranchising woman and older children, or when a mob forms and begins to rule against minority opinions.[27] In such circumstances, one may have to decide to take a position (of dominance) after all, but hopefully without excluding others.

The above illustrates that peace can be understood and practiced in different ways. Why should any one way be better than another? This question must be allowed, since otherwise we risk exerting violence upon

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24 Yazzie, Robert. 'Life Comes from It: Navajo Justice Concepts.' In: Marianne O. Nielsen/ James W. Zion (Eds.). Navajo Nation Peacemaking. pp. 42-58, here pp. 46-51.

25 Said, Abdul Aziz et al. 'Islamic and Western approaches to conflict resolution.' In: *The Frontier Post*. 9 October, 2013, p. 4.

26 Boulding, Kenneth E. 'National Images and International Systems.' In: Gary R. Weaver (Ed.). Culture, Communication and Conflict: Readings in Intercultural Relations, Needham Heights, 1996, pp. 459-470; Jervis, Robert. Perception and Misperception in International Politics. Princeton NJ, 1976.

27 Córdova, Weaving, pp. 23-24.

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the 'other'. Or can we all agree on some norms that are worthwhile to be pursued, perhaps because they bring the greatest good for all, or for as many as possible? But even this question is problematic, because who can define what is good for all, and which kind of majority is large enough to justify exerting a particular normative understanding onto people holding a different view? When only a minority – the West – discusses which norms are to be followed, other voices are marginalized. Furthermore, in inquiring into Islamic peace ethics and speaking about Islam, it means that those who are being studied take on a passive role, as if they had nothing to say and nothing to contribute. They are given an inferior position and are seen as peripheral, delimited and devalued. To counteract such divisive and exclusionary dynamics, we need the inclusion of diverse voices. Thereby, all can have a voice in what is relevant to them and their lives, and this may be a way forward to (more) peace.

3. The Impact of Discursive Constructions

When applying a Western normative approach with a universal ambition, we may engage in or facilitate various forms of violence, even if not intended. Violence should be seen in its multi-faceted forms, not only as something physical. According to Keane, a clear definition of violence is difficult, because the use of violence has been broadened and its meaning has become heavily context-dependent.[28] Ramsey sees violence as not only physical, but also psychological, for example.[29] We may then differentiate between physical and psychological violence, and add further differentiations of direct-indirect or noninstitutionalized-institutionalized violence. Even actions of a democratic government can be violent, even though a democracy is considered to exclude violence.[30] Since also liberal democracies must maintain the state's monopoly of violence to protect the democratic system and the liberal order from external and internal threats, as well as citizen rights, there is an intimate relationship between democracy

28 Keane, John. Violence and Democracy. Cambridge, 2004, pp. 30-32.
29 Ramsey, Maureen. 'Liberal Democratic Politics as a Form of Violence.' In: *Democratization*, 2010, 17/2, pp. 235-250, here p. 236.
30 Keane, Violence. p. 8-14.

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and violence.[31] Examples of violence by democracies include going to war with another nation in own defense, and applying violent policies to spread democracy and Western liberal values. Also democracies practice exclusion, either intentionally or via the unintended effects of democratic practices.

Moreover, discourse can exert violence, and violence can be discursive. An example of this is discourse by the core about the periphery, by the leading and self-claimed superior West about others, such as the Muslim world and Muslims. That this discourse constitutively shapes meaning, as well as policy and power relations, has been amply shown.[32] Thus, the articulation of someone or something as threatening affects interpretation and then creates boundaries.[33] The concepts of self and other, the need for identity maintenance in relations with the 'other', and the creation of otherness and exclusion thus deserve our attention. They have epistemological consequence as well as practical effects, by enabling forms of violence towards those seen as different and thought to be in need of our Western norms.

Violence-enabling discourse and practices towards the 'other',[34] such as towards Muslims, can be eased by the skewed Western perception and representation of Islam and, implicitly, Muslims. The partially existing Western view of Islam as inherently violent facilitates a discourse of threat vis-à-vis Islam and Muslims and shapes interaction. When, according to Flood et al., media reporting on terrorism often includes references to Islamist

31 Ramsey. Liberal; Diamond, Larry. 'Defining and Developing Democracy.' In: Robert A. Dahl/ Ian Shapiro/ José A. Cheibub (Eds.). The Democracy Source Book. Cambridge MA, 2003, pp. 29-39, here p. 30.

32 See for example Herschinger, Eva/ Renner, Judith (Eds.). '*Einleitung: Diskursforschung in den Internationalen Beziehungen*.' In: *Diskursforschung in den Internationalen Beziehungen*. Baden-Baden, 2014, pp. 9-35, here pp. 14-15; Diez, Thomas/ Bode, Ingvild/ Fernandes da Costa, Aleksandra. Key Concepts in International Relations. Los Angeles and London, 2011, p. 168; Foucault, Michel (Ed.). 'Gespräch mit Ducio Trombadori.' In: *Der Mensch ist ein Erfahrungstier: Gespräch mit Ducio Trombadori.* Frankfurt, 1996, pp. 23-122.

33 Campbell, David. Writing Security. United States Foreign Policy and the Politics of Identity. Revised ed. Minneapolis, 1998, pp. 3-4, 170-171.

34 Dalby, Simon. 'Geopolitics and Global Security: Culture, Identity, and the "Pogo Syndrome".' In: Gearóid Ó Tuathail/ Simon Dalby (Eds.). Rethinking Geopolitics. London and New York, 1998, pp. 295-313, here p. 309.

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violence,[35] which is supported by findings of a recent study of Western media discourse,[36] violent practices to counter the articulated threat are enabled. When some point to an existing equation of terror and Islam in parts of public discourse,[37] violent practices are even more likely. Scholars also point to the problematic Western representation of Islam as a potential problem for peace, and argue that, in contrast, Muslim writers see Islam as a possible contribution to international peace, justice and human dignity.[38] In light of such associations, but also due to Islamist radicals wanting to legitimize their violent acts with distorted Islamic teachings, the initiative by Islamic scholars for an 'Islamic Curriculum on Peace & Counter Terrorism' and similar efforts may be useful. Such curricula, directly drawn from Islamic teaching, can offer Muslim theologians helpful arguments against the misuse of theology by Islamist radicals and terrorists.

Difference between self and other is not only easily created but also constitutive for identity – on the individual, the group and the national level. National identity, due to being culture-specific and ethno-centric, colours the self positively, and this biased view informs how a state acts towards other states.[39] Whereas the belief in a shared identity with another state aids dialogue and cooperation,[40] a lack of such sharing, or the belief of a diverging identity, may promote conflict. When differentiating from others, often motivated by different normative orders, otherness can be created and a destructive process of othering initiated.[41] The lens of critical geopolitics is also of use here, for it points to the link between identity,

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35 Flood, C. et al. Islam, Security and Television News. Basingstoke and New York, 2012, pp. 189-191.

36 Reinke de Buitrago, Sybille. 'Jihadist Terrorism in Europe: What Role for Media?' In: Daniela Pisoiu (Ed.). Arguing Counterterrorism. London, 2014, pp. 160-180; Reinke de Buitrago, Sybille. 'Media Discourse on Jihadist Terrorism in Europe.' In: *Journal of Terrorism Research*. 2013, 4/2, p. 3-13.

37 Weidner, Stefan. *'Mit der Religion gegen den Terror.'* In: Quantara.de (29.06.2015). http://de.qantara.de/print/20431 [02.07.2015].

38 Said/ Funk/ Kadayifci. Peace.

39 Holland, Jack. Selling the War on Terror: Foreign Policy Discourses after 9/11. London, 2013, pp. 10-11, 24; Boulding. National. pp. 461-464.

40 Rousseau, David L./ Miodownik, Dan/ Lux Petrone, Deborah. 'Identity and Threat Perception: An Experimental Analysis.' Paper prepared for presentation at the APSA-meeting, 2001, p. 5, 15.

41 Houtum, Henk van/ Naerssen, Ton van. 'Bordering, Ordering and Othering.' In: *Tijdschrift voor Economische en Sociale Geografie 2002,* 93/2, pp. 125-36, here p. 129.

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space, discourse, power and order. Thus, spatial constructions by political actors illustrate the building of hierarchical self-other relations, which lead to acts of inclusion or exclusion of the 'other'.[42] We should then critically consider Western spatial constructions of regions with varying levels of danger, in need of Western normative influence. When the Muslim world, and thereby Muslims, is represented as a region of danger, which the West must fortify against, how can balanced, non-divisive relations be possible? What if we rather focused resources on building bridges towards and strengthening dialogue with the 'other'? While this requires sufficient political will, it is a worthwhile aim with long-term stabilizing effects.

Any hope of avoiding seemingly automatic processes of othering may lie in the following notion: if identity is not only forms by differentiating us from others, but also by moving closer to them, as Lebow states, we may find ways to maintain identity without building harmful divisions.[43] In efforts to build bridges to the 'other', we should utilize changes on the side of self and other. Narratives of othering can also collapse, for example when dramatic events or new developments shake the underlying ideas and allow alternative views of self and other. We thus should pay close attention to any and even small changes to build constructive self-other relations. That this is possible is illustrated by the recent rapprochement between Iran and the US.

4. Conclusion

As othering in a discourse of threat has enormous effects on behaviour and policy towards the 'other', by setting the agenda and affecting organizational and political processes in many policy fields,[44] Western othering of Islam and Muslims sets relations on a downward path and enables violence. To change such a discourse, and its impact, we would need to change our views of the 'other' and our understanding of our relations

42 Agnew, John/ Muscarà, Luca. Making Political Geography. 2nd ed. Lanham MD, 2012; Albert, Mathias/ Reuber, Paul/ Wolkersdorfer, Günter. 'Kritische Geopolitik.' In: Siegfried Schieder and Manuela Spindler (Eds.). *Theorien der Internationalen Beziehungen.* 2nd ed. 2006, pp. 527-551, here pp. 531, 540-541.

43 Lebow, Richard Ned. The Politics and Ethics of Identity: In Search of Ourselves. Cambridge and New York, 2012, pp. 270-271.

44 Including development and aid policy, cultural policy, international cooperation, trade relations, and military activities.

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with the 'other'. We may ask ourselves how we can recognize the complexity of the 'other', including the diversity within Islam, and begin to accept that we all have both positives and negatives. To not reproduce Western bias when considering non-Western or Islamic concepts of peace we should attempt to reflect our own ethnocentric biases. In academia, for example, we may seek to pursue more joint research with researchers from the cultural context studied. While biases do not necessarily mean that out ideas and views are wrong, we should be aware of our biases, and their motivations. Can we then re-define our relations with Muslims, and if so, how? In efforts to build and strengthen dialogue with our constructed 'others', we should seek ways of defining what values we share. There is a dilemma about relativizing and universalizing, and it may be constructive to find a balance between the two. There is further benefit in recognizing when others employ either a relativizing or universalizing approach for their political agenda, and in working towards a balance. Agreeing on approaches to these questions may enable us to overcome the simplified representations that often facilitate violence. With that goal in mind, we should also focus on a better balance between normative universality and cultural plurality. Sousa Santos offers a way forward to change the Western hegemonic, universalist human rights conception, into something cosmopolitan.[45] Accordingly, we should, first, move beyond the limiting and divisive universalism-cultural relativism debate. Second, we should look at meanings of human dignity in all cultures to achieve a basis of common understanding. This should, third, be done by paying attention to the incompleteness of each culture's human dignity conception and, fourth, by paying attention to the different degree of openness of one culture to another. Lastly, we need to consider that existing and constructed equalities and differences contain nuances in themselves, so that equalities show difference within and differences show commonalities within. To conclude, the acceptance of at least a degree of normative plurality could be more effective in building dialogue and peaceful relations with the 'other' than insisting on only Western norms being universal. Perhaps peace is more possible by letting go of our insistence on own norms, and by seeking common ground on Islam in a dialogue with Muslims.

45 Sousa Santos. *Toward*. pp. 46-47, 53-57.

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Peace and Violence in Islam: Philosophical Issues

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Abstract: Although there is a good deal of discussion of issues to do with peace and war in Islam, very little of that discussion looks at it from the general point of view of the philosophy of ethics. Yet using this perspective can be useful in seeking to establish greater clarity on the nature of the major issues in the Islamic debate on these issues.

There are roughly two perspectives here, one being absolutist and one consequentialist. The absolutists tend to concentrate on particular *ayat* in the Qur'an and their accompanying hadith and use them to defend wide ethical principles that forbid, or permit, certain kinds of peaceful or violent behavior. This approach tends to defend the status quo, since it often rules out violence in the ways it is often used to bring about regime or radical change. The ethical principle involved here is that whatever the consequences there are certain things that must never be done, and that obviously restricts the aggressive actions from a moral point of view.

On the other side are the consequentialists, who are argue that Islam justifies radical steps in order to bring about the correct sort of objectives, those which are of course themselves justified by religion.

Those *ayat* which the absolutists appeal to are of course respected by the consequentialists, but they are put within a context which restricts their scope and does not interfere with a consequentialist ethics.

Both ethical positions are based on longstanding differences in moral philosophy, but trying to ground them in the Qur'an raises some intriguing issues of how to link a philosophical with a religious argument. It will be argued that looking at the internal Islamic debates in terms of moral philosophy does bring out usefully some of the logical parameters of the controversy.

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1. Justifying violence and Islam

There is a very well developed legal discussion about the nature of peace and conflict in Islam, and it will be touched on here. But the main focus will be trying to create a framework for such discussions that take account of the basic philosophical issues that arise. There tends to be a basic division among writers on the topics of war and peace between those who see the Qur'an as advocating basic and irrevocable standards of behaviour, and those who understand the rules as being more malleable. This reflect a basic ethical contrast between philosophers who are in favour of assessing action in terms of its consequences, often called consequentialists, and those who insist on absolute principles that are never to be violated. Most people think that peace is a desirable state of affairs, but clearly there are situations where it needs to be put aside and conflict permitted. This could be when the community is attacked and needs to defend itself, but then of course what counts as attack is quite variable. It could be that violence is justified when some group of people are prevented from finding out about the divine message in the Qur'an by their leaders, and those rulers and their supporters need to be defeated in order that the truth is more widely broadcast. It might be that a group is dangerous and could represent a future threat, and need to be challenged now when it is in the interests of the Muslim forces to strike early and without waiting for an initial act of direct physical aggression. What is interesting about these sorts of cases is not only the differing views on their legality, but how they work ethically. Often in political life rulers have to deceive, lie, make agreements they have no intention of keeping, dissimulate and so on, and these are all in themselves immoral actions. One of the characteristics of warfare is that whatever the intentions of the parties, innocent people are often killed or injured, and this is also in itself immoral. Yet war is impossible without such risk, especially modern warfare, but there is nothing modern about this debate. If two people are fighting each other and one throws a spear at the other, who knows where that spear will land? These sorts of issues arise all the time in conflict, and it is no justification of harming an innocent person to say truthfully that one did not intend to do so. It is a relevant excuse and may legally result in a lesser penalty, but morally speaking we know that violence often leads to consequences for innocent people, and we need to find some justification for such behavior if we wish to retain our status as moral beings.

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Another way in which the contrast between these two positions arises is by treating violence as a category of punishment, and here again we have two general theories of how we are entitled to act. One position suggests that only the guilty may be punished, and innocent people should not ever be punished. On the other hand, some argue that punishment as a deterrent is more effective if the target of punishment is broadened to include more than just the guilty. After all, innocent people are inevitably harmed as a side-effect of punishment, and if people are likely to be deterred from immoral behavior by contemplating the punishment of those held to be guilty, this is to the general good. To take an example, in warfare armies tend to target those who are threatening them, but if it will dissuade the enemy from acting by punishing innocent civilians, and all civilians count as innocent in warfare, then that may result in fewer death overall than otherwise. Similarly, if an army can induce the enemy to destroy a civilian group of people and buildings, that is often helpful from the point of view of publicity, and so may hasten the end of the conflict, as a result minimizing loss of life and damage to property. In these examples it is the consequences that are important, and they may result in our doing something that otherwise would not be acceptable, but given the consequences they are. To take an example from recent history, in 1979 the most important mosque in the world, the *masjid al-haram* in Mecca, was captured by a violent group who were led by someone claiming to be the *mahdi*. Could violence be used to defeat and expel them? The judicial authorities first of all suggested that unarmed troops be sent in to retrieve the building, and the result was that they were promptly killed by the insurgents. Then, quoting 2: 191, the authorities permitted violence to defeat the interlopers and this obviously caused a lot of damage to the building as well no doubt as killing many innocent bystanders who had been caught up in the encounter. The consequences justified it as the verse from the Qur'an suggests, so does this mean that in matters of violence it is the consequences that are the crucial factor?

2. The rules of war

In many ways this seems generally to be the position of radical movements seeking to challenge the status quo. They argue that the Qur’an it-

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self points to the importance of frightening the enemy[1] and the *sira* of the Prophet refers to many instances of violence that were apparently sanctioned by him and his followers, such as beheading and making fun of the dead body of an enemy. What is often called terrorism by its opponents is action that kills innocent people but for a purpose that is religiously valid. So for example the recent attack in Tunisia on foreign tourists is designed to retaliate against those fighting radical forces in other parts of the Middle East by hurting and killing their civilians. It may help motivate those countries to change their policies. Normally it would not be thought to be right to attack innocent civilians, but if the consequences suggest it might be effective in bringing about a greater good, then it is on the table as a legitimate action. The Shi‘ite thinker Mutahhari in his account of acceptable uses of violence argues that 2: 251: ‘and if God had not repelled some men by others, the earth would have been corrupted’, can be taken with 22: 40: ‘for had it not been for God's repelling some men by means of others, cloisters and churches and oratories would have been pulled down’. Mainly concerned with the rules of initiating *jihad*, discussion of the rules of war tend to point to the major moral motives as helping the oppressed, whether or not such intervention is requested. According to Mutahhari this was the nature of most of the early Islamic wars, and another legitimate cause is the removal of political obstacles to the propagation and spread of Islam or in other words, fighting in favour of the people that are otherwise condemned to isolation from the call of truth and against regimes that suppress freedom of speech. Defensive wars like the defence of life, wealth, property, and land, of independence and of principles are all legitimate. However, the defence of human rights Mutahhari places above the defense of individuals. The last of Mutahhari’s legitimate causes of war goes beyond any notion of defense; he supports a policy of moral expansionism. That is, when dealing with corrupt societies, whether democratic or otherwise, the Islamic state should seek to challenge the false ideas that persist there and it may be necessary to invade them or at the very least confront them militarily in order to convey the proper principles as to how they are to live [2].

The response of the status quo is often that this policy contravenes such verses as those which compare killing someone to killing everyone. That

1 Choudary, Anjem. Evening Standard. 15.08.2014.
2 Mutahhari, Murtaza. ‘Jihad’. Holy War of Islam and its legitimacy in the Qur’an. M. Tawhidi (Trans.). Tehran 1989.

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means that there are absolute principles such as the proscribing of murder that can never be contravened, whatever the consequences. Shaykh Allam recently produced this verse as an argument against ISIS and its supporters [3]. He starts by using 49:13 to suggest that God created different communities, and so it is pointless to try to make everyone believe in the same things. The Grand mufti of Egypt, Shawki Allam, uses this passage to criticize those radical groups that kill others of a different religious background, quoting also 5: 32: 'If anyone kills a person it is as if he kills all humanity, and if anyone saves a life it is as if he saves the life of all humanity'. Yet he surely did not mean that Islam condemns all killing or even all saving of life, since there are many other passages which certainly seem to go in a very different direction. Surely he also would not think it a bad thing if everyone became a Muslim. Certainly there is nothing in the Qur'an which suggests killing people just because they are not Muslims. On the other hand, that is not what radical groups tend to do, they find some reason for killing people and try to legitimate that reason in religious terms by finding appropriate and different authoritative sources. They may well be wrong and certainly casuistic in their approach to texts, but refuting them requires more than just referring to the way in which God created different communities in the world. Many Muslims believe that the diversity of faith should be seen as a temporary stage of humanity, until everyone comes to accept Islam. Whatever the verse suggesting that killing one person is like destroying all of humanity means, it cannot mean that killing is completely ruled out. It would be very difficult to give the Qur'an a pacifist interpretation. When we look at more sources of authority in Islam like the hadith and the *sira* of the Prophet, and for the Shi'a the sayings of the imams, we get yet more material advocating killing, in certain circumstances. Surely that is in principle right, there are always circumstances which look like exceptions to the rule and it then looks overly rigid to stick to the rule.

3 Allam, Shawki. Terrorists and their Qur'anic Delusions, In: Wall Street Journal, 2015.

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3. The importance of considering the consequences

This suggests that really we have to consider the consequences as the crucial determining factor in morality. There is much to support this position in Islamic thought. In a recent and very interesting article Joseph Alagha shows how two very different groups of Muslims, Hezbollah in Lebanon and the Muslim Brothers in Egypt use the principle of considering the consequences to countenance dancing if it is directed to the appropriate political ends [4]. They recognize that while in itself dancing might be regarded as objectionable on religious grounds, specifically because of its implications for modesty, it can be provided with a positive role in promoting the message of resistance and encouraging solidarity among those in the movements concerned. Similarly, when it comes to violence the principle of *darura* or necessity is often regarded as significant, the idea being that in particular circumstances necessity demands that things are done which normally would not be acceptable, which again is in line with the principle that what is important morally are the consequences. How this works is quite clear. In a violent confrontation one has the ultimate aim of overcoming the enemy, and there are things one is allowed to do to achieve this end. It may be, though, that in the particular circumstances it is necessary to put aside these principles if victory is to be likely, and in that case such a suspension of the principles is permitted. This could mean treating the civilian population in a particularly harsh way, or it could even affect how one behaves oneself. There is evidence, for example, that those engaging on surreptitious violent missions are instructed to blend in by shaving off their beards, drinking alcohol, going to clubs and so on, all activities which they would avoid otherwise, but in the circumstances might find effective in realizing their goals. Observers would assume they were 'normal' and so not dangerous, and this could provide effective cover for the mission.

In support of this view, which looks like being in support of the ethical stance of those often called Islamists or extremists, is what we know of the political flexibility of the Prophet Muhammad and also the phenomenon of abrogation. The idea that later verses can overrule and replace earlier ones is also evidence of a commitment in the religion to consider the role

4 Joseph Alagha, G. Banna, and A. Fadlallah's Views on Dancing. In: Sociology of Islam, 2014, 2, pp. 60-85

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that changing circumstances have for what is required of Muslims. The whole process of *asbab al-nuzul*, of considering the context of revelation, is clearly important here, since it helps us know which verses precede which others, and in any case once we know the situation that led to a verse we are often in a position to understand it better. Also, the whole process of using the *hadith* to help work out what Muslims are to do is an exercise in flexibility, since there are so many *hadith*, and different opinions on their strengths and weaknesses as genuine reports of what was said in the past, that coming to a judgment necessarily involves a fine adjudication between a range of sources, as is the case in all major religions that are based on documents. So it looks very much as though in decisions about how to act in conflict and peace, it is not sufficient to rest on certain principles that remain inviolable throughout. One has to employ a variety of material, take account of the particular circumstances of the case and be very aware of the nature of the consequences of acting in particular ways.

4. Different kinds of jihad

A significant problem with this approach is that it seems to conflate divine with secular law. The latter certainly varies from context to context, and also varies over time. But the Qur'an is taken to be the last message of God to His creatures, and it does not vary at all. God knew throughout the various revelations to prophets and messengers how we are supposed to act, and this could not vary over time. Our understanding of what God wants us to do could vary, but it should not, since the Qur'an is in its own view a straightforward and clear text. Saying that we do not understand it is an implicit criticism of its clarity. There is a passage which refers to the ambiguity of some verses (3:7) but it does not seem to be implied that many verses are ambiguous, and there are many references to *jihad* where it is equated with *qital* that are very clear in how people ought to behave. One of the things worth noting here is that earlier we suggested that supporters of absolute principles that could not be altered were likely to be members of the status quo, since they want no change to take place in how things are done. Yet we have presented evidence that these are often precisely the same people who ask for exceptions to be made in those absolute principles in order to modernize Islam or to better reflect the original intentions of God in His revelation and how it was interpreted by His Prophet.

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A good example of this is the popularity nowadays for distinguishing between the greater and the lesser *jihad*, where the former is the spiritual struggle over the negative aspects of the self, while the latter is physical struggle. This serves to emphasize the defensive nature of *jihad* and tries to dissociate Islam from those aspects of the account of *jihad* in the Qur'an which really go in a different and rather more aggressive direction. A significant problem of representing this *hadith* as a crucial aspect of understanding *jihad* and peace is that it is often used in a very vague manner, as a corrective to the negative image of Islam as a violent religion. The *hadith* certainly does not do justice to the practice of Muslims at war, or even their disinclination to go to war, and this is not to criticize it, but it is to question how widely it was accepted and used as a basis to behaviour. In any case, to say war is the lesser *jihad* does not mean it is not important nor that the rules for pursuing it are not important. It suggests that there is more to conflict than just physical struggle and that is worth emphasizing. There is an English saying that sticks and stones may hurt my bones but words can never harm me, but the reverse is often the case. The damage due to sticks and stones may only be temporary, yet the hurt that words can cause may last a lifetime, and even lead to death. This is certainly true of cultures that are based on tribalism and shame, which according to al-Jabri is most Arab societies since the Ummayads. He refers to the phrase: Those who listen to their Lord, in Qur'an 42:38. He used this verse to define a political period in early Islam of s*hura* or consultation, since it goes on to mention 'consult each other in their affairs'. In the time of the Prophet the state was based on the Islamic creed or '*aqida*. Muhammad's Medinese community was a real political community and can be defined as an 'Islamic state'. This was not to last long, the Ummayads distinguishing in the person of their ruler the function of religious scholar (*'alim*) and leader of the state. Mu'awiya's *mulk* or kingdom was continued by his successors, replacing *'aqida* with *qabila* or tribalism, and an authoritarian government resulted, since one tribe had to dominate the rest if stability was to be preserved[5]. The subsequent domineering regimes were based on tribalism, and its noxious heritage, in his view, continues to this day. It also encourages the growth of a form of authoritarianism in the family, a patriarchy based on the analogy with the ruler and the ruled, and levels of physical and psychological violence to maintain those levels of authority.

5 al-Jabri, Mohammad. *al-'Aql al-siyasi al-'arabi.* 1990.

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In 2: 190 we read: ‘And with those who fight to kill you, fight in the way of God.’ Many early Sufi thinkers adopted esoteric interpretations of the Qur'anic verses treating conflict. The real challenge and test comes from within. The reasons why the Prophet stressed that the greater *jihad* must be against the carnal soul (*nafs*) is that physical wars against infidels are occasional but the battle against the self is frequent, indeed constant. There are ways to avoid the visible weapons of the military foe, but less chance to escape the invisible weapons of the temptations of the soul; and although we can achieve martyrdom in war with the enemy, there are no rewards if one is defeated by our inner enemy[6]. On the contrary, that defeat is the normal condition of human beings. But before we come to the conclusion that physical warfare is not that important we need to see the next verse, 2:191: ‘And kill them wherever you overtake them and expel them from wherever they have expelled you, and *fitnah* is worse than killing. And do not fight them at al-Masjid al-Haram until they fight you there. But if they fight you, then kill them. Such is the recompense of the disbelievers.’ This is a robust account of how Muslims ought to act in conflict, even in Mecca itself. 9: 14 suggests: ‘Fight them, God will torment them with your hands, humiliate them, empower you over them, and heal the hearts of the believers.’ The Qur’an advises believers to deal harshly with the enemies of Islam.

To understand the significance of this verse, as with the rest of the verses in the Book, it is very helpful to look at the *sira* and *hadith* of the Prophet. As with a variety of religions, there are plenty of bloodthirsty accounts of the past that can be used to legitimate acting in similarly direct ways in the present and future. For example, there is the death of ʿAmr bin Hisham, a pagan Arab chieftain originally known as ‘Abu Hakim’ (Father of Wisdom) until Muhammad renamed him ‘Abu Jahl’ (Father of Stupidity) for his determined opposition to Islam. After ʿAmr was mortally wounded by a new convert to Islam during the Battle of Badr, it is reported that ʿAbdullah ibn Masʿud, a close companion of Muhammad, saw the chieftain collapsed on the ground. So he went to him and started abusing him. Among other things, ʿAbdullah grabbed and pulled ʿAmr's beard and stood gloating on the dying man's chest. This has led to a good deal of similar actions among some groups of Muslims when dealing with their enemies by cutting off their heads and humiliating their bodies, perhaps as

6 Leaman, Oliver. Islamic Philosophy: An Introduction. Oxford, 2009, pp. 133-7.

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a means to healing the hearts of the victors. Although this may be distasteful to some, if this is the most efficient way of bringing about an end worth achieving, are there really any significant ethical objections to it? At 8: 16 we are told: 'And whoever turns his back on them, except as a strategy or to join another group, will certainly attract the wrath of God, his abode will be fire, And what a wretched destination that is.' The previous verse refers to fighting the unbelievers. This quotation from a London newspaper is a response to the practice of cutting heads off in Syria by ISIS: 'Look, I'm not into holding people's heads and things like that, but in the battlefield people kill each other and things are done to terrify the enemy. So it may be used as a war ploy or a tactic - as it is said in the Qur'an, chapter eight, verse 16, to terrorize your enemies so that the war can be finished quickly and your enemies run away' [7]. He is right in thinking that there are plenty of verses which talk of the advantages of violence, but of course there are just as many and perhaps more that talk of the significance of peace and the importance of not prolonging conflict any longer than strictly necessary.

5. *Back to absolute principles*

It looks as though it is very difficult to perceive the overriding absolute principles that ultimately govern action, since all sorts of otherwise objectionable actions are apparently contemplated in the right circumstances. We have to be very careful in how we deal with those principles. Pious books defending Islam on this topic see no problem at all, Islam is based on peace, even the name of the religion can be taken to refer to peace, and the rules of war are fair, largely defensive and appropriate [8]. Those hostile to Islam represent the references to peace and war to be based on some generally aggressive principles [9], and it is not difficult to find verses that can be expanded into universal principles which accord with such a view. History brings out the ruthlessness and brutality of people who do not seem to have reflected on how their religion might have expected them to behave. Not of course that there is anything specifically Islamic about this,

7 Choudary. 2014.
8 bin Muhammad, Ghazi/ Kalin, I./ Kamali, M. (Eds.). War and Peace in Islam: The uses and abuses of jihad. London, 2013.
9 Holland, Tom. In the Shadow of the Sword. London, 2013.

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the phrase 'the rules of war' is generally oxymoronic, but it does serve to remind us that the rhetoric we often hear of how comparatively gentle, or vicious, the forces of Islam tend to have been in the past miss the point. They were just like anyone else. Does that not suggest that the idea that there are absolute principles that have to be obeyed in all circumstances is merely rhetorical. This is not a point about practice but about theory as well. The principles do not seem to enter into the process of ethical decision-making. We know that the Prophet is supposed to have been very flexible in his political management of the nascent *umma*, but surely this pragmatism was based on principles, principles embodied in the Qur'an and derived from God. That is why one of his wives, 'A'isha, referred to his character as based on the Qur'an and his practice is taken as exemplary by Muslims.

We need to make some remarks on the connection between principles in ethics and the ways in which we actually work out how to Islam, as in other religions and ethical systems, there are not just general principles that help one decide how to act. There are additional and diverse sources of authority, ranging in Islam from the *hadith*, the *sira* of the Prophet, the judgements of whatever school of law one adheres to, the sayings of the Imams for the Shi'a, the use of reason at some level, and so on. Some of these consist of stories, stories which talk about what happened, what it meant, how people reacted and so on, and these are very helpful in teaching people how to apply theory to practice. Good teachers do not just instruct their students in the subject they are teaching but give examples, show them how to apply the theory and in this way it becomes more concrete and applicable to their everyday lives, and this is how religions work also. Such examples not only help us apply theory but they also enable us to stand back from the immediacy of the situation in which we find ourselves, so pressing in the case of conflict, and calmly consider how to act. This is a point that Kant made when outlining the concepts we use both epistemologically and morally, suggesting we need some way of actually applying them to the world we experience. He argued this involved what he calls schematism, which is a way in which the concepts are translated into a more concrete form so that they can be used to deal with the world of space and time, and human behaviour. He does not actually think that we can find a clear schema of the moral law, but something rather similar to it will have to serve. We do not have to enter into the detail of the critical philosophy here, but we should take up his main point, which is that the way in which the schematism works involves the imagination.

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It is the imagination that uses and manipulates the stories that are so important to us in operating in the everyday world, and the stories that feature in the *hadith* are precisely that. they help us work out a variety of ways of adapting the principles of religion to the practice of everyday life. In Islamic philosophy imagination has traditionally been seen as the intermediary between heaven and earth, between the realm of the celestial and entirely abstract and the world of generation and corruption which we inhabit. As a source of knowledge it is suspect, but as a way of allowing us to discover how to combine experience with general ideas it is essential. This Kantian point has a long history in Islamic thought, and it comes very much into the ethical discussion here, since it helps us understand how it is possible for us to use moral principles in a way that makes sense both practically and yet also in a way that acknowledges the significance of those principles. Imagination is clearly involved here. The sorts of people who just follow principles without thinking about their implications or putting themselves in the shoes of the participants surely fail to act appropriately, however close their actions are to some verses in the Qur'an. They go awry since there are of course other verses as well, plus a wide range of interpretative material that obliges the believer to consider carefully how he should behave in a situation of conflict and not just follow a formula that represents a partial understanding of the divine will.

6. Principles and how to apply them

The idea of balance in religion is worth mentioning here also. It is linked with the concept of justice, as in 2:143 where the followers of the Prophet are described as *wasat.* Sometimes the term is identified with being the best (68: 28; 1: 6-7), in the last verse contrasting sharply with the approach to religion taken by the Jews and the Christians. Indeed, Islam often sees itself as standing between those who believe in anything at all and those who deny everything they cannot personally vouch for. It is a middle point between those who see the universe as the only important place and those who regard it as an illusion. In Islamic law we find a system which seeks to balance crimes and penalties, and rules such as those of inheritance are designed to preserve equity. Now, when we get to the detail of such laws we may find much in them which is difficult to accept, but the principle here is entirely acceptable, that an attempt is made to be fair to all parties, to allocate people their deserts and preserves a sense of bal-

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ance. The identification of virtue with moderation is not difficult to understand since the universe itself was created in a balanced and presumably good way: 'And the earth We have spread out, and set on it mountains firm and immovable; and created in it all kinds of things in appropriate balance' (15: 19).

Applying a rule always calls for discretion, and the virtue of moderation is that the rule is applied sensitively to a particular situation or within a certain context. That is where Iblis went wrong, when he applied the rule, one of his rules, that fire is superior to earth, in a way that failed to take into account God's purpose in elevating humanity over *jinn*. Iblis was not prepared to consider whether there was a point to what was happening, he could not moderate his sense of superiority over this creature that God was elevating over others, and the result is well known (17:61-62). As Reinhold Niebuhr points out, virtues taken to an extreme easily become vices[10]. But why do they? Surely we do not run into the danger of being too good, or too accurate in our judgements? If Iblis is correct in what he says about fire and earth, what is wrong with his insisting on it? Perhaps it is his disregard for *suras* such as 'O you who believe! Do not make unlawful the good things which God has made lawful for you, but do no excess, for God does not love those given to excess' (5: 87). In criticizing the status of humanity Iblis acted excessively, rather than waiting patiently to see how this new creation would work out. This straight path is mentioned in all the daily prayers, and it is not difficult to argue that the straight path is equivalent to acquiring a moderate disposition to our behaviour. The whole structure of Islam can be seen as contributing to this aim.

God knows what sorts of creatures we are, since he created us, and so he knows how we ought to live. He provides us with this information through his messengers and prophets, through the Qur'an and other authoritative works, through the *hadith* and the *sunnah* of the Prophet, and for some Muslims through the imams or other significant figures. A contrast was made earlier between two approaches to moderation, one based on strict adherence to the law where moderation is damaging to the point of the divine legislation, and where it is something we are advised to pursue throughout our lives with respect to our personal and communal behaviour. This contrast may itself be moderated, and we might say that the

10 Niebuhr, Reinhold. The Irony of American History. New York, 1985.

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strict view of the law represents one side of it, the fact that it comes from God and cannot be altered. Yet however divine the law may be, it has to be used and interpreted in everyday life, and it is here that moderation is significant. Moderation can be linked with the idea of considering the consequences of what might happen since it involves considering a wide range of examples that might be relevant in deciding what to do in a particular case. It is opposed to the idea of just sticking to a formula and following it.

We started by contrasting two ways of decision making in ethics, one which relied on absolute principles and one which is dependent on the consequences of action. It was argued that both are involved and that Islam suggests this by its emphasis on moderation and through the whole hermeneutic process of considering a wide range of sources of authority. Nowhere is this more important than in issues to do with conflict, since here the passions of the participants are often raised to such a level that their capacity for calmly and properly assessing the situation before them is diminished. Religions are very good at helping participants think in a sophisticated manner about the issues and coming to a conclusion based on a rounded view of both the facts and the ethical possibilities of action. To grasp this we need to understand more clearly what scope there is for moral reasoning in religion. This essay has been an attempt at starting on this task and applying it to the debate over violence and Islam. The argument has been rather like those in Islamic philosophy advocating describing God in terms of what He is not like, as opposed to His positive attributes. It has been argued here that whatever the rules of war in Islam might be, and how violence should be used, they are not going to be resolved by either consideration of the consequences or through relying on some general principles that can never be contradicted. It is going to be by some combination of these ethical sources of information. There is nothing novel in this suggestion. On the contrary, it represents the practice of those involved in the debate over many centuries. It is designed to serve as a corrective to those today who seek to resolve these complicated ethical issues by relying on a simple formula to work out how to behave.

Further Reading

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II. *Jus ad bellum*

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A. Sunni

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Violence in Contemporary Indonesian Islamist Scholarship: Habib Rizieq Syihab and 'enjoining good and forbidding evil'

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Abstract: Violence can be construed as 'action that inflicts, threatens, or causes injury', and it is worth asserting that 'injury may be corporal, written, or verbal' (Hall 2013: 364). In line with this, Stewart and Strathern (2013: 376) understand violence as 'harmful acts whose legitimacy is contested or ambivalent'. For Stewart and Strathern, the contested legitimacy is an essential element in categorizing hurtful action as violence.

The underlying idea of the founding of the Islamic Defenders Front (FPI) is the notion of 'commanding good and forbidding evil' (*al-amr bi al-ma'ruf wa al-nahy 'an al-munkar*). The founding fathers of FPI (most notably Habib Rizieq Syihab) thought that the government of Indonesia remained silent about evil events which occurred throughout the country, and accordingly felt the necessity of 'commanding good and forbidding evil', by organizing some necessary actions to stop evil in Indonesian society.

Syihab is considered as one of the authorities who define the canon of Islamist scholarship in contemporary Indonesia. This authority includes his lineage that can be traced back to the Prophet Muhammad, as well as his mastering of classical Arabic and Islamic texts. This study will focus on Syihab's book entitled *Hancurkan Liberalisme, Tegakkan Syariat Islam* (Destroy Liberalism, Enforce Islamic Law, 2011), and will address the following problems: (a) How does Syihab justify the violence in the corpus of Islamic doctrines and national constitution? (b) What agency does Syihab use to transmit his idea of 'commanding good and forbidding evil'? and (c) What are the socio-political factors which surround Habib Rizieq Syihab's ideas on violence?

1. Introduction

This paper is devoted to investigating the notion of violence in contemporary Indonesian Islamist scholarship, as it is presented in Habib Rizieq

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Syihab's elaboration of *al-amr bi al*-ma'ruf *wa al-nahy 'an al-munkar* (commanding good and forbidding evil). The accounts of 'religion and violence', 'the notion of authority', 'Islamism and Indonesian Islam' and 'commanding good and forbidding evil in Islamic scholarship' are considered in the first part of this paper, to give a general context for the topic under discussion. The next part of this paper deals with the Islamic Defenders Front. The main parts of the paper comprise a discussion on Habib Rizieq Syihab and religious authority, the notion of ma'ruf and *munkar,* the conditions of performing 'commanding good and forbidding evil', violence and freedom of conscience, the anthropological and constitutional logic of 'commanding good and forbidding evil', the constitutional and cultural circumstances of 'commanding good and forbidding evil', and the axiological basis of 'commanding good and forbidding evil'.

2. *The intricate interplay between religion and violence*

Violence can be construed as 'action that inflicts, threaten, or cause injury', and it is worth asserting that 'injury may be corporal, written, or verbal'.[1] In line with this, Stewart and Strathern[2] understand violence as 'harmful acts whose legitimacy is contested or ambivalent'. For Stewart and Strathern, the contested legitimacy is an essential element in categorizing hurtful action as violence.

Pertaining to the relationship between religion and violence, we may observe at least two contrasting opinions among scholars. Some specialists do not ascribe the potential for violence to particular religious structures, whilst others do. The French scholars Emile Durkheim (1858-1917) and René Girard (b. 1923) belong to this latter group. Durkheim argues that in religious tradition, sacred and profane are clearly distinguished, and 'it is well within religious possibility that violence can become a sacred duty'. It is worth remarking that Durkheim reveals instances of violence driven by religion, namely extreme asceticism, martyrdom and holy war.[3]

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1 Hall, John R. 'Religion and Violence from a Sociological Perspective.' In: Mark Juergensmeyer/ Margo Kitts/ Michael Jerryson (Eds.). The Oxford Handbook of Religion and Violence. Oxford, 2013, p. 364.

2 Stewart, Pamela J./ Strathern, Andrew. 'Religion and Violence from Anthropological Perspective.' In: Juergensmeyer et al (Eds.). The Oxford Handbook. p. 376.

3 Hall, p. 364.

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In line with Durkheim, Girard points out that 'scapegoating - killing of a 'surrogate victim' standing in for wider evils - is a primordial religious act to sustain the sacred in the face of pollution'.[4] Sacrifice is accordingly a ritual in which the community offers up a replacement of itself for the sake of protecting the community from its own violence. This allows us to comprehend that for Girard 'violence is always implicit, and indeed, lies at the heart of ritual'.[5]

In response to these contrasting positions, Hall[6] suggests his own thesis, namely, 'that manifestations of violence in relation to religion are diverse'. He goes on to stress that these manifestations 'hinge on alternative circumstances wrought by different historical moments, institutional formations, and cultural meanings. In other words violence is situational'. Hall[7] concludes that it is religious formations and their contextual situations, not religious traditions *per se*, which mould their potential embodiments with violence. For Hall,[8] 'the complex array of possible developments will be conditioned - and, in turn, shape - specific kinds of religious organizations involved. In unfolding events of violence, both of a religious group and of a social order, may be very much in play, and historical circumstances and, thus, trajectories of group and their collective actions may shift'.

Hall[9] highlights four categories of violence that occur within a religious domain. *First*, scapegoating and other forms of boundary maintenance are performed in order to affirm the sacred. *Second*, strict and detailed boundaries, most particularly in sectarian religious organizations, may contribute in the emergence of 'conflicts over identities and allegiances of individuals'. *Third*, religions are concerned with the possibilities of salvation, and accordingly wield a strong influence to its members, 'in part by offering or withdrawing the blessings of the group'. *Fourth*, charismatic figures and religious functionaries may attain a high degree of trust or 'command a degree of hero worship' from their respective religious communities.

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4 Ibid. p. 364.
5 Bowie, Fiona, The Anthropology of Religion: An Introduction. Oxford, 2010, pp. 178-179.
6 Hall. p. 366.
7 Ibid. p. 373.
8 Ibid. p. 366.
9 Ibid. pp. 367-368.

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3. The notion of authority

For the purpose of my analysis, I adopt Zambrano's[10] definition of authority as 'a relation that exists between individuals' in which 'one individual, prompted by his or her circumstances, does as indicated by another individual what he or she would not do in the absence of such indication'. Zambrano goes on to assert that 'the legitimacy of an authority relation is what keeps the relationship from breaking down', and is the response to the question: why does the subject of authority do as prescribed by the holder of authority?[11] This authority relation is deemed to be a part of 'a wider web of practices and beliefs' that renders meaning to all relations in a given community.[12]

The question of legitimacy involves the perspectives of both the holder of authority and the subject of authority. The former perspective is concerned with the authority claims that are asserted by the holder of authority. Max Weber[13] indicates three types of authority and their respective grounds for asserting obedience: (a) traditional authority, 'obey me because it is what our people have always done', (b) charismatic authority, 'obey me because I can transform your live', (c) legal-rational authority, 'obey me because I am your lawfully appointed superior'. The latter perspective, i.e. the subject of authority, deals with the question of what justifies the command in the eyes of the subject.

Drawing inspiration from game theory, Zambrano[14] assesses the legitimacy of an authority relation, and considers the perspectives of both the holder and the subject of authority. He points out that 'an individual can be in a position of authority with respect to another individual to the extent that there are equilibrium beliefs that support choices that an analyst of the relation' designates as 'commanding' or 'ruling' for the superior and 'following' or 'obeying' for the subordinate.

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10 Zambrano, Eduardo. 'Authority, social theories of.' In: Neil J. Smelser/ Paul B. Baltes (Eds.). International Encyclopedia of the Social and Behavioral Sciences. Amsterdam, 2001.

11 Zambrano. Authority.

12 Ibid. p. 209.

13 Jones, Liz Bradbury and Shaun Le Boutillier. Introducing Social Theory. Cambridge, 2011, p. 86.

14 Zambrano, Authority.

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Zambrano[15] further develops his argument by identifying 'equilibrium beliefs' as: (a) 'at the interpreted level of the social interaction', (b) functioning 'as the common ground that sustains an authority relation', (c) ascertained with respect to both the holder's and the subject's situation, and (d) 'part of the web of practices and beliefs' that yield meaning to all relations in a given community.

Friedman's[16] distinction of 'being in authority' and 'being an authority' is worth remarking. Friedman indicates that the claim to authority of a person 'in authority' is merely based on the fact that he/she has been 'put "in authority" according to established procedure, rather than his decisions are, on independent grounds, sound, meritorious, or superior decisions'. What is generated by someone 'in authority' is 'a decision to be followed, not a statement to be believed'. The legitimacy of an individual who is an authority is grounded on the belief that he/she possesses 'special knowledge, wisdom, or insight or to be recipient of a revelation or unique experience not available to other men'. What is represented by the person who is an authority is 'not merely a decision to be followed, but a statement to be believed'.

Further, Friedman[17] classifies being an authority into two sub-clusters: (a) 'authority over beliefs' and (b) 'authority over conduct'. Religious scholars, experts and parents are instances of those possessing 'authority over beliefs', while judges, generals and legislators possess 'authority over conduct'.

4. Islamism and 'Indonesian Islam'

'Indonesian Islam' is believed by many specialists to have distinct features, of which the most striking is the compatibility between Islam and democracy. This distinct characteristic is considered to be able to explain why the process of democratization in Indonesia persists and is likely to succeed, differing from the experience of Muslim countries in the Middle East and North Africa, which encountered the 'Arabic spring' of democracy, but found it to be short lived.

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15 Ibid.

16 Friedman, R.B. 'On the Concept of Authority in Political Philosophy.' In: Joseph Raz (Ed.). Authority. New York, 1990.

17 Friedman. On the Concept of Authority in Political Philosophy. p. 57.

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Indonesian Islamic Civil Society Organizations are distinct to those in some Muslim countries (most notably the Jamaat-i Islami in Pakistan and the Muslim Brotherhood in Egypt), in the sense that Indonesian civil society organizations (most notably the Nahdlatul Ulama and the Muhammadiyah) demonstrate their commitment to Indonesian nationalism and constitutional governance.[18]

Azra[19] explores the notion of 'Indonesian Islam' and comes to conclusion that Indonesian Islam possesses distinct characteristics. These features include: (a) the peaceful spread of Islam, (b) Islam is culturally embedded, in the sense of undergoing cultural enrichment without losing its own cultural traditions, (c) the rich heritage, (d) it is a Pancasila state, (e) women enjoy a greater role in public life, (f) the existence of mainstream organizations, most notably the Nadlatul Ulama and the Muhammadiyah, (g) the radical groups are small in number, but relatively outspoken, (h) the empowerment of moderates, as a balance to outspoken radicals.

The existence of radical groups in Indonesia is worth drawing attention to. Radical Islamic groups are also found in other Muslim countries. In Indonesia, radical Islamic groups are found during the Old Order, New Order and Reformation Era, but it is most particularly during the Reformation Era that radical Islamic groups became more visible. What is specific to Indonesia is that the number of these radicals is relatively small, and that there are counter-discourses and praxis made by the moderate Muslim personages and groups. These discourses and praxis play a significant role in shaping the nature and future of Indonesian Islam.

It is hoped that this paper will contribute to making 'Indonesian Islam' better known in international academia. As some specialists argue, Indonesian Islam is in some ways distinct from Islamic religiosity which developed in the Middle East, in the sense that Indonesian Islam can easily connect with and conform to the ideas of democracy, human rights, and pluralism. Although we are aware of the existence of radical groups within Islam, we notice that their number is relatively small, and that there are counter-discourses and actions made by moderate Muslim individuals and

18 Hefner, Robert W. 'Indonesia in the Global Scheme of Things: Sustaining the Virtuous Circle of Education.' In: Jajat Burhanudin, Kees van Dijk (Eds.). Islam in Indonesia: Contrasting Images and Interpretations. Amsterdam, 2013, p. 58.

19 Azra, Azyumardi. 'Distinguishing Indonesian Islam: Some Lessons to Learn.' In: Jajat Burhanuddin, Kees van Dijk. (Eds.). Islam in Indonesia: Contrasting Images and Interpretations. Amsterdam, 2013.

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groups which play a strong role in moulding the nature and future of Indonesian Islam.

5. *'Commanding good and forbidding evil' in Islamic scholarship*

The notion of violence in Islamic scholarship is found, for instance, in the discourse on *al-amr bi al-ma'ruf wa al-nahy 'an al-munkar* (commanding good and forbidding evil). The Persian scholar Abu Hamid al-Ghazzali (d. 1111), for instance, reveals the levels (*darajat*) in conducting *al-amr bi al-ma'ruf.* Al-Ghazzali puts these levels in the following order: (a) 'seeking information', (b) 'informing', (c) 'exhortation', (d) 'harsh language', (e) 'physical action', (f) 'the threat of action', (g) 'actual violence', and (h) 'armed helpers'. In addition to this, al-Ghazzali highlights three qualities that the performer of *al-amr bi al-ma'ruf* should have, namely: (a) knowledge (*'ilm*), (b) scrupulousness (*wara'*), and (c) an even temperament (*husn al-khuluq*).[20]

Some Muslim scholars are of the opinion that the performance of *al-amr bi al-ma'ruf* with the tongue is most particularly the responsibility of scholars - though many other scholars disagree with this point of view. Above all, we should perceive this standpoint from an alternative angle. This particular standpoint implies that the performance of *al-amr bi al-ma'ruf* by the scholars is due to their social role, and serves to exercise a moral authority[21]. Moral authority refers to:

> 'the relative credibility and weight of a source's moral judgments, beliefs, principles, rules, intuitions, and value-commitments. For millennia, moral authority was thought to belong to religious texts and leaders. In theocratic nations, and in some social circles elsewhere, this is still assumed. From such a perspective, for example, a judgment has moral authority only if found in the Bible as interpreted by the Vatican. In mystical traditions, moral authority may be given to those who claim to possess supernatural insight into the universe or who, as with prophets, are believed to commune directly with gods'.[22]

20 Cook, Michael. Commanding Right and Forbidding Wrong in Islamic Thought. Cambridge, 2000, pp. 438-442.

21 Ibid. pp. 488-489.

22 Potter, Michael K. 'Moral Authority'. In: Deen K. Chaterjee (Ed.). Encyclopedia of Global Justice. London 2001, p. 2011.

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Michael Cook highlights the political aspect of forbidding evil. He argues that, 'while forbidding wrong can express the claims of rebels to political authority, it can also provide an alibi or those who do not wish to challenge an incumbent state too openly or directly'.[23]

6. The Islamic Defenders Front

6.1 The Islamic Defenders Front and its theological tendency

The Islamic Defenders Front (FPI) was founded by twenty Muslim figures, most notably Habib Rizieq Syihab, Cecep Bustomi and Habib Idrus Jamalulllail. These individuals are known as hard line preachers. Cecep Bustomi, for instance, was jailed in the 1980 s due to his sermons, which criticized the evil of the authoritarian Soeharto governance. On 17 August 1998, these preachers gathered at the Pesantren al-Umm, Ciputat, South Jakarta, to declare the existence of the 'Anti-Evil National Movement' and an organization called 'The Islamic Defenders Front'. The Islamic Defenders Front, which was established three months after the fall of Soeharto in May 1998, advocates 'moral reformation'. [24]

The FPI maintains that it is a movement based on Islamic teachings according to Ahl al-Sunnah Wa al-Jama'ah. It is worth mentioning that the FPI's understanding of the Ahl al-Sunnah wa al-Jama'ah is closely related to that of Indonesian Salafism, as it is represented by the Forum Komunikasi Ahlussunnah wal Jamaah (Communication Forum of Ahl al-Sunnah Wa al-Jama'ah) under the leadership of Ja'far 'Umar Talib. Salafism rejects the assumption that the *Ahl al-Sunnah Wa al-Jama'ah* originated from the teachings of Abu Hasan al-Ash'ari and Abu Mansur al-Maturidi. They would rather maintain that the *Ahl al-Sunnah wa al-Jama'ah* originated from the Companions (*sahabah*) of the Prophet, and accordingly they strive to follow the examples of the Companions pertaining to their

23 Cook. p. 497.

24 Hasani, Ismail/ Naipospos, Bonar Tigor. *Wajah Para 'Pembela' Islam* (Faces of Defenders of Islam). Jakarta, 2011, p. 148.

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understanding and implementation of religion. This includes sticking to the symbolic aspects of religion [25](Ngatawi 2006: 96-98).

Although in many respects the FPI share their teachings with Indonesian Salafism, they also differ from Salafism in some other respects. This can be seen for instance in the fact that Indonesian Salafism (as they represent their position) is strict in terms of understanding and implementation of Islamic teachings as well as symbolic aspects of Islam, and accordingly they are intolerant towards diversity. Such an attitude often triggers conflict within local communities. This is to some extents distinct from that of the FPI, which is slightly more liberal in implementing Islamic teachings, most particularly in terms of the symbolic aspects of Islam. The FPI tolerate members who do not dress as laid down by the Prophet, most particularly during Islamic gatherings (*pengajian*). The FPI applies strict regulation pertaining to dress code only during demonstrations or sweeping actions, when it is for a practical reason, namely in order to exclude non-members from an action.

Interestingly, the American Foreign Policy Council [26] includes the FPI as an Islamist group, most particularly due to the fact that this organization aspires to bring Islamic law into the national constitution. This can be observed, for instance, at FPI's assemblies that demand the espousal of the Jakarta Charter (Piagam Jakarta), which would render constitutional status to Islamic law. Moreover, the FPI calls for the abolishment of the government policy of 'sole foundation', which imposes the acceptance of the state ideology (Pancasila) on all political and social organizations in the country.

It seems to me that the American Foreign Policy Council's standpoint, which includes the FPI in the category of Islamist groups, is also to some extent motivated by the fact that the FPI is one of the bodies behind the campaigns against the US in the Indonesian public sphere. This is apparent, for instance, in Syihab's book,[27] which makes the point that the FPI

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25 Ngatawi, Al-Zastrouw. *Gerakan Islam Simbolik: Politik Kepentingan FPI* (The Movement of Symbolic Islam: the Political Interest of Islamic Defenders Front). Yogyakarta, 2006, pp. 100-101.

26 American Foreign Policy Council, The World Almanac of Islamism. Philadelphia, 2014, p. 88.

27 Syihab, Habib Rizieq. *Dialog FPI Amar Ma'ruf Nahi Munkar: Menjawab Tuduhan terhadap Gerakan Nasional Anti Ma'siat di Indonesia* (Dialogue with Islamic Defenders Front on Commanding Good and Forbidding Evil: Answering the Accusations on Anti-Evil National Movement in Indonesia). Jakarta, 2008, p. 8.

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ran a major campaign against the US after the US's invasion of Afghanistan, 7 October 2001.

One publication highlights two types of Islamism in post-Suharto Indonesia. The first is embodied in struggless to win power through electoral competition. The Crescent Star Party (PBB) and the Prosperous Justice Party (PKS) belong to this first category. The second type is manifested in cultural and social activism. This second category includes the FPI, the Council of Indonesian Muslim Holy Warriors (MMI) and the like.[28]

Islamism, according to Olivièr Roy, is 'a new movement of thought that endeavoured to define Islam primarily as a political system', more specifically 'in keeping with the two major ideologies of the twentieth century. This movement, which is mainly initiated by the Egyptian scholar Hassan al-Banna and the Indo-Pakistani scholar Abu 'l-A'la Mawdudi, justifies this new vision by the notion of a 'return', namely 'a return to the texts and to the original inspiration of the first community of believers' (*al-salaf*). Roy goes on to explain that nowadays Islamism has undergone a change in its outlook. It has been transformed into a type of 'neo-fundamentalism', which aims primarily at re-establishing the *Shari'ah* (Islamic law), 'without inventing new political forms'.[29] In this regard, the FPI falls into the category of neo-fundamentalism.

6.2 The Islamic Defenders Front and the mission of 'commanding good and forbidding evil'

The FPI has been inspired by a popular prophetic saying (*hadith*), 'If any of you sees evil, he/she has to change it with his/her hands. If he/she is not able to do so, he/she has to change it with his/her tongue. If he/she is not able to do so, he/she has to change it with his heart; and this is the weakest faith'. The FPI's activism in suppressing evil using physical force can be understood in this context, since they do not want to be considered as those of the weakest faith. [30]

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28 Hilmy, Masdar. Islamism and Democracy in Indonesia: Piety and Pragmatism. Singapore, 2010, pp. 101-102.

29 Olivièr Roy. The Failure of Political Islam. Carol Volk (Trans.). Cambridge, 1994, pp. viii-ix.

30 Hasani and Naipospos. *Wajah Para 'Pembela' Islam*, p.149.

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The FPI's programmes to suppress evil are not entities in themselves, but rather serve as strategies to achieve a higher goal, namely the enforcement of Islamic law. The FPI was founded because in 1998 there was no Islamic mass organization deeply concerned and involved with suppressing evil (Hasani and Naipospos 2011: 149).

The FPI's mission in prohibiting evil is mainly performed by its offshoot organization, the Paramilitary Force for Defending Islam (*Laskar Pembela Islam*). This force is responsible for exerting physical pressure in order to eradicate evil. Candidates for this force normally have to undergo training for about three days. In the last day of training they undergo an initiation, the text of which reads that they must be, 'ready to abandon evil, ready to defend the oppressed Muslims and ready to become a martyr in the cause of God' (Hasani and Naipospos 2011: 151).

In addition to the Paramilitary Force for Defending Islam, the FPI has other wing organizations which have respective strategies for conducting *al-amr bi al-ma'ruf wa al-nahy 'an al-munkar*. These offshoot organizations include the Female Strugglers for Defending Islam (*Mujahidah Pembela Islam*) and the Islamic Student Front (*Front Mahasiswa Islam*). The Female Strugglers for Defending Islam was established to facilitate the aspirations of Muslim women regarding the performance of *al-amr bi al-ma'ruf wa al-nahy 'an al-munkar*. This offshoot organization has many opportunities to defend women's rights in accordance with the rulings of Shari'ahh. The Islamic Student Front aims to conduct itself using its intellectual capacity.[31]

It seems to me that the FPI's offshoot organizations (with their respective strategies for dealing with *al-amr bi al-ma'ruf wa al-nahy 'an al-munkar*) are established in response to the *hadith* that necessitates that Muslims perform *al-nahy 'an al-munkar* with physical force and power (*bi al-yadd*), their capacity to be articulate (*bi al-lisan*), and their disapproval of evil (*bi al-qalb*). The establishment of these subgroups also serve as a response to the Qur'an (Al-Nahl: 125) implying the stages of the performance of *da'wah* and al-*amr bi al-ma'ruf*, namely wisdom (*hikmah*), good advice (*maw'izah hasanah*) and dialogue (*mujadalah*).

The FPI has been involved with mobs urging for the dissolution of the Ahmadiyyah. In February 2008, at the 'big gathering' in Banjar, Shobri Lubis, one of the FPI's national board declared war against the Ah-

31 Syihab, *Dialog FPI*. pp. 200-202.

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madiyyah. He said, 'we must make war against the Ahmadiyyah, kill the Ahmadiyyah, in every place we find them we must kill them'. [32]

During the years 2003-2004, the FPI stuck to a policy that they would perform necessary actions if there were requests from the respective local communities. Accordingly during these years there was a limited number of sweeping actions performed by the FPI. It is recorded that there were only two sweeping actions performed by the FPI in Jakarta. Since then the FPI have been involved in mass demonstrations pertaining to various issues ranging from defending the Tempo Magazine, which was in conflict with the conglomerate Tommy Winata in 2003, and objecting to the visit of the US President George W. Bush in 2004.[33]

The FPI's mode of action in forbidding evil have been opposed by some elements within Indonesian society. The National Alliance for the Freedom of Religion and Conscience (AKBB), for instance, posted an advertisement in some national newspapers:

> Indonesia guarantees the citizens to exercise their respective religions. This is the human right which is guaranteed by the constitution. This is also the essence of 'Unity in Diversity' (Bhinneka Tunggal Ika), which constitutes the pillar of our Indonesian-ness. But lately there is a group of people which strives to eliminate this human right and to threat the unity. This group also spreads hate and fear in the society. They even commit violence, like their violence against the Ahmadiyyah, which have lived side by side with other faith communities since 1925. Let us guard our republic. Let us preserve these human rights. Let us maintain our unity. [34]

7. Habib Rizieq Syihab and the 'enjoining good and forbidding evil'

7.1 Habib Rizieq Syihab and religious authority

The underlying idea of the founding of the Islamic Defenders Front (FPI) is the notion of *al-amr bi al-ma'ru wa al-nahy 'an al-munkar*. The founding fathers of FPI (most notably Habib Rizieq Syihab) thought that the government of Indonesia remains silent about the cases of evil that spread throughout the country. In response, the FPI felt the necessity of 'commanding good and forbidding evil', and accordingly they organized some

32 Hasani and Naipospos. *Wajah Para 'Pembela' Islam,* p.156.
33 Ibid. p.155.
34 Ibid. p.157.

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necessary action to stop evil in Indonesian society. FPI's action in sweeping the restaurants that remained open at midday during the Ramadan-fasting month can be seen in this light. In this regard, one may see the FPI as an anti-evil organization, which strives to take over the authority of the state apparatus in enforcing the law and stability.

Syihab runs an official website, namely www.habibrizieq.com. This website carries a tagline 'Islam is the religion of blessing, which is against evil'. On the front page of this website, Syihab reveals his three main positions, namely, the great *imam* of Islamic Defenders Front, the grand *mufti* of Sultanate Sulu Darul Islam (today part of Indonesia, Malaysia and Philippine), and the President Director of 'Markaz Syariah' (an institution which promotes and defends the Sunnite theology in Indonesia).

Syihab is considered as one the authorities who define the canon of Islamist scholarship in contemporary Indonesia. His credentials for this authority include his mastering of Arabic and classical and contemporary Islamic texts (which he learned in traditional Islamic institutions in Indonesia, the King Saud University in Riyadh, Saudi Arabia, as well as the Malaya University in Kuala Lumpur, Malaysia). His genealogical roots, which can be traced back to the Prophet Muhammad, also strengthen his authority among Indonesian Muslims, the people who respect descendants of the Prophet Muhammad. Syihab's authority is gained from these three major positions, held in three institutions: the Islamic Defenders Front, the Sultanate Sulu Darul Islam and the 'Markaz Syariah'.

This paper focuses on Syihab's book entitled *Dialog FPI Amar Ma'ruf Nahi Munkar: Menjawab Tuduhan terhadap Gerakan Nasional Anti Ma'siat di Indonesia* (Dialogue with the Islamic Defenders Front on Commanding Good and Forbidding Evil: Answering the Accusations against the Anti-Evil National Movement in Indonesia). This book comprises of three chapters: the essence of *al-amr bi al-ma'ruf wa al-nahy 'an al-munkar*, the Islamic Defenders Front and *al-amr bi al-ma'ruf wa al-nahy 'an al-munkar*, and the Anti-evil National Movement. Syihab wrote this book during his imprisonment in Salemba, Jakarta, from April - November 2003. He chose the title of this book *Dialog FPI* because the contents resulted from questions that he encountered on various occasions.[35]

35 See: Syihab, *Dialog FPI*, pp. 8-10.

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7.2 Ma'ruf, munkar, and the conditions of performing 'commanding good and forbidding evil'

According to Syihab, [36] *ma'ruf* means what is known, what is good. He goes on to explain the parameters of *ma'ruf*, by asserting, 'good according to Shari'ah, which draws its doer near to God'. *Munkar* means what is denied, or evil. As for the parameters of *munkar*, he says, 'evil according to Shari'ah which makes its committer far away from God'. In the terminology of Islamic jurisprudence, *al-amr bi al-ma'ruf wa al-nahy 'an al-munkar* is known as *hisbah.*

Syihab proposes a classification of evil. *First*, 'individual evil', namely the evil which is committed by the individual. To cope with this kind of evil, a soft approach is preferable. *Secondly*, 'structural evil', namely the evil which has been embodied in a system, or a syndicate. To cope with this latter type of evil, firmness is to be preferred. [37]

The FPI was initially known as an anti-evil movement. From 1998 - 2002 the FPI performed sweeping actions in several places of entertainment, which mostly took place during the month of Ramadan. Nowadays the intensity of these sweeping actions decreases, and as a substitute, the FPI is now more concerned with activism against religious liberty. This can be seen from the FPI's action in attacking the Ahmadiyyah and the Christianity[38]. In this regard, one may suppose that the FPI's definition of evil (*munkar*) becomes broadened so as to include religious liberty.

There is an indication that Syihab and the FPI are expanding their definition of evil. Evil is not only something to do with alcoholic drink, gambling and prostitution, but also to do with deviant sects like the Ahmadiyyah, and with groups which injure Islam like the Network of Liberal Islam. In July 2005, the FPI closed the Ahmadiyyah centre in the Mubarok Campus, Bogor. In August 2005, the members of FPI gathered and planned to ransack the centre for the Network of Liberal Islam, but it failed to achieve this.[39]

When we read through Syihab's book entitled *Dialog FPI* we begin to realize that he seems to consider any practice and system that runs counter to Shari'ah as evil. Accordingly, he condemns the *Counter Legal Draft of*

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36 Ibid. p. 36.
37 Ibid. p. 19.
38 Hasani and Naipospos. *Wajah Para 'Pembela' Islam*. p.154.
39 Ibid. p.156.

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Compilation of Islamic Law, which has been introduced by some Indonesian activists in order to include the idea of 'gender equality' and 'human rights' in Indonesia's *Compilation of Islamic Law.* Syihab argues that the idea of gender equality does not conform to the principles of Shari'ah.[40]

According to Syihab,[41] there are four prerequisites to be met before taking up physical action in the course of *al-nahy 'an al-munkar*. *Firstly*, the existing evil has to be agreed as *haram* (prohibited). This rules out things that have been disputed by a Muslim scholar – when, in other words, their status has been contested. For example, cigarettes are considered as *haram* by a number of Muslim scholars, but regarded as *makruh* by other Muslim scholars. *Secondly*, that the evil is clear and provable. This rules out unclear evils, like things that fall into the category of *al-munkarat al-batiniyya* (heart evils) - such as *riya'*, *takabbur* and *hasad* - and things that fall into the category of *al-munkarat al-masturiyya* (hidden evils) – such as evils which have been committed within people's houses. *Thirdly*, the evil cannot be solved by a soft approach. *Fourthly*, a firm reaction towards the evil will not trigger any greater harm. In this vein, Syihab bases his argument on a single principle of Islamic jurisprudence, namely, *al-'amal bi-akhaff al-dararayn* (one should take things which have the smaller number of harms).

Syihab's four conditions are in line with al-Ghazzali's standpoints. Al-Ghazzali puts forward four conditions of 'committed evil' or the object of *al-amr bi al*-ma'ruf *wa al-nahy 'an al-munkar* (*al-muhtasab fih*). *Firstly*, it is embodied in the form of '*munkar*' (evil) rather than a kind of '*ma'siyyah'* (sinful conduct). For al-Ghazzali, when a small child drinks alcohol, it is a kind of 'munkar' although it should not be considered as '*ma'siyyah*' for that child. *Secondly,* the evil is ongoing. *Thirdly*, the evil is done in public. Fourthly, the status of evil is agreed by Muslim scholars.[42]

According to Syihab, the FPI is ready to undertake any negotiation pertaining to the eradication of evil, except in relation to two things: apostasy and sorcery, since these two are considered as clear infidelity and *shirk*. This negotiation is mostly concerned with the gradual process of eliminating outbreaks of evil.[43]

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40 Syihab, *Dialog FPI*. pp. 449-451.
41 Ibid. pp. 258-271.
42 Ibid. pp. 122-123. See also: al-Ghazzali, Abu Hamid. Ihya' 'Ulum al Din. pp. 117-122.
43 Syihab, *Dialog FPI*, pp. 492-494.

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Syihab is aware of the existence of hadith, which suggests the performance of 'commanding good' in a good manner. This hadith reads, '*man amara bi al-ma'ruf fal-yakun amruhu ma'rufan*' (one who commands good should perform his command in a good manner). Syihab interprets the word *ma'ruf*an (in a good manner) as 'the good and true way which is in accordance with Shari'ah'. He explains further that the performance of 'commanding good' should stick to the principle of allowing the halal (allowed) and prohibiting the haram (prohibited) [44]. In other words, the performer of 'commanding good' should be aware of the distinction of halal and haram, and should not do anything to prohibit the halal and allow the haram.. [45] His opinion is based on the saying of the *salaf*, namely, '*unsur al-haqq bi al-haqq*' (help the truth by way of truth).

7.3 Violence and freedom of conscience

For Syihab, violence reflects two things: (a) firmness in principle and attitude and (b) rudeness and cruelty. He is convinced that firmness in principle and attitude falls into the category of 'praiseworthy violence'. He goes on to elucidate that rudeness and cruelty fall into the category of 'disgraceful violence'.[46] It seems to me that that Syihab's classification of 'praiseworthy and disgraceful violence' is comparable with the notion of 'legitimate and illegitimate violence'. In this regard, Syihab's grounds for legitimacy has been the rulings of Shari'ah.

Syihab argues that this 'praiseworthy violence' is in line with God's commands. QS Al-Tahrim 9 and QS Al-Taubah 73 order the Prophet to show his firmness of attitude towards the infidels and hypocrites.[47] This kind of violence is a follow up from 'commanding good and forbidding evil', which cannot be solved with a soft approach. He argues that whenever 'commanding good and forbidding evil' cannot be achieved except by firmness of principle and attitude, the principle of Islamic jurisprudence applies, namely, '*ma la yatimm al-wajib illa bihi fa-huwa wajib*' (things that are essential to complete the obligation are also obligatory).[48]

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44 Ibid. p.63.
45 Ibid. p.64.
46 Ibid. p.18.
47 Ibid. p.18.
48 Ibid. p.68.

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Syihab[49] justifies his violence towards evil doers, 'Let the people cry out that "commanding good and forbidding evil" by destroying evil, is a kind of violent act that harms the property of other persons. But these people forget, or pretend to forget, that evil itself is a kind of violence that does harm to people's morality, which is more valuable than property'.

Elsewhere Syihab argues, 'Let the people cry out that 'commanding good and forbidding evil', by destroying evil is an anarchic act, which may turn into other greater harmful actions (*darar*). But these people forget, or pretend to forget, that evil is more than anarchic, since its presence inflicts harm, and it has the potential to inflict more harm if its existence is tolerated' [50]. It seems to me that in this case Syihab is striving to apply a principle of Islamic jurisprudence, namely '*al-darar yuzal'* (harm is to be eliminated).

Syihab[51] is aware that there are rulings in the Qur'an and the *hadith* that recommend violence, but there are also rulings which suggest tolerance and a gentle approach. In this case, Syihab does not take up one approach and abandon the other, but rather takes both into consideration. He argues that both rulings are valid since they come from God and the Prophet. As for apparent contradictions in the two rulings, he sticks to the opinion that the contradiction exists only on the surface. For this purpose he is in agreement with Abd' al-Wahhab Khallaf in his book *Usul al-Fiqh,* that in the case of a contradiction between two rulings, one has to apply such principles as: *takhsis al-'amm, taqyid al-mutlaq, tafsil al-mujmal,* and *nasikh al-mansukh*.

The FPI is aware of the many perspectives on terrorism and evil. This can be seen from their criticism of US double standards. Syihab[52] expresses this in the following words:

> When the US chased Osama ben Laden with the accusation of terrorism, the US made use of the United Nations and designated this act as 'the US's policy which deserves respect'. But when this statement was responded to by Osama, by declaring that they would fight the US for its crimes against humanity in Iraq and Afghanistan, the US made use of the United Nations and designated this as 'Osama's evil which should be fought'. In another case, when Israel bombed Palestine and killed many civilians, the US exploited the United Nations and designated this as 'Israel's policy to defend and protect

49 Ibid. p.20.
50 Syihab, *Dialog FPI*, p. 20.
51 Ibid. pp. 75-76.
52 Ibid. pp. 196-197.

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> their citizens'. But when Hamas fought to defend their religion and their country, the US exploited the United Nations and labelled this as 'Hamas's evil which should be condemned'.

Syihab[53] perceives the phenomenon of freedom in Post-Suharto Indonesia from his particular angle. For him, the negative side of this freedom includes the mushrooming of deviant sects and a variety of evils. The positive side of this freedom includes the flowering of systems and methods in disseminating the Islamic faith (*da'wah*). For Syihab, this freedom of *da'wah* is undermined and hated by the West, since for them this will nurture Islamic militancy, and accordingly they suppress this kind of freedom.

7.4 Epistemological foundation of the 'commanding good and forbidding evil'

Syihab maintains that the rulings of the Qur'an and *hadith* on *al-amr bi al-ma'ruf wa al-nahy 'an al-munkar* employ the 'imperative form' (*sighat al-amr*) without any limitation (*taqyid*). He specifically refers to two principles of *usul al-fiqh*, '*al-asl fi al-amr li al-wujub'* (in principle, command designates the obligation) and '*mutlaq al-amr yaqtadi al-wujub'* (command without any limitation imposes obligation).

Syihab[54] sticks to Wahbah al-Zuhaili's standpoint in his book *Usul al-Fiqh al-Islami*, 'the majority of Muslim scholars are of the opinion that the command indicates the obligation to perform what is asked for. The obligation will not be turned to another form except when there is evidence that leads to that conclusion'.

Syihab[55] explains that the *maslahah* and *madarrah* of 'commanding good and forbidding evil' are to be evaluated by the standards of Shari'ah, not merely rational consideration. There should also be a balance between 'commanding good' and 'forbidding evil', so that they will come into fruition. Syihab compares 'commanding good' with planting rice, and 'forbidding evil with eradicating pests.

53 Ibid. pp. 28-29.
54 Syihab, *Dialog FPI*, p. 43.
55 Ibid. p. 58.

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7.5 Anthropological and constitutional logic of 'commanding good and forbidding evil'

Syihab[56] felt the necessity to organize what is required for 'commanding good and forbidding evil', and this is based on a well-known adagio '*al-haqq bi-la nizam yaghlibuh al-batil ma'a al-nizam*' (unorganized truth will be defeated by an organized lie). He points out that in Indonesia evil has been organized as syndicate since the country's independence in 1945, and this syndicate of evil became stronger after the reformation (1998 until today). He argues further that this syndicate has also exploited the 'campaign against violence' to protect their evil practices in the country.

Syihab likens the solution to 'evil fever' with the dengue fever, which can only be treated by not only curing those infected by *aedes aegypti* mosquitoes but also by destroying the mosquito nests and by killing the mosquitoes. A similar act needs to be performed to solve 'evil fever'. The problem of evil fever cannot be dealt with merely by curing the patient but there also needs to be a destruction of the 'nests' of evil, as well as the 'mosquitoes of evil'. Mosquitoes of evil include the sellers of alcoholic drinking, sex workers, drug sellers, corrupt officials and thugs who back up the evil, porn VCD sellers, and the like. Nests of evil cover the producers of alcoholic drinking, porn VCDs, drugs and the like.[57] It seems to me that evil according to Syihab is a kind of social pathology, which requires strict treatment.

Syihab refers to the Indonesian constitution pertaining to the necessity of performing 'commanding good and forbidding evil'. He argues that the mosquitoes of evil are those that violate and denigrate both religion and the constitution. He specifically refers to the first pillar of the Indonesian constitution, namely belief in one God. These mosquitoes of evil, according to Syihab, violate Indonesian Criminal Law, most specifically the Psychotropic Act, Narcotics Act, and the like.[58] Syihab argues that 'commanding good and forbidding evil' serves to protect the human rights of the Muslim community in terms of *'aqidah* and religiosity. [59]

In addition, Syihab justifies the performance of 'commanding good and forbidding evil' with the Presidential Decree of Soekarno, issued on 5 July

56 Ibid. p. 14.
57 Ibid. p. 11.
58 Ibid. pp. 12-13.
59 Ibid. p. 451.

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1959. This decree states that, 'the Jakarta Charter (Piagam Jakarta), dated 22 June, 1945 is the spirit of the 1945 National Constitution (UUD 1945) and is an extricable element of that constitution'. It is worth remarking that the Jakarta Charter also states that 'the state is based on the belief in One God, with the obligation of performing the Shari'ah for Muslims. Syihab argues that this presidential decree serves as a constitutional basis for the enforcement of the Shari'ah as well as the enactment of 'commanding good and forbidding evil'.[60]

7.6 Constitutional and cultural circumstances of the 'commanding good and forbidding wrong'

Syihab[61] is conscious of the necessity to comprehend the national constitution and other national regulations, so that the FPI's actions in performing *al-amr bi al-ma'ruf wa al-nahy 'an al-munkar* do not run counter to the constitution and these other regulations. For that purpose, he sticks to the following procedures, (a) collecting facts which could serve as proofs of the existence of evils, which runs in counter with both religious teachings and national regulations, (b) seeking support from the local community which has been disturbed by that evil, (c) writing reports and making claims to the state apparatus. Syihab maintains that only after sticking to these procedures, can the FPI undertake necessary further actions to carry out *al-amr bi al-ma'ruf wa al-nahy 'an al-munkar.*

Syihab goes on elucidate two strategies in the performance of *al-amr bi al-ma'ruf wa al-nahy 'an al-munkar*, most particularly by looking at the existence of support from the local community. *First*, there is that which necessitates *al-amr bi al-ma'ruf.* This pertains to an area that is full of evil and where the existence of this evil is supported by the local community, or at least the local community are not disturbed by the existing evil. In this case, the FPI is not allowed to conduct *al-nahy 'an al-munkar*, since such an action will elicit conflict with the local community. As a substitute, the FPI is to perform *al-nahy 'an al-munkar*, to enlighten the society pertaining to the noble messages of Islam. *Second,* is what necessitates *al-nahy 'an al-munkar.* The second case relates to the area that is full of evil

60 Syihab, *Dialog FPI*, p. 478.
61 Ibid. pp. 242-243.

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and where the existence of this evil is rejected by the local community, or at least the local community is disturbed by this evil. In this case, the FPI is obliged to assist the local community to conduct *al-nahy 'an al-munkar*, to eliminate evil that harms the community.

In this regard, we may perceive Syihab's classification from two angles, (a) he is aware of socio-cultural condition in performing *al-amr bi al-ma'ruf wa al-nahy 'an al-munkar* and (b) he would like to justify the FPI's actions in conducting *al-amr bi al-ma'ruf wa al-nahy 'an al-munkar* are showing that they are in accordance with the socio-cultural condition of the local community in question.

7.7 Axiological basis of the 'commanding good and forbidding evil'

Syihab argues that the FPI cannot be neutral about 'good' and 'evil', since neutrality in this respect also falls into the category of evil. He bases his argument on the existence of two opposing forces, (a) *'hizb Allah'* (party of God) and (b) '*hizb al-shaytan*' (party of Satan). Syihab's distinction of *hizb Allah* and *hizb al-shaytan* originates from the Qur'an (al-Mujadilah: 19 and 22), and he employs this categorization to portray and simplify social groups, and the FPI's position towards these groups. Syihab goes on to explain that it is forbidden for the FPI to stay neutral about '*hizb Allah*' and '*hizb al-shaytan*', but it is allowed for them to remain neutral between two groups belonging to *hizb Allah*.[62]

At the axiological level, Syihab's performance of *al-nahy 'an al-munkar* is based on the consideration that evil does harm to the lives of individuals, society and the nation. For that purpose, he quotes the sayings of the *Salaf*, which were written in Isma'il Muhammad al-'Ajluni's *Kashf al-Khafa'*. These sayings include, (a) *al-ma'asi barid al-kufr* (sinful conducts are the currier of infidelity) and (b) *al-ma'asi tuzil al-ni'am* (sinful conducts will eliminate God's grace). [63]

In addition, Syihab refers to the *hadith*, which was transmitted via al-Tirmidhi. This *hadith* reads, 'wa-lladhi nafsi bi-yadih, lata'murunna bi al-ma'ruf wa tanhawna 'an al-munkar, aw la-yushikuna Allah an yab'atha 'alaykum *'iqaban minhu, thumma tad'unahu fa-la-yustajab lakum'* (With

62 Ibid. pp. 205-206.
63 Syihab, *Dialog FPI*, pp. 419-420.

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the Being that my soul in His hand, you are to command good and to forbid wrong, or God will put punishment on you, that that you pray for Him and he would not hear you). He also quotes the Qur'anic verse: 'And whatever strikes you of disaster - it is for what your hands have earned; but He pardons much (al-Shura: 30). In this regard, we may see that, according to Syihab, the spread of evil will trigger God's punishment, such as in the form of disaster.'

Concluding remarks

'Indonesian Islam' is in some ways distinct from the Islamic religiosity that developed in the Middle East, in the sense that Indonesian Islam can easily connect and conform to the ideas of democracy, human rights, and pluralism. Although we are aware of the existence of radical groups within Islam, we notice that their number is relatively small, and that there are counter-discourses and actions made by moderate Muslim personages and groups which play a strong role in moulding the nature and future of Indonesian Islam'.

The notion of violence in Islamic scholarship can be observed for instance in the discourse on *al-amr bi al-ma'ruf wa al-nahy 'an al-munkar* (commanding good and forbidding evil). The performance of *al-amr bi al-ma'ruf* by scholars is due to their social role, and serves to exercise a moral authority.

The Islamic Defenders Front was founded by twenty Muslim figures, most notably Habib Rizieq Syihab, Cecep Bustomi and Habib Idrus Jamalullail. These figures are known as hard line preachers. The Islamic Defenders Front, which was established three months after the fall of Soeharto in May 1998, advocates 'moral reformation'. The underlying idea of the founding of the Islamic Defenders Front (FPI) is the notion of *al-amr bi al-ma'ruf wa al-nahy 'an al-munkar*.

Syihab is considered to be one of the authorities who define the canon of Islamist scholarship in contemporary Indonesia. His credentials include his mastering of Arabic as well as classical and contemporary Islamic texts.

Syihab explains the parameters of *ma'ruf*, by asserting, 'good according to Shari'ah, which draws its doer near to God'. As for *munkar*, he says, 'evil according to Shari'ah which makes its perpitrator far away from God'. We observe that after 2002 there has been an indication that Syihab

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and the FPI have expanded their definition of evil. Evil is not only something to do with alcoholic drink, gambling and prostitution, but also to do with deviant sects like the Ahmadiyyah and with groups that undermine Islam, like the Network of Liberal Islam.

Syihab's classification of 'praiseworthy and disgraceful violence' is comparable with the notion of 'legitimate and illegitimate violence'. In this regard, Syihab's source of legitimacy has been the rulings of Shari'ahh. Syihab[64] is aware that there are rulings of the Qur'an and the *hadith*, which recommend violence, but there are also rulings that suggest tolerance and a softer approach. In this case, Syihab would not take one and abandon another, but rather take both into consideration.

Syihab argues that *al-amr bi al-ma'ruf wa al-nahy 'an al-munkar* is obligatory for Muslims. His arguments are grounded on the principles of Islamic jurisprudence (*usul al-fiqh*). Evil according to Syihab is a kind of social pathology, which is in need of strict treatment.

In addition, Syihab justifies the performance of 'commanding good and forbidding evil' with the Presidential Decree of Soekarno, which was issued on 5 July, 1959. This decree states, 'the Jakarta Charter (*Piagam Jakarta*) dated 22 June, 1945 is the spirit of the 1945 National Constitution (UUD 1945) and is an inextricable element of that constitution'. It is worth remarking that the Jakarta Charter states that 'the state is based on the belief in One God, with the obligation of performing the Shari'ah for Muslims'.

Syihab is conscious of the necessity to comprehend the national constitution and other national regulations, so that the FPI's actions in performing *al-amr bi al-ma'ruf wa al-nahy 'an al-munkar* do not run counter to the constitution and these regulations. At the axiological level, Syihab's performance of *al-nahy 'an al-munkar* stems from the notion that evil harms the lives of individuals, society and the nation.

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64 Ibid. pp. 75-76.

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Citizenship as Inclusion and Exclusion: Arguments against Religious Violence from Contemporary Pakistan

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Abstract: Pakistani society, with its multiple Muslim orientations and small non-Muslim communities, is seeing high levels of aggression towards religious and sectarian targets. Competing understandings of Islam tend towards seeking to suppress (variously defined) religious 'others'. The context is further complicated by an ongoing *Tehrik-i-Taliban Pakistan* (TTP) insurgency, which frequently selects religiously identified targets (for instance, Christians and *Shi'ahs*).

My paper analyses the discursive responses of two contemporary Pakistani actors, the 'moderate' Sunni scholar, Javed Ahmed Ghamidi and the Sufi scholar, Tahir-ul-Qadri, who, operating in this socio-political context, actively critique religious violence.. Specifically, I examine their notion of citizenship, constructed from Islamic source materials such as the Qur'an, *hadith*, and *fiqh*, to guarantee religious freedoms. However, inclusive citizenship that offers protection against violence to religious difference must also exclude certain types of religious difference, in order to be practicable. Both Ghamidi and Tahir-ul-Qadri argue for eliminating, through violent or coercive means, 'terrorists' and 'militants'. Terrorists and militants are categorized as dissidents and rebels using the same Islamic source materials. Citizenship (in their versions of Islam) thus constitutes guarantees of protection from illegitimate violence against religious difference necessarily predicated on the legitimate violent suppression of rebel citizens.

https://doi.org/10.5771/9783845283494, am 12.10.2024, 10:23:47
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1. Introduction: Socio-political context, problem spaces and discursive actors

The question of how Muslims should approach religious difference within Islam[1] and with other faith-groups has become increasingly charged amid the recent prominence of violence associated with 'Islamic' groups. Evidently, violent suppression is one way to approach religious 'others'. For instance, within Pakistan, there have been numerous attacks on minorities like the *Shi'ah*, *Ahmadi*[2] and Christians, as well as on those associated with the (majority[3]) *Sunni-Barelwi* orientation. The *Tehrik-e-Taliban-Pakistan* (TTP)[4] insurgency in Pakistan, which often selects religiously identified targets, has further magnified the scale of religious violence[5]. Several

1 The term 'Islam' here does not refer to a single, static discourse or set of practices. Instead, it encompasses the ambiguities, heterogeneities and fluidities within Islam as it is lived, practiced, believed, interpreted and reinterpreted by Muslims on a continuous basis.

2 The *Ahmadiyya* movement was founded in 1889 in the Indian province of Punjab by Mirza Ghulam Ahmad (1835-1908). *Ahmadis* have faced opposition from other Muslims, typically over the perceived messianic claims of their founder. In Pakistan, *Ahmadis* were officially declared a non-Muslim minority (despite their self-identification as Muslims) in 1974. Further constitutional ordinances were subsequently passed penalising their usage of Muslim symbols and practices.

3 Reliable statistics on the different *Sunni* orientations in Pakistan are unavailable. The website of the US public policy organization *globalsecurity.org* provides estimates suggesting that *Barelwis* comprise the significant majority, followed by the *Deobandis* and then the *Ahl-i-hadith*. This is corroborated by anecdotal and popular accounts in the media.

4 The TTP is a loose network of militant groups with ties to the Afghan *Taliban*. It emerged officially in 2007, partially as a form of resistance to the Pakistani state's complicity with NATO's anti-terrorist operations in Pakistan's Federally Administered Tribal Areas (FATA).

5 Shehzad, Mohammad. 'Timeline of Attacks on Shi'a/Hazara Muslims in 2012-13,' 24 March 2013, http://www.newslinemagazine.com/2013/03/timeline-of-attacks-on-Shi'ahazara-muslims-in-2012-13/; BBC News, 'Pakistan Mosque Attacks in Lahore Kill Scores,' 29 May 2010, http://www.bbc.co.uk/news/10181380 [27 August 2013]; 'Pakistan Sufi Shrine Suicide Attack Kills 41,' 3 April 2011, http://www.bbc.co.uk/news/world-south-asia-12951923 [27 August 2013]; Shafiq Butt, 'Yet Another Shrine Comes under Attack,' 26 October 2011, http://archives.dawn.com/archives/42249 [25 September 2011]; The Guardian, 'Pakistan Church Bomb: Christians Mourn 85 Killed in Peshawar Suicide Attack,' 24 September 2013, http://www.bbc.co.uk/news/world-south-asia-12951923 [28 April 2013]; Dawn News, 'Blast Kills Six at Baba Farid's Shrine in Pakpattan,' 25 October 2010, http://beta.dawn.com/news/575737/blast-kills-six-at-baba-farids-shrine-in-pakpattan [27 August 2013].

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other militant groups operate in Pakistan, such as the *Lashkar-e-Jhangvi* (Militia of *Jhangvi*[6]), which was formed in the 1990 s and particularly targets the *Shi'ah* community[7]. All this interplays with a global context preoccupied with the emergence and violent activities of high-profile 'terrorist' Muslim groups such as al-Qaida, the Taliban and the Islamic State (ISIS).

This paper probes the issue of violent responses to religious difference through the concept of 'citizenship', as understood by two self-described 'tolerant' religious actors[8] in Pakistan – Javed Ahmad Ghamidi and Tahir-ul-Qadri. Both (ostensibly) argue against religious violence and advocate more accommodating approaches to religious difference.

Ghamidi became widely known as a 'moderate' *Sunni* scholar during the 2000 s, when he aligned himself with the policy of 'Enlightened Moderation' advocated by the military government of Pervez Musharraf, which was supporting the US-led Global War on Terror (GWOT)[9]. Alongside state support, a growing demand for religious programming after the deregulation of the Pakistani media in 2002, created space for 'moderate' interpretations on television. Hence, although Ghamidi and other scholars of his Islamic educational institute, al-Mawrid, did not have a wide access to traditional institutions (the mosque and *madrasa*) they became increasingly present on television. They would frequently be called upon to comment on 'true' Islamic injunctions regarding the use of violence, for instance in cases of blasphemy or *jihad.* Concerns about Muslim religious violence following 9-11 have therefore, directly propelled and shaped the

6 Named after its founder Haq Nawaz Jhangvi.

7 For more on the TTP, its relationship with the Afghan Taliban and with militant sectarian groups such as the *Lashkar-e-Jhangvi*, see: Bergen, Peter L. / Tiedemann, Katherine. Talibanistan: Negotiating the Borders between Terror, Politics and Religion. New York, 2013; Brown, Vahid and Rassler, Don. Fountainhead of Jihad : The Haqqani Nexus, 1973-2010. London, 2013.
For an overview of the broader Taliban movement see: Rashid, Ahmed. Taliban the Power of Militant Islam in Afghanistan and Beyond, New ed. London, 2010.
For a good discussion on militancy in Pakistan see Hussain, Zahid. 'Battling Militancy' In: Pakistan : Beyond 'the Crisis State'. Maleeha Lodhi (Ed.). London, 2011.

8 Ghamidi and Tahir-ul-Qadri are referred to as 'actors' because they are seen as proactively producing and speaking alternative ideas for, and about, Muslims.

9 The programme of Enlightened Moderation was premised on US foreign policy towards regulating relations between religion and state in Muslim majority countries after 9-11. See Aziz 'Making a Sovereign State: Javed Ghamidi and "Enlightened Moderation"'. *Modern Asian Studies* 45/3. 2011.

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ideas regarding Islam produced and publicly disseminated by Ghamidi and other al-Mawrid scholars.

Tahir-ul-Qadri, referred to as *Shaykh*[10]*-ul-Islam* by his followers, is the leader of the transnational organisation, Minhaj-ul-Qur'an International (MQI, lit. Path of the Qur'an). MQI was established in 1981. Prior to 9-11 when sectarian violence between the *Shiʿah* and *Sunni* first erupted in Pakistan during the 1980 s[11], Tahir-ul-Qadri actively campaigned for reconciliation and dialogue between the two communities. After 9-11 he has spoken regularly at conferences in Western countries, including the UK and US and on television, condemning 'terrorists' and advocating peace and interfaith harmony. He became globally renowned for his 'Fatwa against Terrorism and Suicide Bombings'[12] ('the Fatwa') issued in London in 2010[13]. Following this, he ran a series of 'Anti-Terror Camps' in the UK during 2010. Recently he has launched an 'Islamic Curriculum on Peace and Counter-Terrorism'[14]. Hence, Tahir-ul-Qadri's ideas too are significantly influenced by the preoccupation with Muslim religious violence and 'terrorism' following 9-11.

While religious violence is underpinned by entangled political, social and economic sub-texts, the targeting of groups and individuals identified by their religion is a consistent and significant feature. Hence my emphasis above, on the problematic question of how to treat religious difference in Islam. I address this question, and not the violence per se, in this paper. I understand both my actors as intervening in the discursive problem-space of religious difference in Islam. According to Scott, a 'problem-space' demarcates an intelligible aggregate of ideas and meanings that

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10 Referring to a Muslim religious leader, particularly the leader of a Sufi community (*silsila* or *tariqa*). The spelling *shaykh* is as used in MQI's communications.

11 On the emergence of *Shiʿah-Sunni* sectarianism in Pakistan see: Abou Zahab, Mariam. 'The Regional Dimension of Sectarian Conflicts in Pakistan,' In: Pakistan : Nationalism without a Nation. Christophe Jaffrelot (Ed.). London, 2002; Nasr, S. V. R. 'Islam, the State and the Rise of Sectarian Militancy in Pakistan.' Ibid.

12 See, coverage in international media on the MQI Website, 'Fatwa on Terrorism,' http://www.minhaj.org/english/control/Online-News/Fatwa-Against-Terrorism-Suicide-Attacks-Historical-Launching-in-London-by-Dr-Tahir-ul-Qadri.html [26 March 2015].

13 Tahir-ul-Qadri, Muhammad. Fatwa on Terrorism and Suicide Bombings. London, 2010.

14 Wyatt, Caroline. 'Cleric Launches "Counter-Terrorism" Curriculum,' 23 June 2015, BBC News, http://www.bbc.co.uk/news/uk-33249099 [14 August 2015].

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represent political and ideological stakes. It is thus … 'very much a context of dispute, a context of rival views, a context, if you like, of knowledge and power'... [15]. In Pakistan, disputation over how to approach religious difference within Pakistan interlaces with a global (especially Western) narrative pregnant with concern about Muslims seeking to suppress religious difference.

In order to arrive at Ghamidi and Tahir-ul-Qadri's usage of 'citizenship' in the problem space of religious difference, I start with their interpretive methods. Producing ideas about Islam begins with a particular interpretive treatment of recognised Islamic source materials, notably the Qur'an and *hadith*[16]. Each actor, influenced by his particular ideological background, emphasizes particular Islamic source materials and applies a specific interpretive logic. These interpretive processes underpin actors' arguments against the violent suppression of religious difference in Islam.

From here, actors adopt rhetorical strategies to publicly deliver their arguments. This is where each agent deploys the notion of 'citizenship', imbuing it with specific and distinct meanings derived out of his particular interpretive approach. 'Citizenship' is thus understood as a rhetorical device for putting forward their case against religious violence. Paradoxically, protecting religious freedoms, or including a religiously heterogeneous populace within the folds of citizenship is predicated on excluding certain religious 'others'. The 'terrorist' is defined as a sort of religious rebel who must be eliminated from the folds of the polity. This concern with ridding the polity of terrorists is immediately relevant to the post 9-11 socio-political context, which pervades the problem-space in which my actors are embroiled.

2. Intellectual backgrounds and interpretive methods

2.1 Ghamidi

Javed Ahmad Ghamidi and several other members of his Islamic research institute, al-Mawrid, were in the early parts of their lives influenced by the

15 Scott, David. Conscripts of Modernity: The Tragedy of Colonial Enlightenment. Durham NC, 2004, p. 4.

16 A *hadith* (pl. *ahadith*) is a report of the exemplary sayings or deeds of the Prophet Mohammad.

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ideas of Abu'l-'la Mawdudi (d. 1979), founder of the well-known religio-political organisation *Jamaat-i-Islami* (JI – Islamic Party). Scholarship on al-Mawrid has labelled it a 'post-Islamist' group, following terminology used by Bayat and others[17]. Here, post-Islamism refers specifically to their rejection of the JI's electoral Islamism and Mawdudi's ideological 'Islamic' state. Ghamidi parted ways with the JI in 1977 and cultivated a separate intellectual identity, which he refers to as the 'School of Shibli' (*Dabistan-e-Shibli*)[18], named after the 19th century Muslim scholar and historiographer Muhammad Shibli Nu´mani (d. 1914)[19]. Shibli's student, Hamid al-Din Farahi (d.1930), and Farahi's disciple, Amin Ahsan Islahi (d.1997) are counted as key progenitors[20]. Ghamidi attributes his move away from Mawdudi's ideas, to the influence of Islahi, whom he met in 1973. Islahi had in fact been one of the JI's founding members, but left the party following internal disagreements in 1958. In 1980, Islahi published his seminal exegesis, *Tadabbur-i-Qur'an*, which builds on Farahi's thinking regarding internal coherence in the Qur'an[21]. Ghamidi's emphasis, which I will elaborate below, on the Qur'an as the primary Islamic source material, is significantly premised on this work.

In so far as the process of interpreting Islam begins with *selecting* from among the corpus of Islamic source materials, Ghamidi's ideas have a modernist bent. He disparages reliance on traditional source materials -

17 Bayat, Asef. Post-Islamism : The Changing Faces of Political Islam. New York, 2013; Iqtidar, Humiera. 'Post-Islamist Strands in Pakistan: Islamist Spin-Offs and Their Contradictory Trajectories.' In: Post-Islamism : The Changing Faces of Political Islam. Asef Bayat (Ed.). New York, 2013; Amin, Husnul. From Islamism to Post-Islamism: A Study of a New Intellectual Discourse on Islam and Modernity in Pakistan. Rotterdam, 2010.

18 'From Islamism to Post-Islamism: A Study of a New Intellectual Discourse on Islam and Modernity in Pakistan.'

19 Nu´mani was a founding member of the prestigious Nadvat al-´Ulama' school (est. 1894) in Lucknow.

20 Amin. 'From Islamism to Post-Islamism: A Study of a New Intellectual Discourse on Islam and Modernity in Pakistan; Iqtidar. 'Post-Islamist Strands in Pakistan: Islamist Spin-Offs and Their Contradictory Trajectories'; Ghamidi, Javed Ahmad. 'About Javed Ahmad Ghamidi: Introduction to Mawlana Mawdudi,' http://www.javedahmadghamidi.com/about/view/introduction-to-mawlaanaa-mawduudii [17 November 2014].

21 Rauf, Abdul. 'Life and Works of Mawlana Amin Ahsan Islahi (1904-97).' In: *Pakistan Journal of History and Culture* 30/1, Jan-June 2009.

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notably, *hadith* and *fiqh*[22]- in favour of what he deems an intellect and reason-based evaluation of Islam, premised first and foremost on 'primary' sources, the Qur'an (and *sunnah*)[23]. The exegetical works (sing. *tafsir*) of his intellectual predecessors, Farahi and Islahi, guide Ghamidi's treatment of source materials[24]. Here, it is emphasized that the Qur'an, per the status it ascribes to itself, is the final authority and decisive standard on matters of religion (2010: 29). Both Farāhī's unfinished commentary (in Arabic) and Islahi 's 9-volume exegesis (in Urdu) treat the Qur'an as a stand-alone text[25] and extensively examine its coherence or *nazm* (order, arrangement), believing this to have been ensured by God[26]. Through affirming the Qur'an's structural schema al-Mawrid's scholars elucidated (what they believe to be) the only possible 'correct' meaning of Islam.

Applying some form of interpretive logic to preferred source materials (here, the Qur'an) is an obligatory next step in the process of interpretation. On the matter of religious difference, one particular aspect of al-Mawrid's Qur'anic hermeneutics is crucial. Based on their understanding of the Qur'an's internal structure and coherence, certain parts of the Qur'anic text are deemed as pertaining only to a period of perfect infor-

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22 Ghamidi, Javed Ahmad 'al-Mawrid Global Dawah Conference [Video File],' 24 March 2012, http://www.al-mawrid.org/index.php/videos/ajax_video/al-mawrid-global-dawah-conference-24th-march-20121 [24 July 2015].

23 In Al-Mawrid's ontological understanding, only the Qur'an and *sunnah* (the Prophet's exemplary precedent) are sources of Islam. Both are known to Muslims through unanimity (*ijma'*) of recitation and practice and concurrence of transmission (*tawatur*) through time. See: Ghamidi, Javed Ahmad. Islam: A Comprehensive Introduction. Lahore, 2010.

24 Farahi, Hamiduddin. 'Exordium to Coherence in the Qur'an,' 2008, Al-Mawrid, http://www.hamid-uddin-farahi.org/index.php?option=com_content&view=category&layout=blog&id=39&Itemid=67 [4 November 2015].
Islahi, Amin Ahsan. Tadabbur-I Qur'an. Lahore, 1985, http://www.tadabbur-i-Qur'an.org/text-of-tadabbur-i-Qur'an/.
For an overview of Islahi's writings see also: Rauf. Life and Works of Mawlana Amin Ahsan Islahi (1904-97).

25 This treatment of the Qur'an is similar to that of other Indian modernists, such as Syed Ahmad Khan and Fazlur Rahman.

26 See Farahi. Exordium to Coherence in the Qur'an; Islahi. *Tadabbur-I Qur'an*; Mir, Mustansir. Coherence in the Qur'an: A Study of Islahi's Concept of Nazm in Tadabbur-I Qur'an.Indianapolis, 1986). For a summary of Al-Mawrid's most current understanding see: Ghamidi. Islam : A Comprehensive Introduction. pp. 53-59.

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mation about the Truth (*itmam-e-hujjah*[27]) governed by divine law (*qanun-e-risalat*). Notably, sections of the Qur'an referring to violent measures against religious difference are understood to fall in this category. Ghamidi argues that acts of retribution against religious difference occurred under divine law during the lifetime of prophets (Muhammad in this case) only after God deemed that those punished were perfectly and fully informed (about 'true' Islam).

The principle is explained also by treating components of the Qur'an referring to such retribution as pertaining only to the deviant amongst the *immediate addresses*[28] of the Prophet Muhammad[29]. In contrast to Tahir-ul-Qadri, who, as I will show below, takes the onus of identifying the *kafir* (unbeliever, denier of Truth) upon himself, Ghamidi concludes that it was God who identified the *kuffar* (pl. of *kafir*) from amongst the immediate addressees of the Prophet and punished them through divine injunction[30]. In post-prophetic times however, nobody is in possession of the Truth. Truth must be derived from source materials through an infinite process of critical evaluation. Hence, religious difference is unavoidable. Further it is impossible for an ordinary person to ascertain if the Truth has been conclusively communicated to others.

Finally, unlike the Qur'an, Ghamidi considers *hadith* to be a *dhanni* (non-definite) source material [31]. Most *hadith* are understood to neither have been transmitted by several people in each generation (*mutawatir*), nor are they authenticated by consensus (*ijma'*)[32]. This is especially pertinent in relation to blasphemy, for which punishment is mentioned in the

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27 Explained further as 'communicating the truth to the extent that no one among its addresses is left with an excuse to deny it'. Islam: A Comprehensive Introduction. p. 52, note 6.

28 Those who were directly exposed to Muhammad's preaching.

29 Saleem, Shehzad. Playing God: Misreading a Divine Practice. Lahore, 2010, www.al-mawrid.org/pages/dl.php?book_id=87.: p. 42.

30 Common Misconceptions About Islam. Lahore, 2010, www.al-mawrid.org/pages/dl.php?book_id=85.: pp. 134-135.

31 Ghamidi. Islam: A Comprehensive Introduction. p. 60.

32 At this point the distinction between the *sunnah*, which *is* treated as an independent an authoritative source material, and *hadith* is underscored. Contrary to the dominant notion in the traditional branches of *fiqh* (Muslim jurisprudence) as well as in South-Asian *Sunni* sub-denominational (*Deobandi, Ahl-i-Hadith* and *Barelwi*) doctrine, Ghamidi argues against relying on *hadith* to know the *sunnah*. Instead, the *sunnah* is restricted to very specific practical precepts, such as the rituals of prayer and pilgrimage, marriage, divorce and dietary practices. It is believed to

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hadith but not in the Qur'an. In the next section I will develop how this treatment of *hadith*, coupled with Ghamidi's Qur'anic hermeneutics, are directly relevant to his discussion of 'citizenship' as a means of accommodating religious difference.

2.2 Tahir-ul-Qadri

Tahir-ul-Qadri is affiliated with the traditional *Sunni*-orientation, which is most closely associated with shrine-based religious practices. *Barelwis* claim the non-sectarian character of their interpretations by referring to themselves as *Ahl al-Sunnat wa-al-Jama'at* (people of the Prophet's way). Nevertheless, there are doctrinal disagreements with the other *Sunni* sub-denominations. For instance in *Barelwi* prophetology the Prophet Muhammad is afforded an exceptionally elevated, near super-human stature[33]. Hence for Tahir-ul-Qadri the Prophet epitomises Islam, and his sayings, the *hadith* (in contrast to Ghamidi's views) capture Islam's very essence for posterity. Hence, while Tahir-ul-Qadri does also cite the Qur'an (and *fiqh*) in his writings and speeches (such as the Fatwa), the *hadith* are particularly emphasized. In Minhaj-ul-Qur'an's (MQI) *Islamic Library* website, the largest number of works (89), all penned by Tahir-ul-Qadri, sit under the topic *The Hadith.* 28 titles pertain to *The Prophet's Life and Virtues,* and 3 relate to the *Finality of Prophethood.* This is in comparison to 23 titles listed under *The Qur'an*. The volumes comprise collections of relevant *hadith*, systematised through the use of sub-headings. In some instances, details pertaining to authentication are provided, such as the chain of transmitters (*sing. isnad*). Little or no commentary is offered[34]. Indeed, in his public addresses too, Tahir-ul-Qadri relates *hadith* always as if literally and directly.

However, the process of selecting certain *hadith* to relay (over others) and insisting that there is only one meaning of Islam to be derived from

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be known in the same way as the Qur'an, through unanimity and concurrence of transmission.

33 Sanyal, Usha. Devotional Islam and Politics in British India : Ahmed Riza Khan Barelwi and His Movement, 1870-1920. Delhi, 1999, pp. 255-267.

34 Melchert finds the same approach amongst the ninth-century 'traditionist-jurisprudents' who, 'simply assembled collections of *hadith*, or at least, quoted large numbers of *hadith* reports'. See: Melchert, Christopher. 'Traditionist-Jurisprudents and the Framing of Islamic Law'. In: *Islamic Law and Society* 8/3. 2001, pp. 388-389.

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them - here asserting that Islam categorically disallows coercion in matters of religious belief - in fact *constitutes* Tahir-ul-Qadri's interpretative method and logic. To illustrate, he repeatedly insists that he has conducted a comprehensive review of existing *hadith* material, and *only* found *hadith* supporting his position. Moreover, while Ghamidi critically engages (to some extent) with the ideas he disputes by arguing that certain parts of the Qur'anic text are being mistakenly interpreted as guidance for ordinary Muslim in post-prophetic times, Tahir-ul-Qadri does not seem to examine the interpretations he opposes at all, even for the purpose of demonstrating their fallacies.

Ghamidi predicates his case for opposing violence against difference by stressing human incapacity to (fully) know the Truth or identify those who knowingly deny the Truth in post-prophetic times. For him, attempting to understand Islam in a context of uncertainty naturally spawns difference. In comparison, Tahir-ul-Qadri's interpretive thinking is premised on certainty about Truth. For instance, his Fatwa quite clearly denounces 'terrorists' and 'suicide bombers' as deniers of Truth (*kafir).* While for Ghamidi, uncertainty about Truth (and hence, over identifying unbelievers) is the basis for accommodating difference, Tahir-ul-Qadri's proclaimed certainty in this very matter *also* serves to critique activists ('terrorists' and 'suicide bombers') who violently suppress difference. Prophet Muhammad is reported to have described a 'true' Muslim as somebody from whose 'hand and tongue all humanity is safe'. Two further *hadith* describe the 'true' Muslim as one who extends charity to the poor and greets other people with a salutation of peace. Moreover, the true believer (*mumin*) is one on whom people rely for the protection of their lives and property[35].

> … if someone becomes an extremist and adopts hatred, prejudice, disunity, chaos and coercion, and kills peaceful citizens as a means to preach and enforce … [religion], his claim to be a Muslim cannot be accepted even if he

35 Tahir-ul-Qadri. Fatwa on Terrorism and Suicide Bombings; 'Launching Ceremony of Fatwa against Terrorism & Suicide Bombing' [Video File], 2 March 2010, http://www.deenislam.com/islam/flvID/3248/Fatwa-on-Suicide-Bombings-and-Terrorism--by-Shaykh-ul-Islam-Dr-M-Tahir-ul-Qadri.html [9 July 2015]; 'European Launch of Fatwa on Terrorism & Suicide Bombings' [Video File], 6 September 2012, http://www.deenislam.com/islam/flvID/3478/European-Launch-of-Fatwa-on-Terrorism-Suicide-Bombings-by-Shaykh-ul-Islam-Dr-M-Tahir-ul-Qadri.html [9 July 2015].

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> appears outwardly as a devout worshipper – because the basic criterion given by the Prophet to judge true Islam is peace and security[36].

In sum, both Ghamidi and Tahir-ul-Qadri conclude, through entirely different interpretive methods, that religious difference must not be violently suppressed. Ghamidi de-emphasises traditional source materials such as *hadith*, stressing instead the primary and stand-alone nature of the Qur'an. In contrast, Tahir-ul-Qadri's traditional *Barelwi* leanings, lead him to valorise the *hadith*. Ghamidi's interpretive logic finds that sections of the Qur'an mentioning the suppression or persecution of religious difference are to be interpreted as evidence of divine retribution limited only to a time of perfect information during the life of the Prophet Muhammad. In current times, where information about Truth is imperfect, ordinary humans do not have the capacity to identify and punish unbelievers. Tahir-ul-Qadri on the other hand, seeks to accommodate difference by identifying unbelievers. He amasses numerous *hadith* (and other source materials) to corroborate his position that 'terrorists' are unbelievers.

3. Rhetorical Strategies - Citizenship

Recall my argument above that publicly speaking actors engage in a socio-politically relevant, discursive problem-space. Thus, seeking social change by articulating and disseminating ideas about (religious difference in) Islam further involves the *rhetorical* deployment of interpretive outcomes discussed in the previous section. This involves making use of specific contentious concepts in the relevant problem-space. Here, I turn to Ghamidi and Tahir-ul-Qadris' deployment of the concept of 'citizenship'.

Following Quentin Skinner, 'rhetorical strategies' involve the use of terms that offer 'a moral evaluation' of something at the same time as describing it[37]. For instance describing a person or action as 'religious' has normative connotations[38]. One of the rhetorical strategies proposed by Skinner for an agent seeking ideational change, is to vary the criteria for applying an existing set of normatively positive terms. The 'aim in this

36 'Fatwa on Terrorism and Suicide Bombings' p. 32.

37 Skinner, Quentin. Visions of Politics: Regarding Method. 1. Cambridge, 2002, p. 156.

38 Whether these are positive or negative depends on the prevailing social norms of the society in question.

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case is to insist, with as much plausibility as can be mustered, that in spite of contrary appearances a number of favourable terms can be applied as apt descriptions' in this case, to the matter of religious difference[39]. Both Ghamidi and Tahir-ul-Qadri apply the concept of 'citizenship' in this way; that is, they relate (the favourable term) citizenship with religious difference in order to persuade their listeners to view the latter in a more favourable light.

Citizenship, in Ghamidi and Tahir-ul-Qadri's usage, pertains not so much to the role of the state (presently, both have no direct involvement in the Pakistani or any other state) but to how ideas about citizenship influence the behaviour of ordinary Muslims towards (perceived) 'others' in Pakistan. Broadly speaking, citizenship implies the inclusion of individuals and groups into a polity and society and the exclusion of certain others. Narratives about citizenship shape who people imagine belong in their society and on what terms. They influence also the extent of freedom granted to members of a polity to express their ideas and beliefs. In Pakistan, the nation's liberal-secular founding elite initially framed citizenship as constituting religious freedom and equal rights for all citizens regardless of religious belief [40]. Subsequent governments, partly driven by an increasingly potent lobby of Muslim religious groups and parties[41], propagated more majoritarian notions of citizenship, for instance in the treatment of *Ahmadi* citizens,[42] and in the passing of laws against blasphemy in 1982 and 1986. The influential Muslim scholar-activist Mawdudi (from whose thought Ghamidi ultimately defected), also professed antipathy to the presence of deviant Muslims (who were threatened with the capital

39 Skinner. pp. 153.

40 Ali Jinnah, Muhammad. 'First Presidential Address to the Constituent Assembly of Pakistan,' 11 August 1947, http://www.columbia.edu/itc/mealac/pritchett/00islamlinks/txt_jinnah_assembly_1947.html [31 July 2013].

41 See for instance the anti-*Aḥmadi* campaigns of the JI and others in Vali Reza Nasr, Seyyed. The Vanguard of the Islamic Revolution: The Jamaat-I Islami of Pakistan. London, 1994.

42 For an analysis of the increasingly discriminatory treatment of *Aḥmadis* by the judiciary see Mahmud, Tayyab. 'Freedom of Religion & Religious Minorities in Pakistan: A Study of Judicial Practice.' In: *Fordham International Law Journal* 19/ 40, 1995.

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charge of apostasy, seen as akin to treason) as well as non-Muslims, in his ideological Islamic state[43].

The citizenship of those deemed as religious 'others' (whether Muslim or non-Muslim) is thus an important concern in the problem-space of religious difference. Drawing on their interpretations of Islamic source materials, Ghamidi and Tahir-ul-Qadri assert that religiously different others should be included in society as (somewhat) equal citizens. This is one way in which they seek to dislodge the negative majoritarian norms (partly) underpinning violence against religiously identified targets. Moreover, by excluding from citizenship, 'terrorists' and other militant groups that take up arms against civilians, both actors further seek to de-legitimise religious violence. Yet, there are limits; notably, blasphemers sit on the fringes of citizenship for both actors.

3.1 Citizenship as inclusion of religious difference … with exceptions

In Ghamidi's schema, non-Muslim citizens have complete freedom to practice their faith and build and maintain places of worship without risk of violent suppression or persecution[44]. Any political agreement may be made with non-Muslim citizens in a Muslim majority state; the best example would be the agreement that the Prophet Muhammad made with the Jewish tribes of Medina when he first migrated from Meccah to Medina in 622 CE. Importantly, this is defined as a time *before* the conclusive communication of Truth.

> As far as the rights of non-Muslims are concerned, any agreement can be made with them regarding their rights, keeping in view the circumstances and the various international accords one is bound with. In this regard, perhaps the best example before Muslims is the pact made by the Prophet (sws) before *itmam al-hujjah* with the Jews of Madinah … one can see that one of its statutes clearly says that … the Jews and the Muslims are equal citizens of this state of Madinah and therefore, the Jews will have the same rights as the Muslims have here (sic)[45].

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43 Hartung, Jan-Peter. A System of Life: Mawdudi and the Ideologisation of Islam.London, 2013.

44 Saleem. Playing God: Misreading a Divine Practice.

45 Ghamidi, Javed Ahmad. Citizenship and the Rights of a Citizen. 2010, http://www.javedahmadghamidi.com/meezan/view/citizenship_and_the_rights_of_a_citizen [13 July 2015].: emphasis added.

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Here, Ghamidi is not drawing on his preferred source material, the Qur'an. However, he still applies his particular interpretive logic, arguing that this prophetic example *can* be used as basis of understanding citizenship today, since it occurred at a time of imperfect information.

Tahir-ul-Qadri extols the same prophetic example, premised upon his interpretive emphasis on the exemplary deeds and actions of the Prophet Muhammad. The so-called 'Constitution of Medina'[46] negotiated by Muhammad shortly after his migration, with the Jewish tribes of Medina as well as the Christians of Najran (Syria), is frequently hailed by him as categorical evidence of the equality of rights of non-Muslim citizens under Islam. On this precedent, Tahir-ul-Qadri posits that in Islam '"citizen" means all Muslims and non-Muslims, because this' (the Constitution of Medina) 'included the Jewish and Christian tribes'[47]. Moreover, 'the Prophet … stated that whoever hurts a non-Muslim citizen who is a civilian, I shall be the opponent of that Muslim … on the Day of Judgement I will plead in favour of the non-Muslim … who has been wronged'[48].

In so far as they both advocate the same prophetic precedent, Ghamidi and Tahir-ul-Qadri are alike. However, the latter entirely neglects to broach the matter of the inferior *dhimma* legal category that was subsequently established for non-Muslims (Jews and Christians) inhabiting the expanding Muslim empire[49]. In contrast, Ghamidi's interpretive logic allows him a proper rationale for dismissing the validity of discriminatory

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46 The 'Constitution of Medina' refers to agreements mediated by Mohammad between the *muhajirun* (emigrants, i.e. Muslims from Mecca) and the *ansar* (helpers: i.e. residents of Yathrib). These were negotiated after the *hijrah* (migration) of Mohammad and his followers to Yathrib (later renamed Medina) in 622. Mohammad was invited to Yathrib as an arbiter in the prolonged civil war that had started in the late 6th century between the Arab and Jewish tribes inhabiting the oasis. Scholars consider these agreements among the early efforts to mitigate the conflict in the area by establishing an accord that covered all inhabitants of the oasis into a single polity (Halabi, Awad. 'Constitution of Medina,' Oxford, http://www.oxfordislamicstudies.com/opr/t236/e1003 [17 July 2015].).

47 Tahir-ul-Qadri, Muhammad. 'Peace for Humanity & Mawlid-Un-Nabi (Pbuh) Conference [Video File].' 3 June 2012, http://www.deenislam.com/islam/flvID/3458/Peace-for-Humanity-Mawlid-un-Nabi-pbuh-Conference-by-Shaykh-ul-Islam-Dr-M-Tahir-ul-Qadri.html [13 July 2015].: mins 21:28-21:42

48 'European Launch of Fatwa on Terrorism & Suicide Bombings [Video File]'.: mins 45:15-45:36.

49 The second caliph 'Umar ibn al-Khattab (d. 644 C.E.) is noted for establishing the formal contract of protection that offered a recognised legal status for protected

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dhimma arrangement in current times. By treating the initial agreement made by the Prophet Muhammad with Jews and Christians in Medina, as occurring before the condition of perfect information, Ghamidi can argue that subsequent conflicts with non-Muslims and their eventual relegation to an inferior status, occurred only later under divine injunction, after the establishment of perfect information. In any case, since perfect information does not exist in post-prophetic times, treating non-Muslim citizens as *dhimmi* is no longer a valid practice[50].

Following the same interpretive approach, al-Mawrid's scholars are also explicit in their denial of any sectarian basis of differentiation between Muslim citizens. Firstly, under imperfect information it is not possible for any Muslim to conclusively identify other Muslims as 'false' in their understanding of Islam. Moreover, they argue that the Qur'anic chapter (*surah*) called *Tawbah* (Repentance) offers clear guidance on how to approach intra-Muslim difference. The *surah* required the polytheists of Arabia to repent from disbelief, be diligent in prayer and give the mandatory charity (*zakat*)[51]. Al-Mawrid's argument - premised on their interpretive logic - is that if polytheists during a prophetic period of perfect information were to be killed only if they did not repent, and were asked only to pray and pay *zakat* as evidence of their belief. Hence, there can be no further obligations on Muslim citizens to demonstrate their Muslim faith. In other words, sectarian bases of differentiation cannot be valid identifiers of 'true' and 'false' Muslims.

> …after fulfilling these conditions …They are like brothers and, therefore, possess the same legal rights. There is no question of any discrimination between them whatsoever in Islam. The Qur'an has used the words … 'then [they are] your brethren in religion'. The word 'the religion' obviously means Islam and the words 'then [they are] your brethren' are directed at the Companions … of the Prophet …, who are told that if these people fulfil these

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minorities under Muslim rule *(dhimmi)*. However, this covenant established also certain restrictions on their religious practices and required non-Muslims to pay a protection tax (*jizya*) and differentiate themselves from their Muslim superiors.

50 Javed Ahmad Ghamidi, 'Islami Rayasat May Aqliyat Ka Tasawor [Approaching Minorities in an Islamic State] [Video File],' 20 September 2011, https://www.youtube.com/watch?v=gwQYcjVwWfo [15 July 2015].: mins 2:00-4:30.

51 *Zakat* constitutes one of Islam's five pillars, and constitutes a religious obligation for Muslims with the financial means to give a certain percentage of their wealth annually towards charity.

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> three conditions, they will be equal in citizenship status to the Companions …. No distinction will exist between the two in the eyes of the law [52].

Tahir-ul-Qadri distinguishes his own *Barelwi* sub-denomination on the basis of their love for the Prophet Muhammad. As I will show below with respect to the issues of blasphemy and apostasy, any violation of this love is cause for suspending the citizenship protections of offenders. This position is in contrast to that of Ghamidi. Nevertheless, leaving blasphemers and apostates aside, Tahir-ul-Qadri does not say that *Barelwis* must have a higher citizenship status than other Muslims. His argument for peaceful co-existence between Muslims rests mostly on the aforementioned Prophetic example. He treats this as equivalent to the modern day notion of nation, stressing that after migrating to Medina, Muhammad brought together all the Muslim migrants from Meccah and Muslim inhabitants of Medina under a common bond of 'Brotherhood' that superseded ethnic and tribal (and by extension, sectarian) affiliations [53].

On apostasy however, Tahir-ul-Qadri says very little; in my interview with him he largely avoids answering the question of how apostasy should be penalized[54]. Elsewhere, he tends to conflate apostasy and blasphemy[55]. The latter, for Tahir-ul-Qadri pushes one out of the folds of citizenship. Following his *Barelwi* orientation, love and respect for Prophet Muhammad defines faith; blasphemy (particularly, disrespect to Muhammad) is thus defiance against the core of faith. The *Ahmadis* are a case in point; even as citizens, they have foregone their rights to practice their faith freely because their perceived tenets regarding the prophetic status of their founder, lead them towards committing blasphemy (and apostasy)[56]. In-

52 'Citizenship and the Rights of a Citizen'.

53 Tahir-ul-Qadri, Muhammad. 'Islam a Blend of Moderation and Modernism - Tahir-Ul-Qadri [Video File],' 16 June 2012, https://www.youtube.com/watch?v=_SOzk8JvAK0 [13 July 2015].

54 Interview with Najia Mukhtar, 25 October 2013..

55 In a lecture about his role in the creation of Pakistan's blasphemy laws, he explains that *Hanafi* jurisprudence tends to treat blasphemy and apostasy in the same category of crime. See: 'Gustakh-E-Rasool Ki Saza (Blasphemy Law) Ki Historical Background by Dr Tahir Ul Qadri (the Historical Background to the Blasphemy Law by Dr Tahir-Ul-Qadri) [Video File],' 17 October 2011, https://www.youtube.com/watch?t=1203&v=ycy-44Rc98 k [13 July 2015].

56 In several public addresses Tahir-ul-Qadri strongly criticizes the founder of the religion for claiming prophetic status. In his view, this erroneously undermines the

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deed, Tahir-ul-Qadri even concedes that, in the final analysis, the blasphemer (and apostate) should suffer the death penalty[57].

This is not the case for Ghamidi. By treating *hadith* as a source material whose interpretation (and validity) needs to be verified with reference to the Qur'an, Ghamidi can criticize the use of coercion or violence against (alleged) blasphemers. He stresses that while the Qur'an mentions incidents of blasphemy against the Prophet, it does not state that offenders were punished[58]. Nonetheless, according to several *hadith,* the Prophet Muhammad did order capital punishment against blasphemers. This proves problematic for Tahir-ul-Qadri who in his privileging of the *hadith* cannot refute the injunctions contained therein. For Ghamidi however, if a *hadith* is at disjoints with the Qur'an, the latter takes precedence. Moreover, he can argue that the punishments against blasphemy mentioned in such *hadith* occurred by divine command under prophetic law; this was not punishment for blasphemy per se, but for denying the Prophet Muhammad's message after its conclusive communication.

Still, blasphemy and citizenship are not *fully* reconciled in Ghamidi's understanding. Given that Truth is indeterminate in post-prophetic times, Ghamidi tends to argue broadly for freedom of speech, including citizens' freedom for different faiths to proselytize different faiths in a Muslim state. However he recognises that no satisfactory way has been established to reconcile the right to freedom of religious expression with the religious sensitivities of other citizens[59]. So he also suggests that citizens should avoid disrespecting the revered personalities of any faith. Furthermore, *Ahmadis* present an anomaly. Most of al-Mawrid's scholars are critical of

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fundamental Muslim belief that there will be no more prophets after Mohammad See: 'Hidayah (Guidance) Camp, Toronto - Questions by Qadiani Ahmadi and Answers by Dr Tahir-Ul-Qadri [Video File],' 2005, https://www.youtube.com/watch?v=AznTyFBrZLo [13 July 2015]; 'Truth About Ahmadiyya / Qadianism and Mirza Ghulam Ahmad: Dr Tahir-Ul-Qadri Part 1 [Video File],' 3 March 2010, https://www.youtube.com/watch?v=S7usnxzIYOk [13 July 2015].

57 Note that Tahir-ul-Qadri is hesitant to express his agreement with the use of the death penalty for blasphemy, particularly in front of Western audiences. This was evidenced a public lecture in Copenhagen when he was directly questioned on whether he agreed with the use of capital punishment against blasphemers. See: 'European Launch of Fatwa on Terrorism & Suicide Bombings [Video File]'.

58 Ghamidi. 'Founder of al-Mawrid.'

59 'Z', interview by Najia Mukhtar, 11 September 2012, Skype interview; 'M', interview by Najia Mukhtar, 17 October 2012, Personal interview.

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the (perceived) blatancy of their rejection of the finality of Muhammad's prophethood and their self-segregation from the rest of the Muslim community[60]. It seems then, that Ghamidi is inflexible about who may self-identify as a Muslim; the religious freedom of the *Ahmadis* is curtailed to this extent. Still, unlike for Tahir-ul-Qadri, the *Ahmadis*, as far as Ghamidi is concerned, are not apostates or blasphemers. They would enjoy the rights of any other non-Muslim citizen.

3.2 Citizenship as exclusion – the rebel citizen

Blasphemers, apostates and *Ahmadis* may sit at the outer fringes of the religious freedoms afforded to equal citizens. Yet even Tahir-ul-Qadri who does not dispute the use of capital punishment against such deviation from 'true' Islam, is muted in publicly stating this. Not so for one particular category of religious other, whose exclusion is loudly advocated: the (non-state) individual or group that takes up arms, notably against civilians. Both Ghamidi and Tahir-ul-Qadri consider this to be a form of rebellion. The exclusion (from citizenship) of the rebel *makes citizenship possible* on the terms described above, since if rebels are not eliminated from the polity, they seek to physically eliminate 'other' citizens at their discretion. In the Fatwa for instance, an extensive discussion on rebellion (chapters 8-17) follows immediately after the discussion on citizenship rights (chapters 3-7), implying that the existence of the latter is underpinned by the elimination of the former.

The contemporary context of political violence in Muslim societies has revived classical debates about what constitutes rebellion versus legitimate armed action (armed *jihad*) or even legitimate protest. For instance, the use of violence against civilians is critical to both my actors' understandings of rebellion. However, in 2013 and 2014 Tahir-ul-Qadri himself led a mass protest against the alleged corruption and tyranny of the Pakistani state. He passionately (and always with reference to myriad *hadith*), de-

60 'Z', interview by Najia Mukhtar, 24 September 2012, Skype interview; 'M', 'al-Mawrid Scholar.' 'U', interview by Najia Mukhtar, 18 October 2012, Personal interview; Ghamidi, Javed Ahmad. 'Qadiyani, Are They Infidels or Non-Muslims?' [15 July 2015].

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scribes this form of dissidence as a religious duty for all Muslims[61]. It falls outside the fold of the rebellion he so harshly denounces, because it adopts *legal and constitutional* means[62]. Ghamidi, on the other hand, stresses that it is not a religious requirement to rise up in any form, even against a despotic government[63]. This position is in keeping with his own intellectual evolution away from the political activism espoused by the JI. Nevertheless, Ghamidi agrees with Tahir-ul-Qadri that if a group chooses constitutional and non-violent means of protest, then this is not a rebellion.

Of course, the problem-space in which Ghamidi and Tahir-ul-Qadri are currently intervening is one where Muslim religious violence perpetrated by various so-called 'terrorist' groups is central. Responding to this socio-political context, both actors seek to designate 'terrorists' and militants as rebels in the Islamic sense. Both mention Al-Qaida, the Taliban (and more recently) ISIS, as falling under the rebel category. For instance there is extensive discussion of rebellion in the Fatwa wherein Tahir-ul-Qadri simply conflates 'terrorists' and 'suicide bombers' with all other rebels. He identifies contemporary perpetrators of terrorist acts with the extreme version of rebellion associated with the Kharijites (Ar: *Khawarij,* sing. *Khariji*). This was a Muslim opposition group that emerged during, and fought against, the government of the fourth Muslim caliph, ʿAli ibn Abi Talib (d. 661 CE)[64]. Tahir-ul-Qadri does not offer a rigorous account of the factors that led to the emergence of the Kharijite rebellion; rather, he uses these events in Muslim history to symbolise and reinforce his assertion that the contemporary terrorists are in fact a continuation of the Kharijites[65]:

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61 Tahir-ul-Qadri, Muhammad. 'Dr Tahir Ul Qadri Addresses Juma-Tul-Wida: Promoting Peace, Interfaith Dialogue & Human Welfare - Itikaf City 2013 [Video File],' 2 August 2013, http://www.minhaj.org/english/tid/23318/MQI-promoting-peace-interfaith-dialogue-amp-agenda-of-human-welfare-Dr-Tahir-ul-Qadri-addresses-Juma-tul-Wida.html [17 July 2015].

62 Fatwa on Terrorism and Suicide Bombings. p. 212.

63 Ghamidi, Javed Ahmad. 'Muslim Revivalist Movements (6) Present Situation of the Muslim Ummah [Video File],' January 2014, https://www.youtube.com/watch?v=bq8gjwB2r04 [17 July 2015].

64 In Arabic, al-Khawarij (pl. of Khariji) means those who secede or exit the community.

65 It should be noted that Tahir-ul-Qadri is not alone in linking the Kharijites with contemporary Muslim movements, particularly those considered to be 'radical' or 'extremist'. For instance see: Kenney. Muslim Rebels: Kharijites and the Politics of Extremism in Egypt. Oxford, 2006.; Salem. Political Theory and Institutions of the Khawarij.Baltimore, 1956.

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> It would be interesting to know that there are more than 100 *ahadith* on the subject … The Holy Prophet said that … at least more than twenty times, they (the Kharijites) will emerge. He said that the last group of Kharijite terrorists will be a part of the army of the anti-Christ … [sic][66].

For his part, Ghamidi's public discussion of rebellion also mainly occurs with reference to 'terrorism', notably the current *Tehrik-e-taliban-Pakistan* (TTP), insurgency in Pakistan. Often he distinguishes the conditions of legitimacy for armed *jihad* (war) from those of rebellion. Armed *jihad* by non-state actors such as the TTP, unless following stringent conditions of legitimacy, is seen as an act that warrants the elimination of the perpetrator from citizenship. For instance he argues that, following the injunctions of the Qur'anic chapter entitled *Shura*, armed rebellion against a democratically elected government is entirely unacceptable in Islam, for it represents rebellion against the directives of the Qur'an and against the people who have elected the government[67]. Rebellion can only be fathomed as permissible against an entirely despotic (*istibdadi*) form of government that has established itself on the force of coercive capacity alone. Further conditions of permissibility include that the rebels should form an organised group that have control over some territory (however small) from where they launch operations. They should also be representing a majority of people in undertaking armed rebellion against a despotic government. Hence, the TTP's call for *jihad* against the Pakistani state and people cannot be justified since they do not represent the people of Pakistan[68]. Ghamidi argues that if these conditions are not met the rebels are understood as act simply as a mob[69]. He argues that the Qur'an considers this to be *fasad,* defined (by him) as threatening the lives, property and honour of civilians by violent means. *Fasad* disturbs social order and weakens the condition under which the rights and protections of citizenship can be afforded to Muslim and non-Muslim citizens[70]. Essentially, such a rebellion, if it persists and cannot be resolved through political means, must be

66 Tahir-ul-Qadri. 'Launching Ceremony of Fatwa against Terrorism & Suicide Bombing' [Video File]'.: mins 6:06-1:03, videos 6-7

67 Ghamidi, Javed Ahmad. 'Armed Revolt against the Government [Video File],' 27 September 2013, [17 July 2015].

68 'Z', interview by Najia Mukhtar, 3 September 2012, Skype interview.

69 Ghamidi, 'Armed Revolt. [Video File]' Shehzad Saleem, 'Armed Rebellion - Some Misconceptions About Islam,' 21 September 2012, https://www.youtube.com/watch?v=Idg1PIT8Weg [17 July 2015].

70 Ghamidi, 'Armed Revolt. [Video File]'.

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crushed by the authority of the state and its perpetrators eliminated from citizenship as per the injunctions of the Qur'an stated in the chapter entitled *Al-Ma'idah* (The Table Spread; 5:33-34)[71].

Tahir-ul-Qadri makes a similar distinction. 'Terrorism' is not the same as war, which can only be declared by the state, and as a defensive measure. Moreover, war should not comprise acts of violence against civilians and outside the context of a battlefield [72]. Hence 'terrorists' are not waging a just or legitimate resistance. They must be eliminated from citizenship in order to ensure the continuing citizenship of others. Further there is little room for diplomacy. Prophetic sayings and juristic opinions on the matter show that terrorist-rebels ultimately have to be weeded out and entirely eliminated from the polity (by putting to death)[73].

4. Conclusion

All in all, both agents, acting in a socio-political context of increased Muslim religious violence, actively participate in the contentious problem space of religious difference in Islam. In speaking their ideas, they deploy rhetorical strategies that entail the use of evaluative-descriptive terms such as 'citizenship' to shift negative social norms and perceptions of religious difference in society. Both Ghamidi and Tahir-ul-Qadri infuse citizenship with meanings that include religious difference within its folds. The specific meanings that each agent gives to citizenship are premised on his particular interpretive methodologies and findings. Tahir-ul-Qadri follows his *Barelwi* leanings in wishing to model citizenship on (his interpretation of) the example of the Prophet, notably of the political accords that the Prophet Muhammad devised between Muslims, Christians and Jews after his migration to Medina. Ghamidi privileges the Qur'an over other traditionally emphasized source materials (notably *hadith*). His interpretive logic designates parts of the Qur'anic text that refer to penalties against religious difference (blasphemers, apostates, non-Muslims) to pertain only

71 'Punishment for Rebellion [Video File],' 11 December 2013, http://www.javedahmadghamidi.com/videos/view/punishment-for-rebellion [17 July 2015].

72 Tahir-ul-Qadri, 'European Launch of Fatwa on Terrorism & Suicide Bombings [Video File]'., mins:19:20-22:14

73 'Launching Ceremony of Fatwa against Terrorism & Suicide Bombing [Video File]'.

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to a prophetic period of perfect information about Truth. In post-prophetic times of imperfect information, he thus condemns the violent suppression, or inferior treatment of religiously different citizens (Muslims and non-Muslim). He also commends the example of the Prophet Muhammad's political alliance with Jews and Christians, arguing that this was forged outside the period of perfect information and is thus applicable as a model for contemporary arrangements with non-Muslim citizens.

However, there are caveats. Particularly for Tahir-ul-Qadri, there are limits to religious freedom; specifically there is no respite for blasphemy or apostasy. Even if he has not advocated their killing, it would seem that *Ahmadis* fall into this blasphemy-apostasy mire and are thus pushed beyond the limits of citizenship. Ghamidi too shows some sensitivity to the issue of blasphemy, arguing that although ideally citizens should have complete freedom of expression, they should abstain from disrespecting the revered personalities of different faiths. There are further majoritarian aspects to Ghamidi's thinking on citizenship such as his acceptance of the official excommunication of *Ahmadis* from the folds of Islam.

Finally, inclusive citizenship of religious difference is equally a matter of (violent) exclusion of certain types of difference. In a context of heightened concern about Muslim religious violence, it is 'terrorists' and militants who must be excluded. The citizenship rights (notably religious freedoms) of a religiously heterogeneous populace can only be possible through the elimination (from the polity) of groups that take up arms against the state and society. Tahir-ul-Qadri labels them as a continuation of the historical Kharijites. Ghamidi likens their actions to the Qur'anic crime of *fasad.* The presence of rebels in the folds of citizenship makes the continuing citizenship of religious difference impracticable. In this way the rebel's illegitimate violence against religious difference must be curtailed through the use of legitimate violence to eliminate 'terrorists' and rebels.

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Blessed Boundaries: the Limits of Sunnah to Legitimize Violence

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Abstract: The role of *sunnah* in legitimizing violence is a central issue in contemporary discourse in Pakistan. There is an established consensus that the exemplary way of the Prophet as recorded in Hadith is a foundational source for prescribing licit behaviour. However, there is disagreement amongst scholars regarding which facets of the Prophet's example are applicable. More specifically, is *sunnah* limited to Prophetic testimony pertaining to matters of religion (*din*), or does this include matters of state (*dunya*) as well? This is a long-standing question amongst modern South Asian interpreters, and the answer has direct implications upon the parameters of religiously sanctioned violence. In the extreme, clerics of the Deoband (*mamati*) faction such as Abdul Aziz Ghazi, *khatib* of Lal Masjid in Islamabad, appeal to prophetic example in order to legitimize attacks not only of government forces but also of their dependents. This was most dramatically seen in the gruesome mutilation of students in the Army School in Peshawar (December 16, 2014). Representatives of the Islahi School sternly disagree with this line of reasoning. A leading example of this position is Javed Ahmad Ghamidi (b. 1952), a student and then critic of the late Maulana Mawdudi (d. 1979). Ghamidi vociferously condemns such attacks as contrary to interpretative consensus concerning the bounds of tradition. I argue that the central difference between these Sunni interpreters is their approach to *sunnah*. Unlike Ghazi, Ghamidi argues that *sunnah* does not include the Prophet's actions as a statesman. In his view, critically verified accounts from *ahadith* and *sira* literature are not prescriptive unless these pertain specifically to religious practice. This paper sheds light upon the complex issue of religiously sanctioned violence by tracing these polarized positions back to the foundational issues of the authenticity and authority of prophetic tradition to delineate the bounds of Muslim fidelity.

https://doi.org/10.5771/9783845283494, am 12.10.2024, 10:23:47
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1. Introduction

On December 16, 2014, seven Taliban gunmen attacked the Army Public School in the city of Peshawar, northwestern Pakistan. The militants executed 141 people: 132 students, between eight and eighteen years of age, and 9 from the faculty and staff. The country has suffered a litany of violent attacks conducted in the name of religion, but this was the deadliest act of terrorism in Pakistan's history. The events were recounted on television in gruesome detail, and these caused the nation to shudder. The government became galvanized towards full military engagement; and as Chief of Army Staff Raheel Sharif stated, 'Our resolve has taken new height: we will continue (to) go after these inhuman beasts, and their facilitators, until their final elimination.'[1] Somehow in the public mind, amidst the horrific acts littering the daily headlines, a threshold had been crossed. For the army, the general public, and even representatives of the infamous al-Qaeda network, there was a sense of ruprture. As one noted, 'Our hearts are bursting with pain.'[2] A line had been crossed: this sort of atrocity was inexcusable.

Of the many blessings promised by Islamic law (*Shari'ah*), one is the agency to limit the 'ends and means of war.'[3] In other words, there are lines that should not be crossed, boundaries not to be transgressed. However as Sohail Hashmi has extensively explored: the foundational sources from which sacred law is derived, the Qur'an and Hadith, 'present no systematic or, some might argue, consistent theory of world order in general or laws of war and peace in particular. Thus, it was left to the jurists to develop such a theory through interpretation of the Qur'an and *sunnah*, or example, of the Prophet.'[4] Of these two sources, the role of the latter in legitimizing violence has become a central issue in public discourse amongst religious scholars in Pakistan and it requires careful consideration.

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1 Asad Liaqat. 'Inside Army Public School, once upon a time…' Dawn. 17 December, 2015. http://www.dawn.com/news/1151410 Accessed January 18, 2016.

2 'Al-Qaeda "bursting with pain" over Pakistan school attack-INews – IBNLive Mobile'. IBNlive. 21 December 2014. Retrieved 18 January 2016.

3 Hashmi, Sohail H. 'Jihad and the Geneva Conventions: The Impact of International Law on Islamic Theory.' In: Sohail H. Hashmi (Ed.). Just Wars, Holy Wars, and Jihads: Christian, Jewish, and Muslim Encounters and Exchanges. New York, 2012, p. 338.

4 Hashmi, p. 331.

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There is an established consensus among scholars that *sunnah* is a foundational source to prescribe licit behaviour. The term *sunnah* in Arabic literally means the 'way or path' and has been used to describe the words, actions, and preferences of worthy persons, most often with reference to prophets and their companions. Within Islamic tradition of course this pertains primarily to the Prophet Muhammad. As the 'perfect man' (*al-insan al-kamil*) and the 'model of conduct' (*al-uswa-i hasana*), his *sunnah* is esteemed as the determinant standard for what should or should not be done. Thus, the *Imitatio Muhammadi* as narrated by tradition (*khabar, hadith*) has become a corpus that stipulates the Prophet's preferences, words, and deeds as observed and consequently practiced by his companions and subsequent generations of Muslims.

However, within this shared reverence, there is disagreement concerning what particular facets of the Prophet's life are not only worthy of imitation, but also are legally binding. To situate the question of this research, it is important to underscore that there are long-standing questions regarding the degree of authority to be placed upon the Prophet's *sunnah* vis-à-vis the Qur'an. The classical consensus, as attributed to Muhammad ibn Idris al-Shafi'i (d. 819), defines *sunnah* as 'coextensive' and of equal ethical-legal authority as the Qur'an.[5] As Abu Hamid Muhammad al-Ghazzali (d. 1111) later explained, 'God has but one word, which differs in the mode of its expressions. On occasions God indicates his word by the Qur'an, on others, by words in another style, not publically recited, and called *sunnah'*.[6] And, again in the words of Ibn Hazm (d. 1064):

> The revelation (*wahy*) from God Almighty to His Messenger, peace and blessing be upon him, is divided into two types: One of the two is (ritually) recited revelation (*wahy matlu*), an inimitably arranged written composition, and that is the Qur'an. The second is revelation of transmitted sayings, not an inimitably arranged written composition; it is not (ritually) recited (*la matlu*), but it is read: and that is reports that have come from God's Messenger (peace and blessings be upon him).[7]

As seen in the statements of these representative jurists, there is a consensus that the distinction between the two foundational sources of authority,

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5 Brown, Daniel. Rethinking Tradition in Modern Islamic Thought. Cambridge, 1996, pp.1-15.

6 Ibid. p.17.

7 Mumammad, Abu. '*Ali ibn Hazm, al-Imkam fi Usul al-Amkam*'. 1. Ammad Shakir (Ed.). Cairo, 1987.

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sunnah and Qur'an, is one of form and not of substance. The 'way of the Prophet' is revelation (*wahy)*, and can be codified.[8] Islamic revivalism in the Indian subcontinent has been characterized by the quest to comprehend the interrelation of the Qur'an and the Hadith, the compendiums from where *sunnah* can be ascertained. As Aisha Musa has convincingly argued, Hadith in effect functions as a second scripture, and this has stimulated ongoing debates that are 'not merely a modern, Western, Orientalist- influenced heresy; rather they are an inherently Muslim response to inherently Muslim concerns.'[9] *Sunnah* is a category of revelation, and as will be considered in this essay, the delineation of its boundaries, that is what is included in this and what is not, has direct implications upon contemporary views of religiously sanctioned violence.

In extreme cases, certain clerics associated with the Deoband movement such as Abdul Aziz Ghazi, *khatib* of the prominent Lal Masjid (Red Mosque) in Islamabad, appeal to prophetic example to justify preemptive attacks on the civilian population. This is not limited to warfare against the military or government forces, but includes the killing of noncombatants in markets, schools, and places of worship. This was most dramatically seen in Ghazi's response to the gruesome mutilation of students in the Army School in Peshawar described above. Despite severe public pressure, Ghazi refused to condemn the massacre and the reason he presented was that the killing 'was conducted according to *sunnah*.'[10]

Most people vehemently disagreed with Ghazi's claim. Javed Ahmad Ghamidi (b. 1952), one of the most vociferous detractors, condemned the school attack as a crime against humanity and as contrary to the principles of Islam. Ghamidi is regarded as one of the most important living Muslim intellectuals, and his response is of particular interest here. Like Ghazi, he is a regular feature on public television and a prominent voice in the pub-

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8 Esack, Farid. The Qur'an: A Short Introduction. Oxford, 2002, p.115. The Qur'an is rehearsed (*wahy matlu,* from *talawah*); Sunnah is unrehearsed (*wahy ghayr matlu*).

9 Musa, 12.

10 Faizan Maqsood, Maulana Abdul Aziz Refused to Condemn Peshawar Attack. Live interview 17 December, 2014, http://www.newsbeat.pk/waqat-news/maulana-abdul-aziz-refused-to-condem-peshawar-video_81924b6c8.html [13.08.15]. Javed Chaudhary. Maulana Abdul Aziz Refused to Condemn Peshawar Incident. Live interview December 18, 2014. http://www.newscloud.pk/kal-tak-with-javed-chaudhry-18th-december-2014-maulana-abdul-aziz-refused-to-condemn-peshawar-incident/ [13.08.15]

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lic domain. As a student and later critic of Mawlana Abu ’l-A’la Mawdudi (d. 1979), Ghamidi works from within the same Sunni and Hanafi intellectual tradition as Ghazi. Most importantly, Ghamidi directly challenges the parameters of *sunnah* put forth by Ghazi to justify the attacks. This creates a field of comparison between two scholars from the same revivalist heritage that disagree on the boundaries of *sunnah* and creates radically different interpretations and visions for religious fidelity.

I argue that the central difference between these interpreters is their definition of unnah. For Ghazi, *sunnah* is derived from any recorded tradition of the Prophet, and of the four ‘rightly-guided caliphs’ that is deemed as conclusive authentic (*hujjat*). For Ghamidi, the same traditions, even if critically verifiable, are not prescriptive unless they pertain specifically to the cultic practice of the Ummah as demonstrated across multiple prophetic eras. Seen in this light, *sunnah* is the fulcrum of the debate because its parameters determine the degree of authority placed upon prophetic example. This paper sheds light upon the complex issue of religiously sanctioned violence by tracing these polarized positions back through the ongoing debates on the bounds of Muslim orthopraxy in Pakistan.

2. Pakistan: a ‘hard country’ in context

The Islamic Republic of Pakistan was forged through fire. The nation has endured more than its share of violent conflict, most of which has been internal. Analogous in many ways to the creation of the state of Israel as a homeland the Jews, Muhammad Ali Jinnah’s Muslim League succeeded in carving a homeland for the Muslims of the sub-continent.[11] The original constitution pledged equality for all citizens, and Jinnah cast the government as the protector of the minority communities. But at partition, India suffered a holocaust of its own; and the young state has come to age in an atmosphere where war and rumors of war have necessitated a strong military establishment. This has stunted democratic processes and allowed vested political influences—foreign and domestic—to manipulate and even perpetuate a seemingly perpetual state of war.[12]

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11 Faisal, Devji. Muslim Zion: Pakistan as a Political Idea. Cambridge, 2013.

12 Jaffrelot, Christrophe. The Pakistan Paradox: Instability and Resilience. Oxford, 2015.

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The nation has experienced a devastating amount of violence since its inception, yet it is difficult to isolate the role of religion *per se* in fomenting this condition. To borrow Anatol Lieven's phrase, Pakistan is 'a hard country' to summarize, and the determining factors are far more complex than portrayed by the journalistic media.[13] Anthropologist Akbar Ahmad has perplexed over this issue and argued that religion repeatedly functions as a convenient scapegoat for fulfilling other agendas. Pakistan's constituency is an interwoven mélange of tribes, languages, and contested political economies, and this creates an environment prone to subterfuge. The vast majority of the population, about 84% by some estimates, is Sunni Muslim. Pakistan is also home to the second largest contingent of Shi'ah Muslims in the world, about 25 million, or roughly 13% of the national population. There has been considerable violence against Shi'ah population centres and places of worship, as well as those of the Ahmadiyya, Hindu, and Christian communities. However, the greatest number of casualties from terror related attacks perpetrated by Sunni Muslims have been other Sunni Muslims. Nevertheless, having duly recognized the complexity of forces at work, the problem remains that religion—whether legitimately or not— continues to be invoked in order to justify violence against the state, civil society, and other religious factions.

A striking example of the use of religious rhetoric to justify violence can be observed in the aftermath of the attack on the Army School in Peshawar. In the period between 2010 and 2015, fighting between the army and the Taliban, or parties subsumed under that banner, escalated into a full-scale invasion of the insurgents' strongholds in the Federally Administered Tribal Areas that border Afghanistan. Unable to withstand the force of airpower and mechanized troops, the Taliban exerted retribution by attacking public and government targets across the country. There was also a rise in attacks of mosques, Shi'ah *imambarghas,* Sufi shrines, and Christian churches. Despite the steady increase of attacks in public spaces

13 Lieven, Anatol. Pakistan: a hard country. New York, 2011, pp.41-80. Lieven provides a useful historical summary entitled 'The Struggle for Muslim South Asia.' Though beyond the scope of this paper, part of the complexity is the blending of the practical and the spiritual in the minds and rhetoric of the founding fathers. As Peter Hardy deftly observed, the Muslim League was more of a 'chiliastic movement' than a pragmatic political party, and the nation continues to be driven by a sense of millenarian destiny. Hardy, Peter. The Muslims of British India. Cambridge, 1972, p. 239.

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and the killing of bystanders, the carnage and systematic decapitation and dismemberment of the students caused an outrage across the country. This was a watershed that galvanized the collective consciousness.

However, amidst the public outcry, there were those who refused to condemn the attack because of the perspicuous method by which the slaughter was conducted. During the siege, perpetrators purportedly examined students to verify whether these had reached puberty and were thus eligible for decapitation. Reminiscent of symbolic methods employed by IS (*Daesh*) in later months, the militants in Peshawar sent a deliberate message to the government and people of Pakistan.[14] Although a complete analysis of arguments for religiously sanctioned violence cannot be addressed here, inherent in this message is an appeal to *sunnah* in order to legitimize these murders. The message points to a pressing disagreement concerning the foundations of religious authority in contemporary Islam, namely whether particular episodes recounted from the life of the Prophet can be applied analogously to the present situation.

The opposing views of Javed Ghamidi and Shah Abdul Ghazi are particularly helpful for explaining the centrality of this issue in Pakistan. The former was a Professor of Islamic Studies at the government's prestigious Civil Services Academy in Lahore. His books and television broadcasts are popular among the educated middle class, and he is respected as one who bridges the gap between so called 'traditionalists and modernists.' The Islahi School (meaning reform in Urdu) draws its name from the circle of scholars associated with the Aligarh Movement like Sayyid Ahmad Khan (d. 1898) and Shibli Numani (d. 1914). The theological works of these reformers catalyzed Islamic modernism in South Asia, and beyond.[15] Further, as the name implies, these are heirs to the nineteenth century critical reformists who have populated the departments of Islamic Studies in many South Asian universities. Though Ghamidi differs in many ways from his predecessors, he carries forward a legacy of political moderation and social integration. Ghamidi rejects the use of violence to propagate or accomplish religious purposes, and insists that jihad can only be declared by established governments.

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14 Galloway, Chris. 'Media Jihad: Lessons from Islamic State's public relations masterclass', http://cppg.fccollege.edu.pk/event/media-jihad-lessons-from-islamic-states-public-relations-masterclass.

15 Troll, Christian W. Sayyid Ahmad Khan: A Reinterpretation of Muslim Theology. Delhi, 1978.

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Ghazi, on the other hand, is a cleric of the Deoband School, a grassroots revivalist movement that developed in response to the British raj.[16] The loosely affiliated network of madrasas has flourished into South Asian's leading educational system for preparing clerics and jurists. Ghazi's particular faction rejects the current governmental structure and constitution as inauthentic and discontinuous with Islamic tradition. His association with the Taliban movement is well established, and he has been appointed as their representative in political negotiations on several occasions. Ghazi represents a militant position that appeals to religious tradition in order to legitimize the use of violence to establish a desired political outcome. These positions can only be understood when placed in context, and now we will turn towards this.

3. *Divergent pathways*

These two positions are useful in comparison not only because they represent two competing positions, the modern and traditionalist, but also because they proceed from a shared stream within Indian revivalism. They are both competing heirs to the reforms attributed to Shah Wali Allah Dihlawi (d. 1762).[17] These have progressed into diverging streams, but their development can be traced back to this seminal figure. This is because from Dihlawi's time on, as Daniel Brown has convincingly demonstrated, differences concerning the interrelation of the Qur'an and *sunnah* became the central concern for scholars in the pre-modern era.[18] More precisely, there was disagreement concerning how best to reify Islamic practice. *Sunnah* functioned as a pillar of authority for interpreting the Qur'an and for deriving legislative jurisprudence, but this stimulated questions about what precisely constituted *sunnah.*

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16 Metcalf, Barbara Daly. Islamic Revival in British India: Deoband 1860-1900. Princeton, 1982.

17 al-Dihlawi, Wali Allah. The Conclusive Argument from God: Shāh Wali Allāh of Delhi's Hujjat Allah Al-Baligha. Marcia Hermansen (Trans.). Leiden, 1995, pp. xv-xxxiii.

18 Brown, Daniel. Rethinking Tradition in Modern Islamic Thought. Cambridge, 1996, pp. 2-15. See also Sanyal, Usha. 'Are Wahhabis Kafirs? Ahmad Riza Khan Barelwi and His *Sword of the Haramayn*.' In: Islamic Legal Interpretation: Muftis and Their Fatwas. Brinkley Messick/ Muhammad Khalid Masud/ David S. Powers (Eds.). Karachi, 1996, pp. 204-214.

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This stimulated a concerted study of Hadith, but also a critical evaluation of the corpus. Grave concerns arose that many of these reports were spurious and even politically motivated, and this issue endures today. Reports had been gathered into compendiums of Hadith (*khabar*) and authenticated according to their chains of transmission (*isnad*) to establish authenticity.[19] However, this did not directly address the correlative question of authority. The issue of a report's authority remained opened to interpretation, or as Hashmi noted above, to the theories of interpretation developed by jurists. One consequence of this was the codification of the nuanced distinction between *sunnah* and Hadith. The definition of Shaykh al-Hadith 'Abdul Hameed Siddiqui is broadly representative: '*Sunnah* is the tangible form and the actual embodiment of the Will of Allah. Hadith, however, is the report of the words and deeds, approval or disapproval of the Holy Prophet.'[20] And, while this basic definition is readily acceptable to most along the spectrum of interpreters between Ghamdi and Ghazi, it begs a vital question, namely what are the parameters for determining the bounds of *sunnah*? Is inclusion in this 'revealed' source of authority determined by the authenticity of a report, or are there other factors as well?[21]

As background, it is worth noting that there are divergent opinions concerning which areas of the Prophet's life are to be included as *sunnah*. Some like Hamiduddin Farahi (d. 1930) and Amin Ahsan Islahi (d. 1997), who Ghamidi refers to as his 'intellectual grandfathers,' held that prophetic guidance pertained only to the cultic and quotidian matters of religion (*din*), and not to the mundane topics of world affairs (*dunya*). As Islahi succinctly stated, 'It must be clearly understood that the *sunnah* is purely related to the practical aspects of our daily lives [as Muslims]. Matters of belief, or issues of academic interest, are outside its domain. For instance, *sunnah* has nothing to do with articles of faith, history, or occasions for

19 The *Muhaddithin* usually divide *hadith* into two main classes: that supported by multiple sources of evidence (*khabar-I tawatur*) and that supported by a single source (*khabar-i wahid).* For a concise description see Abdul-Jabbar, Ghassan. Bukhari. London, 2007, pp. 91-120. For a more exhaustive explanation see Burton, John. Introduction to the Hadith. Edinburgh, 1994, pp. 106-147.

20 Siddiqui, 'Abdul Hameed. *Mishkat-ul-Masabih*. Lahore, 1980, p. xiv.

21 Okarvi, Muhammad Amin. *Hadith aur Sunnah men farq*. (The difference between *hadith* and Sunnah). *Maktaba Hijaz, Deoband.*19.09.2011.

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revelation (*asbab al-nuzul*) of Qur'anic verses.'[22] In this light, *sunnah* is not concerned with matters of theology, but rather with the most basic aspects of a lived faith. For this branch of Shah Wali Allah's heirs, it was not sufficient that a report be adequately authenticated: the subject therein must pertain to a particular sphere of religious life as will be clarified by the list below. The purpose is not to interpret the Qur'an, or to explicate the finer points of revelation, but rather to provide the basic structure for practical events of daily life that testify to one's being set apart as a believing member of the *ummah.* Second, the content must have been accepted by the sustained practice of 'Muslims' from the known communities (Jews and Christians) that preceded Islam. The ritual washing, prostrations, greetings of peace, and even dietary laws associated with faithful Muslim practice, are assumed by this camp not to have commenced with the Prophet of Islam; rather, these were affirmed by him and his followers and carried forward in their present form. As Ghamidi explains, *sunnah* in Islam is in actuality the *sunnah* of Abraham that has been affirmed by successive communal expressions. Thus, *sunnah* is not established by the quality of the report (*khabar*) but rather by its content. One of the primary functions of the Hadith is to illustrate the practices that the Prophet of Islam sustained and carried forward. The precepts therein reflect broader principles that allow for multiple correct answers and acceptable reifications, which would be expected over a long and dispersed history of practice. One result of this is that Ghamidi presumes an inherent elasticity in the boundaries of *sunnah.*

Other Sunni jurists, like Rashid Ahmad Gangohi (d. 1905) and Muhammad Qasim Nanotawi (d. 1880), founding leaders of the Deoband movement, advocate a more stringent definition. In their framework, the guidance offered by *sunnah* is believed to be pervasive and affecting virtually every aspect of life.[23] The assumption is that the *ummah* requires not only interpretative guidance, but social and political direction as well. Hence, the distinction emphasized by the Islahi between Hadith and *sunnah* is minimized, as is the difference between whether reports are authentic and authoritative. The juxtaposition with the traditions and scriptures of other

22 Islahi, Amin Ahsan. 'The Difference Between Hadith and Sunnah,' In: *Mubadi Tadabbur-i-hadith* S.A. Rauf. (Trans.). http://www.renaissance.com.pk/jafelif986.html [10.07.2015]

23 Ingram, Brannon. 'Sufis, Scholars and Scapegoats: Rashid Ahmad Gangohi and the Deobandi Critique of Sufism.' In: *The Muslim World* 99/ 3, 2009. pp. 478-501.

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'Abrahamic' faith communities is of little interest. Thus, the trajectory of these two camps differs: as to the former, the scope of *sunnah* in prescribing Muslim fidelity is relatively narrow, whereas for the latter it is pervasive.

The position of Islahi interpreters, however, reflects an ancient dilemma, namely that the testimony of *sunnah* would be undeniable if only its sources could be established as authentic. Shah Wali Allah (d. 1762), doyen for the study of Hadith in this milieu, upheld the traditional view of *sunnah* as organically entwined with the Qur'an. However, like others before him, many who are associated with the Mu'tazilah theologians, Wali Allah was profoundly troubled by the ample discrepancies in the Hadith literature. More than any other person, Muhammad was uniquely suited to explicate and even demonstrate the intricacies of fidelity to the Qur'anic message. However, grave concern had arisen whether the Prophet's voice could be isolated from the chorus of testimonies transcribed in the genre of Hadith, and this concern has heavily influenced the interpretative trajectory of thinkers like Ghamidi.

3.1 Islahi

Concern for the authenticity of Hadith, and consequently its authority, stimulated the quest for means by which the Qur'an could interpret itself. Sayyid Ahmad Khan (d. 1898) was intricately familiar with the progression of this enquiry and ultimately concluded: 'there is no full assurance that these [Hadith] recount the Prophet's word or deed (*qawl ya fa'il*).'[24] The Hadith, for Sayyid Ahmad as for many modern Muslim thinkers in the early twentieth century, could not provide the assured testimony desired for Qur'anic interpretation. Sayyid Ahmad's solution was to seek interpretative information from within the text of the Qur'an. As he explained:

> The Holy Qur'an's own context and tenor (*sabak wa siyak*), and its own style and structure (*aslub wa nazm*) provide the surest means for ascertaining information concerning the occasions of revelation (*shan-i nuzul*). And, only from

24 Panipati, Muhammad Isma'il. (Ed.). *Maqalat-i-Sir Sayyid*. 1. Lahore, 1962, p.70.

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> what is located and mentioned in the Qur'an can [interpretative] principles be elucidated.[25]

As his student Hamiduddin Farahi (d. 1930) later explained, traditional views of the miraculous eloquence (*fasahat*) render the Qur'an as a 'piecemeal aggregation whose form has no semblance or reason or order.' Yet, if the Qur'an is allowed to ultimately interpret itself (*al-furqan fi al-furqan*), then 'the pieces fit together perfectly.'[26] This was the birth of the Nazm (structural coherence) School of Qur'anic interpretation in India. And, though the subjecct cannot be further examined here, the paradigm applied to explain the contingency of the Qur'an, its reception and transposition, differs considerably from that of the mainstream of Sunni exegesis.[27] This excursus is necessary because without it Ghamidi's view of *sunnah* could appear to be a complete departure from Muslim tradition. It is rather, a legitimate minority position from within a contested discourse on the bounds of tradition.

So, what specifically qualifies as *sunnah* for Ghamidi? He succinctly presents a definition in *Mizan,* a work now in its ninth edition.[28] Our author is abundantly clear that his list is conclusive: 'This is the complete *sunnah* in Islam; the remainder is redundant.'[29] The sum total is comprised of twenty-four practices:

1. Commence meals by stating the name of Allah, and partake with the right hand.
2. Greet others by stating *as-salamu alaykum*.
3. Exclaim *al-hamdu li-llah* when one sneezes, the correct response should be *yarhamuk-Allah*.
4. Proclaim the *adhan* in the right ear of a newborn, and the *Ahkamat* in the left ear.
5. Maintain a trimmed mustache.

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25 Razi ul-Islam Nadvi, Muhammad. '*Sir Sayyid aur 'Ulum Islamiyya*.' In: *Sir Sayyid ki Tafsir al-Qur'an aur mabad tafsir par uski asrat*. Muhammad Yasin Mazhar Siddiqi (Ed.). Aligarh, 2001, pp. 63-84.

26 Farahi, Hamiduddin. *Majmua Tafasir-i Farahi*. Amin Ahsan Islahi (Trans.). Lahore, 2008, p. 35. This is my translation from Farahi's exegetical commentary *Nizam ul Qur'an.*

27 Abdul-Raof, Hussein. Schools of Qur'anic Exegesis: Genesis and Development. New York, 2010, p. 82.

28 Ghamidi, Javed Ahmed. *Mizan.* Lahore, 2014, pp.14-15.

29 Ibid. 14.

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6. Shave the pubic area and the armpits.
7. Circumcise male children.
8. Trim fingernails.
9. Clean the teeth, face, and nose duly.
10. Wash the genital region after excretions.
11. Refrain from sexual relations during menstruation and lochia.
12. Bathe after menstruation and lochia.
13. Bathe after intercourse or seminal discharge.
14. Wash the deceased corpse in preparation for burial.
15. Conduct funeral rites.
16. Bury the deceased.
17. Commemorate *Eid al-Fitr*.
18. Commemorate *Eid al-Adha*.
19. Cleanse animals for consumption in the name of Allah.
20. Perform weddings and divorces.
21. Offer alms (*zakat*).
22. Offer prayer (*salat*).
23. Fast and offer charity on *Eid al-Fitr*.
24. Retire frequently to the mosque for worship, especially during last 10 days of Ramadan.

The list is surprisingly short. The contents are practical, and do not pertain to theology or scriptural interpretation. Furthermore, the directives are listed as principles, and thus open to accommodate the great variety of interpretation expressed in the many contexts where is Islam is practiced. For example, precisely how to pray at particular occasions or locations is not listed. Or, the manner in which to 'cleanse' an animal for consumption is not stated. Forerunners to this intellectual tradition like Sayyid Ahmad Khan, for example, argued that the supplicant need not face Makkah in prayer, and that it was licit for Muslims to eat meat prepared by Christians and Jews in accordance with their respective religious stipulations.[30] In summary, the principles are supple enough to service a considerable variety of opinions on how to perform the basic rituals. These also assume a broad view of Islam, one that includes diverse monotheistic traditions beneath its umbrella.

30 Khan, Sayyid Ahmad. *Ahkam-i ta'am ahl-i kitab.* Aligarh*,* 1868, pp.12-23; *Tabyin al-kalam,* 1. Ghazipur, 1862, p. 267.

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This assessment underscores the Prophet's holy humility and continuance within the history of revelation. Ghamidi adheres to the view that '*sunnah* precedes (*muqqadam*) the Qur'an and therefore predisposes its interpretation.'[31] The message is the Qur'an, and neither divinity nor supernatural inerrancy is attributed to the messenger. Islam is understood to be the primordial religion that preexisted the dispensation granted to Muhammad. The elements listed as *sunnah* echo the practices of Abraham that have been carried forward by his spiritual descendants. The veracity of these practices is established by the consensus of Muslims across prophetic eras. There is no legal pretension. *Sunnah* pertains to religious practice alone. *Sunnah* and juristic law (*shari'ah*), as developed in the subsequent generations, are not conflated. Hence, in this light there is no need to gloss over or skirt distasteful events recorded in the *maghazi* literature, or in the turbulent rule of the first four caliphs. *Sunnah* does not pertain to statesmanship or principles of warfare, and thus cannot justify violence perpetrated in the Peshawar school, or condone attacks of the innocent. The retributive slayings reported in *Sira* may have happened or not, but these are not impingent upon Muslim to replicate. For Ghamidi, these events are explained as matters of local custom: Arab tribal practices that would be corrected over time as the transformative influence of Islam worked its way through the culture.

In this approach, the battles are regarded as exceptions in a life characterized by sacrificial service. When examined over the course of his ministry, the Prophet's vision for universal peace overshadows these incidents. To illustrate this view, Ghamidi emphasizes Muhammad's final sermon as the truest representations of his character:

> The Prophet of Islam had said in his last sermon during the month Dhu al-Hijjah pointing to the Baytullah: 'Just as this house, this month and this city is sacred to you, the life, wealth and honour of everyone is equally sacred.' There can be no message of peace greater or more meaningful than this one. The Prophet meant that no individual has the right to go after anyone's life, property or honour. This rule forms the very basis of humanity and is laid out as such in the Holy Qur'an which says that the taking of life of a single person equals killing all mankind and a person who saves the life of a single man in fact saves the life of all mankind.

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31 Ghamidi, Javed Ahmed. *Mezan.* 9th ed. Lahore, 2014, p. 47; al-Din Farahi/ Imam Hamid. *Majmua tafasir-i Farahi*. Amin Ahsan Islahi (Trans.). Lahore, 2008, pp. 42-44.

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This final statement provides the foundational principle governing human relations in Islam. Consequently, Hadith reports and biographical descriptions of the Prophet's life must be read critically and sieved in light of the overarching message of God the merciful and compassionate.

Ghamidi takes a clear position on *jihad*. First, the purpose must be to combat oppression. This includes the incursion upon the practice of religion and the destruction of places of worship, those of Islam and of other religions. He writes, 'It is very unfortunate that non-combatants are killed when sitting in their houses, walking towards mosques for prayer, going to churches for supplications or to temples for worship.'[32] The implication drawn is that in the eyes of Allah, places of worship are sacred and it is imperative for Muslims to protect these from abuse and destruction. 'He calls His servants' Ghamidi explains, 'to fight in order to save them from being destroyed.'[33] In this light, Islam – correctly interpreted – is the protector of other religions for it is impingent to ensure their freedom of worship. Furthermore, in times of war there are explicit laws that no harm should befall noncombatants, and one must avoid killing a person when he gives himself up in the battlefield and refuses to fight. Despite the tragic reality of war, there are standards that must be upheld. Second, *jihad* can only legitimately declared by a political state. It is not permissible for individuals or non-state groups to take up arms against a democratically established regime and call this *jihad*. Ghamidi argues this point from a Hadith in Imam Bukhari that states, 'A government cannot be formed without the consultation of the believers.'[34] Thus, in Ghamidi's reading, democracy is the political structure for Islam. And, if political authority has not been secured, then the offended must conduct their struggle through peaceful ways. In the present era, democratic methods must be used to address problems within the public square.

So what of those who seek to overthrow governments, like the Taliban in Pakistan? He argues that scholars who do not forbid violent regime change, and who thus are complicit with those engaged in the present conflic, have misinterpreted the Qur'an and committed two massive errors.

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32 Ghamidi, Javed Ahmad. 'An Interview with the Indian Media.' Al-Mawrid. http://www.almawridindia.org/article-categories/islam/11-an-interview-of-javed-ahmad-ghamidi-with-the-indian-media [13.08.2015]

33 Ibid.

34 Ghamidi. 'Jihad and War in Islam.' Renaissance. 2009. http://www.monthly-renaissance.com/issue/content.aspx?id=1158 [18.01.2016].

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They have sanctioned people and organizations to fight in the name of *jihad*, which has created widespread violence. Their silence is the ultimate cause fort he suffering of innocent civilians, as is happening around the world. Their tacit or direct support casts the fighters in the role of the *ta'ifa al-mansura,* or the 'victorious party,' set apart from all other Muslims, and granted the power to judge the veracity and fate of Muslim societies, their political leaders and religious establishments.[35] These scholars have transgressed their limits, and taken upon themselves responsibilities reserved for God alone namely, the fate of polytheism and of apostasy (*kufr*). For Ghamidi, jurists have the right to punish a thief or an adulterer, but not to determine the reward or punishment in matters of religion. 'Allah has kept this right to himself. This is where the corruption and mischief starts.'[36]

3.2 Deobandi

A summary of the progression among Deoband scholars is crucial for comprehending Ghazi's justification of violence from *sunnah*. As we shall see, Ghazi's position is extreme, even among representatives of this conservative scholarly tradition. The 'Deobandi' consist of a decentralized network of schools and, as luminary Ashraf 'Ali Thanawi (d. 1943) underscored, should not be regarded as monolithic. In Thanavi's estimation, '[What] foundational texts clearly demanded was typically a matter of interpretation and therefore of disagreement.' [37] Still, general observations can be made with regards to the founders' stance on violence. Representatives of the Deoband movement, refrained from political activism. They did not overtly demand military resistance to the British, neither did they take an active role in the independence movement or in the establishing of Pakistan as a nation state. Furthermore, with regards to the political guidelines set forth for the Ummah, Thanavi refused to accept that the conjoining of political and religious roles represented 'the Islamic – and specifi-

35 Cook, David. 'Fighting to Create the Just State: Apocalypticism in Radical Muslim Discourse,' In: Sohail H. Hashmi (Ed.). Just Wars, Holy Wars, and Jihads: Christian, Jewish, and Muslim Encounters and Exchanges. New York, 2012, p. 375.

36 Ghamidi, Javed Ahmad. 'An Interview with the Indian Media.'

37 Ibid.

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cally in the Qur'anic – norm.'[38] These views are consistent with the writings of Muhammad Qasim Nanotawi, who is recognized as an authority on the foundational principles (*usul*) for deriving legislative guidance from the Hadith. The deliberation, as Anwar Shah al- Kashmiri explains, proceeds through the phases of research and selection of a legal cause (*tahqiq al-manat* and *tanqih al-manat*), and then proceeds with the extraction or a legal cause (*takhrij al-manat*). 'Selecting a legal cause and extracting it,' he explaines, 'are the tasks of a *mujtahid*, each of them rivaling the other.' [39] The task of the jurist, like that of the exegete, is a challenging one. It is a work of interpretation, and therefore of disagreement.

Though Thanavi and Nanotawi continue to be highly esteemed, the influence of Rashid Ahmad Gangohi is more strongly perceived in Pakistan today. Gangohi was on a mission to expunge elements of culture that he regarded as harmful innovation (*bi'da)* to the faith.In his estimation, what diverges from *sunnah* is by definition *bi'da*, and thus diametrically opposed to right belief and conduct as exemplified by the words and deeds of the Prophet. Following closely the work of Shah Isma'il Shahid (d. 1831), Gangohi linked *bid'ah* with *shirk*, the sin of association, which he classified in three ways: a practice that opposes *sunnah*; a practice done with the similar purpose or consistency as *sunnah* though it is not a part of it; or a conflating the permissible with the obligatory. One consequence of the application of this view of *sunnah* it stimulated an aversion to all manner of activities, festivals, and traditions associated with other religious traditions, be this Hindu, Christian, or Jewish. As Ingram aptly concluded, Gangohi was not averse to condemning practices, and even the adorning of certain clothing, not because these are forbidden in Islam, but because Jews and Christians practice these, then these are '*haram*' and 'acts of unbelief (*kufr*).'[40]

Ghazi's logic is an extension of the mainstream Deoband approach to determining *sunnah*. This begins with the examination of reports from three accepted categories, or qualities of report (*sahih*, *hasan*, and *ḍa'if*). The chains of transmission are also examined to determine whether these

38 Zaman, 53. Ref. Thanawi, Ashraf 'Ali. *Haqiqat al-tariqa min al-sunnah al-aniqa.* pp. 491–722.

39 Kashmiri, Mawlana Anwar Shah. Principles of Fiqh, Principles of Hadith. *Dar al-'Ulum Deoband*. Zameelur Rahman (Trans.). 13.06.2011, [c.1912].

40 Ingram, 483. For a summary of these points, see Muhammad Isma'il, *Taqwiyyat al-Iman* (Multan: Kutub Khana-i Majidiya), 14–17.

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are recurrent or singular (*tawatur, wahid*). If the report is conclusive (*hujjat*), then it is included within the broad category of *sunnah*. In the case of governance, this can be examined for consistency with the application of the 'rightly guided caliphs' (Urdu: *kulfa-i rashidin*). Though Ghazi does not reference the *khabar* in the interviews pertaining tot he Peshawar attack, associates such Shaykh Hasham and the Taliban leader Khalid Khurasani cite Hadith 1043 from *Kitab al-jihad* (Fighting for Allah's Cause) contained in the authoritative collection of *Sahih Bukhari*:

> Narrated Abuy Sa'id al-Khudri: When the tribe of Banu Quraiza was ready to accept Sa'd's judgement, Allah's Apostle sent for Sa'd who was near to him… Sa'd said, 'I give the judgment that their warriors should be killed and their children and women should be taken as prisoners.' The Prophet then remarked, 'O Sa'd! You have judged amongst them with the judgment of Allah.'[41]

Hasham precisely details the rationale. He argues that the students oft he Army School in Peshawar were not innocent because they were being groomed to follow in the footsteps of their 'apostate (*murtad*) fathers and brothers in the army of the apostate government of Pakistan.'[42] Many of the boys were between the ages of 15 and 20 and thus would soon be leaving for the battlefield. 'According to *sunnah* because this is what the Holy Prophet commanded on the day of the Banu Quraiza: to only kill the children that have pubic hair. This can be seen in Sahih Bukhari, 5:148.'[43] In this definition, the means and the ends are justified.

Though there are other accounts which could be cited along with this one, the occasion mentioned refers to the aftermath of the Battle of the Ditch (627 CE) when between 600 and 900 of the Jewish Arab Banu Quraiza tribe were executed. This event is understood by Ghazi as a legal cause for the slaughter of those who reject or betray the cause of Islam. The Qur'an apparently refers to this in Surah 33:26 where it is written, 'He brought those People of the Book who supported them down from their strongholds and put panic into their hearts. Some of them you [believers] killed and some you took captive.' Some also read Surah 8:55-58

41 Khurasani, Hashaam. *Peshawar school hamle ki shahri heseeat* (Attack on the Peshawar school according to Shahria) http://dailypakistan.com.pk/peshawar/18-Dec-2014/174256. Translation of the *hadith* from USC-MSA web Reference: Vol. 4/52, Number 280.

42 Ibid.

43 Ibid.

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to justify this treatment of the Banu Qurayza because they did not uphold the pact with Muhammad:

> The worst creatures in the sight of God are those who reject Him and will not believe; who, whenever you [Prophet] make a treaty with them, break it, for they have no fear of God. If you meet them in battle, make a fearsome example of them to those who come after them, so that they may take heed. And if you learn of treachery on the part of any people, throw their treaty back at them, for God does not love the treacherous.

The intended result was to ensure that others would not do likewise, which would have splintered the army and been disastrous for the cause of Islam. The wisdom is proven in that the army became increasingly victorious and the unified tribes vanquished foes and went on to establish an immense empire. The basic rationale is that the Prophet's action legitimized this means, and if it is applied then the *ummah* will again be victorious. In essence, the sheer brutality conveys the extreme degree of commitment and determination of the group to accomplish its purpose.

The basic logic is that the brutal attack in Peshawar follows this example. The 'authentic' Muslims are at war with the apostate government. The army's jets and drones kill women and children indiscriminately. Hence, retribution is justifiable and beyond condemnation. The severity of the circumstances justifies drastic measures. The result is the conflation of disputed (*da'if*) reports, such as found in Sunan Nasa'i (Vol. 2. Hadith 1368; Vol. 3. 1285; Vol. 2. 1369) that recount the checking whether one has reached puberty with the events described in Hadith and by Ibn Ishaq's account of the Prophet's life, to create an analogous scenario that justifies the beheading of opponents. The precedent has found favour among some in Pakistan, and beyond. Similar atrocities are committed almost daily by Daesh/ISIL, a movement that Ghazi and his supporters openly support.[44]

In light of such discourse, and the promise of similar attacks in the future, there is a pressing need for Deoband scholars to delineate interpretative principles with greater precision. The founders of the movement were not strangers to the challenges posed by imperial influence, nor of the complexities posed in scriptural interpretation. As Anwar Shah Kashmiri famously recounted Nanotawi's view:

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44 Mir, Amir. 'Capital's Jamia Hafsa declares support for Islamic State,' In: *The News.* 12.08.2014.

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> At times only divine accordance could help reconcile between the contradictions and to solve the problems. [For example]: The plurality of bowing in the eclipse prayer was established from the Prophet – Allah bless him and grant him peace – due to a circumstance specific to him, but he advised the community to make one bowing as he said, 'Pray as the most recent prayer you prayed from the prescribed prayers.'[45]

He indicates that there are records of specific statements and actions, which though verifiable are not conclusive (*hujjat*), and so should not constitute *sunnah*. In one sense, it can be inferred from the interaction that the Prophet is gracioulsy saying that there are times when you should do as I say, not as I did, or permitted. May it be so in times of prayer and also of battle.

4. Analysis

Sunnah is a foundational source for the practice of Islam. Hence, the question of ethical violence is situated in two divergent interpretations of Muslim fidelity. One interprets Sunnah to be practically applicable for every aspect of life; the other limits its role to the specific arena of religious practice. The former is concerned not only that one pray, but also that the manner of prayer reflect that delineated by scholars in their access to the way of the Prophet and the earliest Muslim community. The former holds that such access is possible; the latter raises hesitant concern. With regards to violence, the former finds legitimacy for preemptive and punitive attacks in the example of the Prophet, and of the rightly guided caliphs. The latter emphasizes the teaching of the Prophet, with special emphasis upon his final sermon, to abrogate previous actions and decisions, including the execution of non-combatants or those who have surrendered. The positions offer clearly divergent perspectives on how to interpret Islam's foundational sources, and ultimately to conclude what it means to follow the example of the Prophet. The result is a highly polarized community, each decrying the fidelity of the other.

This in many ways echoes similar discussion amongst Western Christians and Jews.

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45 Kashmiri, Mawlana Anwar Shah. Principles of Fiqh. 13.06.2011, [c.1912].

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As R. Joseph Hoffman aptly noted in his study of religious violence:

> Though theological correctness may cause us to prefer the idea of a refined essence, so designated, to the historical specifics of any tradition, we are normally aware that the sentence 'Islam is a peaceful religion' is no different from saying 'The Judeo-Christian tradition is about love and tolerance' – that is to say, an interpretative generalization not altogether supported by the weight of history and practice.[46]

And, lest this blight be cast too quickly upon historical or sociological factors, one must not overlook the fact that these actors often justify their deeds by violence codified in scripture. Christian historian Philip Jenkins has gone to great lengths to explain that violence glorified in scripture is not a problem particular to Islam, but rather shared by most religions. Does Biblical scripture justify violence? Jenkins's answer is simple: 'If the circumstances in which you live make you seek such justifications, then you will find them, and the same is true of the Qur'an. If you don't need them, you won't find them.'[47] The scriptural issue then, as Deoband's Nanotawi indicated, is one of interpretation. And, as Jenkins concludes, the way forward is for interpreters to courageously examine and interpretatively redress elements passage that have recurrently been used to legitimize the unthinkable.

Indeed, the Qur'anic interpreter actually has less violent material to address than one working from the Biblical text. Fred Donner, at the University of Chicago, has summarized that the Qur'anic text conveys an ambivalent stance on violence. As Ghamidi emphasized, the oppression of the weak is sternly condemned, and there are passages stating that believers should fight only in self-defense. 'But a number of passages seem to provide explicit justification for the use of war or fighting to subdue unbelievers, and deciding whether the Qur'an actually condones offensive war for faith, or only defensive war, is really left to the judgment of the exegete.'[48] The point is that violent episodes have been canonized in multiple scriptures but the place of these in the life of the religious community is a matter of interpretation.

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46 Hoffmann, R. Joseph. Just War and Jihad: Positioning the Question of Religious Violence. In: The Just War and Jihad. R. Joseph Hoffmann (Ed.). Amherst, 2006, pp. 47-48.

47 Jenkins, Phillip. Laying Down the Sword. New York, 2012, p. 244.

48 Donner, Fred. 1991, p.47.

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The problem, as expressed in this essay, is that Qur'anic exegesis is inextricably related to the interpreters' view of *sunnah*. Bruce Lawrence has correctly observed that the 'prism of canon formation,' or the historical era following the life of Muhammad, has served to 'particularize Muslim notions of authority and identity with power.'[49] The rapidly expanding political boundaries fostered an ongoing concern for Muslim security and unity. These were violent times of expansion and conquest, and these were the circumstances in which the example and sayings of the Prophet were recounted, interpreted, and eventually canonized. This compelled religious scholars, in Abu-Nimer view, to revise the notion of *jihad* as a defensive war against oppression, to a 'constant state of war with the unbelievers.'[50] Though the process of 'ethical codification' (to use Beverly Milton-Edwards' terms) only developed gradually over time, by the time of the Abbasid caliphate (ca. 750) the volatility had stimulated the need to legitimate the means by which regimes change.[51] This coincides with the formative period of *hadith* compilation, and the collation of the authoritative compendiums of *hadith*. The ambivalent stance of the Qur'an then becomes an issue of interpretation shaped primarily by the reader's view of *sunnah*.

This has important implications for contemporary religious thinkers who are seeking to an ethical statement pertaining to religiously sectioned violence. Jenkins's analysis again is helpful. He observes that:

> If scripture passage X supposedly inspired terrorist group Y, then we need to explain why militants chose to draw from that portion of scripture and not some radically contradictory text. No less important, we must understand why that same scripture has had no effect on whatever in pushing millions of other believers towards comparably extreme acts. Some of what we call 'religious violence' may well be authentically religious in its character, but we must find its origins in places other than the basic texts of the faith.[52]

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49 Lawrence, Bruce. 'Holy War (*Jihad*) in Islamic Religion and Nation-State Ideologies.' In: John Kelsay/ James Turner Johnson (Eds.). Just War and Jihad: Historical and Theoretical Perspectives on War and Peace in Western and Islamic Traditions. Westport, 1991, p. 143.

50 Abu-Nimer, Mohammed. Nonviolence and Peace Building in Islam: Theory and Practice. Gainesville FL, 2003, p. 30.

51 Milton-Edwards, Beverley. Islam and Violence in the Modern Era. New York, 2006, p. 37.

52 Jenkins, p. 252.

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Though the 'origins' of violence in Pakistan may be found in locations other than the basic texts, the most radical voices in contemporary discourse seem determined to locate these within scriptural foundations. This is not altogether unexpected given that one of the basic texts, the *hadith*, has been the fulcrum of debate amongst Sunni jurists in South Asia for almost 300 years. The divergence between traditionalists and modernists, in this case between Ghazi and Ghamidi, the Deobandi and the Islahi, has yielded two different sets of parameters, each with vastly different social and political implications. Ghamidi's view of Sunnah allows for integration with present political institutions. Ghazi calls for resistance, through non-participation but also for direct military confrontation. The people of Pakistan – thus far – have cast votes in favour of a system informed by a theology closer to that of Ghamidi, but whether this will change it yet to be seen.

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Islamic Views of Peace and Conflict among Russia's Muslims

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Abstract: In post-Soviet Russia, Islam has flourished, revamping a long-professed faith and reconnecting with the global *ummah*. The combination of old traditions with new Islamic influences from abroad has enriched Russia's Muslim communities, but has also created social friction. Particularly controversial is the (self)-positioning of Russia's Muslims toward the state.

My proposal for this Workshop expands on my research on Russia's contemporary discourse on Islam, started with my Ph.D. dissertation, by focusing on Russia's Islamic narratives of peace and conflict. Different conceptualizations of cooperation with versus opposition to the Russian state are being developed.At stake is the full inclusion of Muslims in Russia's multi-religious society.

Official Islamic institutions embrace the state-supported notion of Russian 'traditional Islam' (that is, the forms of Islam historically practiced in Russia) and its contribution to a 'Russian civilization'. Russian *muftis* (religious leaders) reject the assumptions of Islam being a violent religion and of Muslims being enemies of the state. Some Muslim leaders and some prominent scholars of Islam emphasize Islamic *wasatiyyah* ('moderateness', *umerennost'*) as preventive of social conflict, even in multi-religious societies.

Conversely, other Muslim thinkers find inspiration in the Iranian revolution, reinterpreted through the lenses of Russian-Soviet history and traditional Russian messianism, to envision a new society based on 'justice' (*al-'Adalah*, *spravedlivost'*).

Additionally, *jihadist* proclamations appear throughout the Islamic discourse, especially in areas of conflict (North Caucasus). Separatist groups like Imarat Kavkaz are close to international terrorism, Al-Qaeda, and the Islamic State, with which they share arguments and purposes. However, they also face counter-narratives of Islam by local *muftis* and by affiliates of Moscow, like the Head of Chechnya Ramzan Kadyrov.

My chapter examines Russian sources about Islam from a variety of outlets to identify leading figures, explain their arguments, trace their intellectual heritage

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and domestic and international influences, and assess their impact on Russian polity.

1. Introduction

In the Russian Federations, Muslims are estimated to be about sixteen million. Most of them are members of communities that have lived in Russia since imperial times[1]. Today, the most important communities are Tatars (about one third of them living in the Federal Republic of Tatarstan), Muslims in the Republics of Chuvashi'ah and Bashkortostan, and groups of various ethnicity in the North Caucasus. Sizeable Muslim groups also live in major cities, especially Moscow and Saint Petersburg.

The atheist Soviet ideology engaged in violent campaigns to eradicate all religions from the Union, especially Islam, compelling believers to hide their faith, and severing Soviet Muslims' historical international ties. Thanks to the readmission of religion to public life in post-Soviet Russia, Muslims have again been able to practice Islam openly, to restore Islamic institutions, to (re)construct mosques, and to restore their international connections. The Soviet regime had disrupted the religious structures of Muslim communities, emphasizing, instead, their ethnic-national identity[2]. Therefore, the primary task for Muslim leaders has been to strengthen the awareness among Russia's Muslims of their Islamic heritage, including of their belonging to the international *ummah*. Their search for the appropriate place of Muslims in the new, post-Soviet Russian society has generated a broad reflection on the relations of the Muslim community with the Russian culture and the state. Several models of interaction, from full integration to armed opposition, have been elaborated. The restoration of traditional international relations fostered the educational and financial support of foreign Muslim organizations and countries. However, compar-

1 The first encounters between Slavic pagans and Muslims occurred in the Volga territories in the 8th-9th centuries CE. Subsequently, the domination of the Mongols in the 13th-14th centuries and, after their defeat, the Russian Empire's conquests in Central Asia (from the 16th century) and the Caucasus (from the 18th century) have increased the familiarity of Russians with Muslims and improved their knowledge of the Islamic world.

2 Through Stalin's policy of nationalities.

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isons with Muslims from different Islamic traditions, in particular from Saudi Arabia, challenged Russia's Muslims' own interpretations of Islam.

It is within this context that the debate on Islam conducted in Russia must be interpreted. In this chapter, I focus on arguments of peace and conflict advanced by Muslims in Russia, both scholars and unaffiliated thinkers, mostly in the Russian language, in the last ten to fifteen years. The debate about Russia's Islam is vast. However, some voices distinguish themselves in their authority, sophistication, or forcefulness. Prior to proceeding to the analysis of their arguments, a conceptual premise is necessary.

2. *Russian traditional Islam*

The forms of Islam historically practiced in Russia (Hanafi Sunnism in the Volga region and Sufism in the Caucasus) are characterized by the presence of Islamic and pre-Islamic habits. Today, they are collectively defined as 'traditional Islam' – a concept introduced in public discourse by the late Evgenii Primakov, an eminent Russian politician and an expert of the Middle East, in the mid-1990 s[3]. Although culturally appropriate, this definition was also instrumental in drawing a clear distinction in significance and value between Islam as practiced in Russia and all those forms of Islam that so-called 'foreign agents' allegedly intended to introduce in Russia. According to Primakov, because traditional Islam belongs to Russian civilization and history, it is valuable and non-threatening. Non-traditional Islam, instead, is alien to Russian[4] Muslims' culture. Its aggressive exponents try to impose it on Russia's Islamic communities, encouraging them to adopt an extremist version of Islam (collectively labeled Wahhabism) that uproots their legitimate traditions. Furthermore, foreign Islam is often suspected to constitute a Trojan horse for enemies of the state to establish their bridgeheads in Russia.

The distinction between traditional and foreign Islam entails a series of important consequences in Russian social and political spheres, which go beyond the purpose of this chapter, For the present discussion, it is impor-

3 Former Russian prime minister and foreign minister, and lately Director of the Institute of Oriental Studies of the Academy of Sciences.

4 If not otherwise specified, with "Russian" I intend either *rossiiskii* (all-Russian) or *Rossiian* (Russian citizen) – to be distinguished from *russkii* (ethnic Russian).

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tant to note that traditional Islam has been adopted by the Russian official doctrine of religion as a legitimate component of Russian history and civilization. Most importantly, it is incorporated into President Vladimir Putin's project of a new Russian patriotism, based on the idea of an all-Russian (*rossiiskii*) fatherland constructed on a multi-ethnic and multi-religious civilization of which each component, including Muslims, is equally legitimate. Many official Islamic organizations have embraced this view and granted their support to the central state. In this way, they have been able to establish themselves as authoritative spiritual centres as well as influential political entities. They have also become allies of the state on all religious issues, in particular Islamic education and the integration of Muslims recently immigrated from the former Soviet republics.

Primakov's analysis had distinguished Islamic fundamentalism, interpreted as a strict application of Islamic precepts, from Islamic extremism, which conducts an incorrect and biased reading of sacred texts[5]. As such, in the official view of both the Russian state and Islamic organizations, traditional Islam has lost its threatening character, while Islamic extremism has been increasingly identified with an ideology of terror, and not with a (deviant) manifestation of a religion. At the same time, despite state policies towards religious extremism still being blurred, a safe space has been created in which the discourse about Islam has acquired a high level of sophistication and includes discussions on political Islam, inter-religious dialogue, and violence[6].

5 Primakov, Evgeny. A World Challenged: fighting terrorism in the twenty-first century. Washington DC, 2004.

6 Sagramoso and Yarlykapov assert that the official distinction of traditional Islam has been superseded by the acceptance, in the North Caucasus, of moderate Salafi groups, which are new to Russia, to participate into official Islamic institutions. It seems to me, instead, that the concept of traditional Islam has been implicitly modified by the process of securitization/desecuritization of Islam. It has been extended to define all those forms of Islam in Russia that accept the secular Russian state as political form – thus ceasing to be a threat (Sagramoso, Domitilla/Yarlykapo, Akhmet. 'Caucasian Crescent: Russia's Islamic Policies and its Responses to Radicalization.' In: The Fire Below. How the Caucasus Shaped Russia. Robert Bruce Ware (Ed). London, 2013. pp. 51-94.

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3. Muslims as supporters of the secular state: official Islamic institutions

After more than a decade of internal rivalries for doctrinal, social, and political supremacy[7] Russian official Islamic institutions have clustered around a few representative centres. Today, the most influential of them is the Russian Muftis Council (*Sovet Muftiev Rossii* –RMC)[8] based in Moscow and led by the Tatar mufti Ravil Gainudtin, which now enjoys access to the Kremlin and a prestigious position as representative of Russia's Muslims in several official Councils (at par with the Orthodox Church).

Like many Tatar Muslim leaders, Gainudtin is close to (neo)*jadidism*, inspired by the Islamic modernist movement which emerged in Russian Turkestan at the end of the nineteenth century. Of *jadidism*, many Tatar leaders today emphasize the importance of a modern, Western-style education (which does not, however, rejects Islam) and the necessity for Muslims to actively contribute to economic development and the socio-political life[9]. After an initial, unsuccessful separatist attempt in the early 1990 s, now Tatars have undertaken to contribute to the shaping of Russian polity from within[10]. Unsurprisingly, Muslims inspired by *jadidism* openly claim the necessity and desirability of Muslims' active participation to state policies.

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7 Silant'ev, Roman. '*Chetvertaia sila rossiiskogo islama*.' In: Novaya Gazeta- Religion. 7 April, 2010. http://religion.ng.ru/events/2010-04-07/2_islam.html [26 April, 2010]; Hunter, Shireen/ Thomas, Jeffrey L. / Melikishvili, Alexander. Islam in Russia: the politics of identity and security. New York, 2004.

8 Official website: http://www.muslim.ru (in Russian, English and Arabic).

9 *Jadidism* aimed at the modernization of Muslim society within the Russian Empire. It advocated the necessity to improve and update the general level of education of Turkestan's Muslims, including women, with the acquisition of Western modern knowledge. Through education, it also aimed at a broader and more effective participation of Muslims in administrative positions. Very popular among the merchants, but opposed by the conservative muftis, it looked at Europe for progressive knowledge, but also at the nationalist movements that were developing there. In particular, it was exposed to the pan-Turkism of Ismail Gasprinski's (or Ismail Gaspirai, an inspiring figure of *jadidism* and equally a Tatar, but from Crimea). *Jadidism* blossomed during what is considered by Tatars to be their Golden Age, until the October Revolution. Today, as neo-*jadidism*, it influences many Tatar religious and secular thinkers. See Khalid, Adeeb. The Politics of Muslim Cultural Reform: Jadidism in Central Asia. Berkeley, 1998.

10 Khakimov, Rafael. Rafael Khakimov. Gde nasha Mekka?.Interlos, March 2, 2007, http://www.intelros.ru/2007/03/02/rafajel_khakimov_gde_nasha_mekka.html [August 13, 2015].

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Among the official Islamic institutions in the Russian Federation, the RMC is considered the one that most effectively expresses an independent Muslim point of view, while confirming its support to the state[11]. After 1991, Russia's Islamic leaders had to face doctrinal and institutional challenges. A series of Islamic terrorist events, in the North Caucasus and elsewhere in Russia, and the September 11, 2001 attacks challenged the authority of the Islamic Boards[12]. In general, most Russian Islamic leaders have repeatedly condemned what they called 'Wahhabism' as a distorted interpretation of Islam, and as alien to Russia's Muslim traditions. Initially, their arguments were not very sophisticated, with few references to sacred texts and only scattered theological reasonings. Like other Muslim minorities in non-Muslim countries, the Russian community also seemed to be more preoccupied to counter the perception of Islam in general as a religion of violence, than to counter *jihadist* claims on their doctrinal terrain. Indeed, some leaders proved less sure of their position on sensitive issues: In 2003, the Head of the Central Spiritual Directorate of the Muslims of Russia (CDUM), Talgat Tajuddin, publicly approved of terrorist attacks by Palestinians against Israel (harshly criticized, he withdrew his comment)[13]. Gradually, Islamic leaders in Russia have deepened their theological expertise. Their growing mastering of the details of the Hanafi and Sufi precepts is evident. The results of an intense reflection on their identity, which has been supported by the higher doctrinal sophistication of both leaders and believers, are particularly visible in a programmatic document recently published by the Russian Muftis Council[14].

The text recurs to Qur'anic verses (10:19; 49:13) to maintain the equality of all nations and the particular respect owed to the peoples of the Book (Qur'an 2:109). It firmly rejects the idea of a chosen people who would be superior to all others. As far as Russia's Muslims are concerned, the document underscores how they are aware to belong simultaneously to the *ummah*, to their national and ethnic group, and to Russia. The idea of

11 Curanović, Alicja. The Religious Factor in Russia's Foreign Policy. London, 2012.

12 Russian Spiritual Boards were created by Catherine the Great to harmonize the administrative structure of Muslim communities to the Imperial model (and control them).

13 As quoted in Laruelle, Marlène. Russian Eurasianism: An Ideology of Empire. Baltimore, 2008.

14 *Sotsialn'aia doktrina rossiiskikh musul'man* (The social doctrine of Russia's Muslims). http://muslim.ru/actual/13636/ [28 July, 2015].

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Russian patriotism is essential in the argument of RMC, because it counters the idea that Muslims are extraneous to Russia and, therefore, should fight to free themselves from its dominance. Instead, Muslims are encouraged to strengthen the Russian state, to participate to military service out of love for their fatherland and not because it is imposed, and in general to support the central government.

The RMC's call to loyalty to Russia, based on 'historical reasons' of coexistence and civilizational community, is further strengthened by religious arguments. The document makes reference to the *fiqh* of the minority (*fiqh al-aqalliyyat*) to legitimate the position of Muslims abiding by the laws of a non-Muslim government that allows them to practice their faith. According to the RMC document, state laws are the social expression of a dialogue that is essential among peoples and individuals – within the *ummah* as well as between Muslims and non-Muslims (Qur'an 5:1, 8:58, and 2:177 are quoted).

Quoting the dialogue between Mohammed and Muadh ibn Jabal, the author(s) point at the necessity to integrate the Sharia with rules adequate to face the challenges of the contemporary world. In full agreement with *jadidist* interpretations, they emphasize that 'the *fiqh* of the minority does not prevent from working in the government, in some cases it even requests such activity', and cite the case of the Prophet Joseph mentioned in the Sura 12. The document highlights that neither the Qur'an nor the Sunna mention the Caliphate, which was a historical phenomenon, as a form of Islamic government. Instead, it praises the cooperation of Muslims with the governments of their fatherlands, as it happens for Russians and Europeans who 'consider their fatherland *Dar-as-Salam* (abode of peace), *Dar al-'Ahd* (abode of dialogue) and *Dar-ash-Shahada* (abode in which it is possible to profess one's religion)'.

The document is very specific in denouncing the incorrectness of extremists' interpretations of *jihad*. After defining *jihad* as 'the internal and external focus to follow the right, straight path', it quotes a series of sacred sources to emphasize the much greater importance of the internal *jihad*. Interestingly, it immediately points out what it defines as the fundamental error of many young people, who leave for the external *jihad* without their parents' consent (a clear address to a worrisome Russian trend). The author(s) continue by explaining that the external *jihad* is not to be completely rejected; however, it is allowed only in connection 'with socio-political, and not individual, responsibility', and it can be launched only by religious authorities.

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In the effort to counter extremists on their own terrain, the document repeatedly quotes Ibn Taimiya's 'full traditional' interpretation of *jihad*: 'your jihad is love, truth, hope, utterance of the name of Allah. For what concerns the fought jihad, this is a satanic deception for unresolved conditions and requirements'.

The motivations of *jihadists* – to substitute a secular or unfair regime with a true Islamic one – are misplaced, the document explains, because *jihad* is not an instrument to ease discontent deriving from political or economic issues – that is the role of the dialogue with the state. For the RMC, the overall underlying argument that Muslims must live under a Sharia regime is incorrect. To prove this point, the document reports several passages from the Qur'an and the Sunna underscoring Islam's clear preference for political and social stability as conducive environment for the prosperity of Muslims. The reader is reminded that the Qur'an abhors any disorder or instability and that a stable government, able to ensure peace and prosperity, is to be preferred to any form of social unrest or revolution – even Islamic ones (Qur'an 2:217; 16:90). This precept is so strong, the authors comment, that it must be applied even in the case of a slightly unjust or repressive government, and even if the intentions of the revolutionaries are to rectify the authorities' wrongdoings and to establish Islam as the supreme model of justice.

The RMC identifies in a proper Islamic education the solution to the fundamental problem of the misinterpretation of Islamic texts and the diffusion of extremism. Many other authoritative Muslim scholars share this view. Rafik Mukhametshin, the Director of both the All-Russian Islamic Institute in Moscow and the Russian Islamic University in Kazan', in particular sees in the complex combination of juvenile idealism, doctrinal ignorance, and the failure of foreign-educated young Muslims (including teachers) to grasp the specific character of Russia's Islamic traditions, the primary cause of young Muslims' sensitivity to religious extremism. This analysis reveals the influence of neo-*jadidist* and modernist Islamic thought[15], and it is shared by many observers, including the Russian state[16]. However, even when one discards isolated comments that relate Is-

15 However, this is not a perspective exclusive to the Russian Muslim community.

16 '*Sistema islamskogo obrazovaniia v Rossii dolzhna gotovit' musul'manskikh bogoslovov mirovogo masshtaba'* – mufti Mikaddas Bibrasov ('The system of Islamic education in Russia must prepare Muslim religious leaders of world level', says

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lamic terrorism to mental illness[17], not everybody agrees on the degree of responsibility that Russian Islamic religious leaders bear in countering extremism.

4. *Islam as an element of Russian political system.*

Leonid Siukiianen, Professor of Islamic Law at Moscow's Higher School of Economics and an authoritative commentator on Islam, emphasizes that Islam is not just a religion, but also the carrier of a strong socio-political model[18]. The complex nature of Islam requires a trained mind to be comprehended in its entirety, he notes, and it is not understood by Islamic extremists, who interpret religious precepts incorrectly. However, Siukiianen observes, such errors do originate from within the Islamic doctrine, and it is therefore a mistake to consider Islamic terrorism a non-religious ideology.

In Siukiianen's analysis[19], the fundamental error made by Islamic extremists lies in their vision of the Sharia. Contrary to what they argue, the

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mufti Mikaddas Bibrasov). 16 April, 2014. http://muslim.ru/articles/96/5397/ [13 August, 2015].

17 The possibility is suggested by the rector of the Moscow Islamic University, Damir-khazrat Khairetdinov. Vzglyad.ru. *'I tut nachinaiutsia variant vrode dzhihada'* [And then an option like *jihad begins*] http://vz.ru/society/2013/10/24/656211.html. [14 July, 2014].

18 Siukiianen, Leonid R. *Musul'manskii opyt mirostroitel'stva: bazovye tseli i tsennosti, formy poznania i sotsiokul'turnoi organizatsii. Istoricheskii opyt i rossiiskaia situatsiia*. [Muslim experience of the construction of the world: basic objectives and values, forms of knowledge and of socio-cultural organization. Historical experience and the Russian situation]. http://www.intelros.ru/pdf/doklad.pdf [July 7, 2012]; Syukiyanen, Leonid. 'The State Policy toward Islam in the CIS Countries: Problems and Perspectives.' In: Intercultural and Interreligious Dialogue for Sustainable Development. Proceedings of the International Conference. 13-16 September. Moscow, 2007. Russian Academy for Public Administration under the President of the Russian Federation; Siukiianen, Leonid. '*Umerennost' kak strategiia sovremennogo islama'* [Moderateness as strategy of contemporary Islam]. In: NG Religii, March 1, 2006. http://www.ng.ru/ng_religii/2006-03-01/4_umerennost.html. [7 July, 2012].

19 Siukiianen, Leonid. '*Islam protiv Islama. Ob Islamskoi al'ternative ekstremizmu i terrorizmu'* [Islam against Islam. On Islamic alternatives to extremism and terrorism]. In: Tsentral'naia Aziia i Kavkaz, 2002, 3/21. http://www.ca-c.org/journal/2002/journal_rus/cac-03/09.sikru.shtml [10 August, 2015].

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Sharia is not a granitic, immutable set of rules that must be applied by the letter. Instead, Siukiianen explains, the Sharia must be considered in its deep meaning and general intent as divine law. Its precepts must be interpreted in the light of historic and socio-political circumstances, according to the Islamic process of *ijtihad*. Siukiianen quotes several Qur'anic verses, along with ancient and contemporary authoritative Islamic scholars like Ibn Taimiyya and Yusuf al-Qaradawi, in support of his own statements.

If *ijtihad* is correctly conducted, Siukiianen remarks, several core principles of the Sharia reveal themselves not only compatible with, but even beneficial to modern socio-political systems, including democracy. The core of Siukiianen's argument lies in the Sharia concept of moderateness (*wasatiyyah*, in Russian *umerennost'*), which expresses Islam's true vision of politics and which he translates as 'prudence, temperance, equidistance"[20]. The acceptance of *umerennost'* by all Russians (Muslim and non-Muslim) as a shared value – and not as an imposition – would contribute to prevent the insurgence of social conflict, thanks to each individual's self-restraint.

Islam's fundamental approach to the state, Siukiianen argues, is one of cooperation and support – not of opposition. For Siukiianen, the matter is not only how to 'place' or 'regulate' Islam. He advocates the elaboration, in the Russian system, of a positive conceptualization of Islam intended as a system of (political) values, and deplores the incapability (at the time of his writing) of Russia's Muslims to elaborate a valuable proposal for the incorporation of Islamic concepts into state legislation[21]. He admits that the secular state should abstain from theological debates; however, in the face of Muslims' inadequacy, he explicitly encourages the Russian government to undertake this task in their place.

Like the RMC (and Russian state patriotism), Siukiianen reminds his audience that Russia's Islam is inextricably connected to Russian history and culture. Some general Islamic principles, he notes, have already entered Russian society through *jadidism* in Tatarstan and Sufi *tariqats* in the Caucasus. A deeper comprehension of Islamic political precepts is therefore both possible and desirable. To strengthen his argument, Siukiianen adds that the concept of *umerennost'* is being gradually adopted in the

20 Siukiianen, *Umerennost*.
21 Siukiianen, 2007 a, 2007 b, 2007 c, 2006.

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most dynamic parts of the Islamic world, particularly in Kuwait, successfully proving the benefits of its introduction in modern, democratic societies. In Russia, besides reducing social conflict, a deeper acceptance of Islamic values would enhance Russia's internal inter-civilizational and inter-religious dialogue. Additionally, he notes, it would upgrade Russia's standing in the Muslim world, improving their mutual relations from the current level of 'dialogue' to that of full 'understanding' – a much more promising perspective.

Although Siukiianen openly proposes the adoption of Islamic precepts by Russia's legislative system and, in a way, by all its citizens, he is very clear that he does not intend to threaten or uproot the state's secular, modernist essence. Instead, his discussion reveals the strong influence of *jadidist* principles, even when they are not explicitly mentioned. In the end, Siukiianen offers a strong model of a multi-ethnic and multi-religious polity that does not just preach tolerance but, on the contrary, solicits the active contribution of all its parts to the common good.

5. *Islam as revolutionary force*

A different scenario, in contrast, is depicted by Geidar Dzhemal'[22], the Head of the Russian Islamic Committee and a popular commentator on issues of religion and geopolitics. Like other observers, Dzhemal' emphasizes the crucial role that Islamic values can, and should, play in contemporary societies. At the centre of his argument, though, he puts another Islamic concept, very important in Shi'ah theology: justice (*al-'Adalah*, in Russian *spravedlivost'*)[23]. For Dzhemal', *spravedlivost'* holds a universal

22 In his early political career Dzhemal' had joined the extreme right circles around Aleksandr Dugin and the Eurasianist movement. Although he distanced himself from the Eurasianist movement in the late 1990 s, he maintained relations with many of its exponents. Until his death in December 2016, Dzhemal' regularly appeared on the most important Russian mass media, television or radio programmes. His arguments have a deep, if eclectic, theoretical foundation, and focus on the interconnection between (Islamic) religious and political factors.

23 Dzhemal', Geidar. *Perspectivy vosstanovleniia politicheskogo Islama kak global'nogo faktora* [Perspectives on the restoration of political Islam as a global factor]. St. Petersburg, 26 September, 2013. http://kontrudar.com/lekcii/perspektivy-vosstanovleniya-politicheskogo-islama-kak-globalnogo-faktora. Half Azeri by birth, Dzhemal' makes no mystery of his close connection with Iranian religious

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meaning, the application of which would solve the social tensions of contemporary societies. However, he remarks, it does not come about through conciliation, but through revolution.

According to Dzhemal', after the collapse of the Soviet communist model, world societies experienced the 'enslavement' to economic forces, in which most humanity is treated as 'mere biomaterial'. Dzhemal' notes that this condition resembles that of pre-revolutionary Russia. However, he declares, Marxism can no longer be a solution, because it deals with outdated issues (class relations and economy). Today, Dzhemal' claims, 'the most essential protest is the protest about the religious'[24]. For him, the civil movements that criticize capitalism and liberalism are also inadequate, for they merely pursue better economic standards of living, but not a better human condition[25].

Dzhemal' deems the other religions of the Book (Judaism and Christianity) particularly unfit to counter world injustice. In his analysis, because Christianity and Judaism modify the message of God through the interpretation of their clerics/ministers, they preclude humanity from a direct knowledge of the Divine. This reveals how, historically, they have actively aimed at preserving the 'pyramidal' structure that has been imposed on world society since the times of Plato and Aristotle. Indeed, he continues, they still strive to preserve the 'pyramid', or 'matrix', in place[26].

Islam's fundamental characteristic, instead, according to Dzhemal' is to 'open a break' into the 'mainstream' conceptualization of social structure. Dzhemal' juxtaposes the systemic 'matrix' (which regulates social coexistence through a rigid normative system) to a 'spirit' (*dukh*) that is free from the matrix – and always against it. The spirit represents the essence of religion: It 'belongs to God'[27] and, as such, it is 'meaning' (*smisl*[28]). Islam provides the channel through which human beings can connect to God and therefore discover the meaning of their own existence. The meaning

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and political circles. He is a friend to the late Imam Khomeini's son, and he has spent a few years in Qom. The influence of Shi'ah theology and, in general, of Iranian intellectuals is apparent throughout Dzhemal''s works.

24 Dzhemal', Geidar. *Politicheskii Islam segodnia – analog kommunizma 19 veka* [Today's political Islam is analogous to nineteenth-century-communism]. 22 February, 2014. https://www.youtube.com/watch?v=V3Q3h_mhfYk, 7 m:47 s.

25 Ibid, 10 m:04 s.

26 Dzhemal', *Politicheskii Islam*; Dzhemal', *Perspectivy vosstanovleniia*.

27 Politicheskii Islam, 27 m:00 s.

28 Ibid., 34 m:35 s.

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(*smisl'*) is the basis of justice: This, for Dzhemal', is the core message of the Revelation of the Prophets and the fundamental significance of political Islam[29].

Today, he claims, the only way to free humanity from its enslavement is

> an eschatological struggle, where the flag of the oppressed can only be the solidarity in the name of a sacral and metaphysical understanding of justice. But justice lies only in Islam[30].

In Dzhemal''s analysis, every religious protest is about the formation and nature of the system – not about external formalities such as obtaining legal permission to interrupt daily activities to pray five times a day. Politicians avoid defining protests 'religious', and label them 'extremism, terrorism' because they fear the formidably subversive nature of the protest. Indeed, he notes, Islam is a revolutionary force, which has maintained the same characteristics of its origins, when Muhammad and his companions were alive and 'fought against Byzantium and Iran'[31]. Instead, Dzhemal' points out, to achieve the purpose of Islam, which is the revelation of the connection between the spirit and human existence, a complex matrix is not necessary. He claims that the Sharia alone can regulate the relations among people, replacing society (matrix) with (Islamic) community.

Like Siukiianen, Dzhemal' rejects the official position of the Russian state that deprives Islamic terrorism of its religious character. Instead, he emphasizes the deep Islamic nature of what he sees as an upcoming revolution. He shares with *jihadists* the praise of Islam as it was practiced at Muhammad's times, and the condemnation of Islamic legal traditions as corrupted. Like Islamic extremists, he sharply criticizes the religious, economic, and political conditions of contemporary societies, although he does not support the idea of a Caliphate (in his opinion, a historical, not religious, institution). However, he considers most Chechen separatist leaders 'Soviet kids', actually ignorant of Islam and driven by secular, ethnic-based motives. He also declares that suicide terrorists are not true Muslims and that they are 'manoeuvered' by not better specified 'anti-Islamic forces'. Further, he refrains from using harsh tones against non-Muslims. Contrary to terrorists, he rejects *fitnah* and chaos, and makes as-

29 Dzhemal', *Perspectivy vosstanovleniia*.
30 Ibid.
31 Dzhemal', *Politicheskii Islam* 37-38 m.

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surances that a proper Islamic regime will not allow 'bandits' to act violently 'under the green flag'.

Dzhemal''s conceptualization of political Islam reveals a composite, sophisticated intellectual background. Similarly to Qutb and, especially, Khomeini, who elaborated Islamic political theories constructed on different foundations than Western ones[32], Dzhemal' identifies in Islam's doctrinal, religious nature the source of its strength as an original political model. The centrality of *spravedlivo,* in Dzhemal''s intellectual construction, reveals the influence of Shi'ah theology. In particular, the systemic connivance of sacerdotal and political great powers (the matrix) had been indicated – and condemned – by the Iranian Islamic intellectual Ali Shari'ati, prior to the Iranian revolution[33]. Like Shari'ati, Dzhemal' reinforces his critique of the Bible with constant references to Western philosophy, starting from the ancient Greeks and proceeding through Enlightenment and rationalism.

The truly interesting characteristic in Dzhemal''s position is the explicit, direct connection to Russia. The association of Marxism and Islam had already been made by Ali Shari'ati, among others. Shari'ati, though, was discussing Marxism in its intellectual formulation, rather than in its empirical implementation. Dzhemal', instead, specifically refers to the reality of the Soviet Union. He claims[34] that, like in the early twentieth century, the situation in Russia today is both universal and unique. Russian social revolutionaries and populists had embraced Marxism because of its promises of stronger revolutionary ideas and international connections. Despite the success of the October Revolution however, he concludes, in the end the situation of Russia was too specific to allow real cooperation among global activists.

In 1989, Iran's Ayatollah Khomeini had expressed to the then Soviet President Mikhail Gorbachev his vision of the beneficial role of Islam as substitute of the crumbling Communist ideology[35]. Today, Dzhemal' announces, thanks to Islam Russia can – again – be connected to the global

32 Euben, Roxanne L. Enemy in the Mirror: Islamic Fundamentalism and the Limits of Modern Rationalism: A Work of Comparative Political Theory. Princeton, 1999.

33 Shari'ati, 'Ali. Man & Islam. Houston, 1981, p.15 and following.

34 Dzhemal', *Politicheskii Islam*.

35 Khomeini. "A call to Divine Unity". (Letter to Mikhail Gorbachev). 1989. http://www.en.imam-khomeini.ir/en/c5_3153/Book/English/A_Call_to_Divine_Unity.

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forces that can stir the 'mainstream'. Indeed, Dzhemal' considers Islam the successor of Bolshevik-Marxism[36]. Asked to clarify what is the 'meaning' of life that should be unveiled by an Islamic revolution, he answers: 'it's Islamic Marxism under the name of *jihad*[37]. Indeed, he claims, independent of the level of self-awareness, every individual who is somehow 'against the matrix' has 'his or her heart beating with a religious beat [and] sooner or later [he or she] takes to revolutionary struggle[38]'. He announces that 'Muslims will be the organizers of the political process' that, he predicts, will inevitably unfold all over Europe, and '[t]he Westerners will be fined for their hindering of the truth'[39]

Dzhemal''s arguments are clearly revolutionary, although elaborated in a sophisticated philosophical and theological scheme. However, he does not attack the idea of a Russian nation or state in favor of an Islamic regime – on the contrary, Dzhemal' envisions a leading role for Russia as initiator of the Islamic revolution, which will restore the greatness it had enjoyed in imperial and, especially, Soviet times. His project is *for* Russia, not against it.

6. *A Russian interpretation of jihad*

Scholarly works praise the long tradition of Islamic practices in the Caucasus, the doctrinal knowledge of Dagestani communities, and their contribution to Russian and Islamic civilizations[40]. Fiercely anti-Soviet during the Communist persecution[41], in the 1990 s Sufi *tariqats* of the North Caucasus joined other Muslim Spiritual Boards in the region to defend tradi-

36 It is noteworthy that one of the fundamental accusations against Ali Shari'ati was his being a 'Marxist'.

37 Solov'ev, Vladimir. *Poedinok Vladimir Zhirinovskii i Geidar Dzhemal'* [Duel with Vladimir Zhirinovskii and Geidar Dzhemal']. 28 February, 2011. Rossiia 1. https://www.youtube.com/watch?v=ecPkhr9l4AY. [15 March 2011].

38 Dzhemal', *Politicheskii Islam*, 1 h.

39 Ibid., 1 h:10 m.

40 Bobrovnikov, Vladimir O. *Musul'mane Severnogo Kavkaza: obychai, pravo, nasilie. Ocherki po istorii i etnografii prava Nagornogo Dagestana* [Muslims of North Caucasus: habits, law, violence. Essays on history and ethnography of law of Nagorny Dagestan]. Moscow, 2002.

41 Bennigsen called 'parallel Islam' the forms of Islam practiced under the Soviet domination by Sufi *tariqats* that opposed the anti-religious, anti-Islamic and often colonialist practices of the Communist regime.

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tional Islam. Throughout the Chechen conflicts[42], Sufi leaders condemned Islamic extremism brandished by *jihadists* and separatists as both non-Islamic and non-Russian[43].

For this reason, terrorist and separatist organizations have looked for affiliations in the international Islamic extremist scene[44], most notably with Al-Qaeda. Today, separatist groups, since 2007 reunited under the umbrella of the Imarat Kavkaz (Caucasian Emirate, IK), openly challenge the traditional establishment of Sufi leaders (and other local Muslim leaders), who in turn are becoming reliable allies of the government[45].

The main purpose of the IK is to establish an independent Caliphate in the Caucasus that, possibly, would expand into Southern Russia. The Caliphate should have an Islamic government strictly following the Sharia. To reach its objective, the Imarat does not hesitate to employ terrorist and even suicide techniques – although the details of the attacks have been revised in time. While former charismatic leader Doka Umarov (killed in 2014) allowed the targeting of the whole population, including Muslims, his successor Aliaskhab Kebekov, better educated in Islam, has banned attacks on civilians and targeted security forces alone. Further, Kebekov has revoked the admissibility of women suicide bombers (but not of suicide attacks by men), which Umarov had tolerated[46].

Overall, the rhetoric of the IK and the other, smaller separatist groups in the North Caucasus is very similar to international *jihadist* narratives,

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42 The so-called Chechen conflicts (or Chechen wars) are in fact a series of armed conflicts that escalated during two periods, from 1994 to 1996, and again from 1999 to 2009, with alternating levels of confrontation.

43 Rossiiskii.

44 Vatchagaev, Mairbek . 'The Role of Sufism in the Chechen Resistance.' North Caucasus Analysis [now: North Caucasus Weekly]. 6/16, 28 April 2005 [15 July, 2015]. http://www.jamestown.org/programs/nc/archivesnca/nca2005/?tx_publicationsttnews_pi2[issue]=16.; Malashenko, Alexey/ Dmitrii Trenin. Russia's restless frontier: the Chechnya factor in post-Soviet Russia. Washington, 2004.

45 Kavkazkii Emirat (Imarat Kavkaz) [Caucasus Emirate (Imarat Kavkaz)]. Kavkaz Uzel/Caucasian Knot, 15 July, 2013. http://www.kavkaz-uzel.ru/articles/158730/ [15 July, 2015]; 'The North Caucasus: The Challenges of Integration (I): Ethnicity and Conflict.' Crisis Group Europe Report No. 220, 19 October, 2012. http://www.crisisgroup.org/en/regions/europe/north-caucasus/220-the-north-caucasus-the-challenges-of-integration-i-ethnicity-and-conflict.aspx[10 August, 2015].

46 Fuller, Liz. 'New North Caucasus Insurgency Leader Seeks To Avoid Suicide Bombings.' Radio Free Europe, 3 July, 2014. http://www.rferl.org/content/caucasus-report-suicide-bombings/25444420.html [7 July, 2015].

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which confirms the extension of their global contacts. In the case of North Caucasus, a strong anti-Russian element, in the sense of anti-colonial resistance, is present. It is not infrequent for reference to be made to historic figures of national resistance revered as heroes, the most important of whom is Sheik Mansur, who rebelled against Catherine the Great in the 18th century[47].

Moscow's harsh repression of Islamic terrorism in the region has been effectively supported by the Head of Chechnya Ramzan Kadyrov, a Muslim who has embraced the concept of Russian traditional Islam. Partially for this reason, many Caucasian *jihadists* have left to fight in Syria and Iraq. Some of them have reached high positions in the ranks of the Islamic State[48]. This fact, and the growing, solid prestige that the IS is gaining among Islamic extremists, according to many observers has weakened Imarat Kavkaz to the point that, in July 2015, it announced its alliance with the IS[49]. The consequences of this decision have become immediately apparent, with the diffusion of messages in the Russian language according to a strategy that, regarding their content and methods, follow that of IS[50].

However, because of its stronger image and real capabilities, the IS is expected to take the lead over the Imarat[51]. As the Islamic State is focused on conquering Syria and Iraq, and it does not seem to be interested in attacking Russia, the Imarat may be forced to reduce or eliminate the specific anti-Russian, anti-colonialist character of its mission. Indeed, it seems to have already de-facto abandoned it, as most of its fighters are engaged abroad[52].

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47 Kavkazkii Emirat, 2013.

48 Caucasians in the ranks of IS (ISIL). http://eng.kavkaz-uzel.ru/articles/30056/, 28 November, 2014 [14 July, 2015].

49 Imarat Kavkaz (Kavkazkii Emirat) [Imarat Kavkaz (Caucasus Emirate)]. Kavkaz Uzel/Caucasian Knot, 11 August, 2015. http://www.kavkaz-uzel.ru/articles/158730/ [11 August, 2015].

50 Paraszczuk, Joanna. IS Boosts Russian-Language Propaganda Efforts. Radio Free Europe, 6 July, 2015. http://www.rferl.org/content/is-boosts-russian-language-propagangda-efforts/27112518.html [7 July, 2015].

51 Caucasians in the ranks of IS (ISIL), 2014.

52 The completion date of this chapter did not allow to take into consideration the most recent strategy of Islamic fighters in the North Caucasus, which indeed reflects the developments of the war in Syria.

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7. Conclusion

The official doctrine of the Russian Federation identifies Russia's Muslims as one of the founding (*korinnye*) groups of the Russian state and an important contributor to Russian civilization. Historically, though, this condition has not always been acknowledged by the Slavic dominant majority, which has affected the relations among the communities. After 1991, Russia's Muslims have acquired a stronger awareness of their Islamic as well as national and civic heritage. Depending on their historical and specific experiences, such awareness has translated into cooperation with or opposition to the Russian state. Today, many Muslim communities and their leaders have embraced the idea of a composite all-Russian (*rossiiskii*) civilization, in which Islam has played a significant role, among religions second only to that of Orthodox Christianity.

Many Muslims intend to participate in the construction of a new Russian identity and polity – sometimes through radical processes. Other groups, instead, reject the vision of a common civilization and fight against what they perceive to be a colonial domination by Moscow.

In any case, because Russia's Muslims have belonged, at least de jure, to the Russian state (be it the tsarist Empire or the Soviet Union) for centuries, their actions are necessarily those of citizens toward their 'fatherland' (even if it is rejected), and not those of newcomers. For this reason, Muslims' relations with the Russian state are much more complex and closely intertwined than those of Muslim minorities in non-Muslim, secular states elsewhere, for example in Europe.

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B. Shi’ah

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A Qur'anic Revision of Offensive War with Emphasis on the Views of the Late Ayatollah Khoei

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Abstract: Unlike some religions, Islam is a universal religion and open to all, and Allah assures us that it will eventually conquer all other faiths. In order to spread Islam, Muslims have a duty to preach its teachings. This has led some Islamic jurists and commentators to think *jihad* verses in the Qur'an are the divine way of spreading Islam. This paper will uncover some of the Qur'anic theoretical principles that lie behind these *jihad* verses. By considering this framework, I will demonstrate the inconsistency of offensive war (*al-jihad al-ebtedayi*) with principles in the Qur'an, concluding that defensive *jihad* is the real meaning of the *jihad* verses.

1. Universality of Islam

Religions are either universal or regional. In the Qur'an's view, most are regional, including some of the greatest divine religions such as Judaism and Christianity. In contrast, Islam is a universal religion, introducing its prophet as the last prophet[1] who addresses all human beings:

> Say, 'O mankind! I am the Apostle of Allah to you all'.[2]

Such a global religion needs to be promoted, not only by small groups but by all its many followers, throughout history. Islam has taught its followers to strive for its advancement, and has promised them heavenly rewards.

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1 33:40. English translation from Qarai, Sayed Aliquli. *The Qur'an with an English Paraphrase*. London, 2003.
2 7:158

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2. Divine promise for Islam prevailing

The Qur'an mentions not only that the light of Allah will never be put out, but also that Allah will perfect His light[3]. Moreover, Allah says that Islam will prevail over other religions whatever non-believers may choose to do.[4] Thus, it is right to promote Islam all over the world.

Various approaches have led to different views about what a Muslim's duty is in promoting Islam. That is, what are the right ways to promote Islam and what should be avoided?

A common answer to this question among some Islamic jurists and commentators is that Muslims have a duty to the *jihad*. They should strive to promote Islam over other religions. Naturally there might be some resistance from followers of other religions, which means Muslims might have to wage war against the faithless. Consequently, Muslims are asked to promote Islam even if it involves starting a war. The great commentator, *Tabataba'i* explains 9:32-33[5] as follows:

> These two verses encourages Muslims to fight against *ahl-al-kitab* (people of the book), and its reference to the necessity of fighting is not hidden, since these two verses prove Allah's desire for the propagation of Islam around the world, that needs obvious endeavour, and because people of the book had prevented Islam from promotion and tried to put this light out with their mouths, there was no remedy except fighting against them. The opponents against Allah's desire should either be removed or live under Muslims' rule and pay *jizya*.[6]

This same view is held by several jurists and has provided justification and may even support the idea of there being a duty to wage offensive war (*al-jihad al-ebtedaee*) in order to promote Islam. This sort of ruling provides a good excuse and a sacred goal for those Muslims desiring to conquer new territories and benefit from the spoils of war. Naturally, such wars - even if justified by the notion of a divine goal - cannot be accomplished without bloodshed and murder, and consequently are in opposition

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3 9:32

4 9:33

5 'They desire to put out the light of Allah with their mouths, but Allah is intent on perfecting His light though the faithless should be averse.' (32).
'It is He who has sent His Apostle with the guidance and the religion of truth, that He may make it prevail over all religions, though the polytheists should be averse.' (33).

6 Tabataba'i, Muhammad Hossein. *Al Mizan*. vol. 9. Qom, 1996, p. 247.

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to the idea of peaceful coexistence. The main question here is whether or not Islam permits its followers to fight for its promotion. This paper seeks for the Qur'anic answer to this question.

3. *The Qur'anic evidences for offensive jihad*

Several verses in the Qur'an talk about *jihad*. The advocates of offensive *jihad* argue that the Qur'an requires Muslims to eliminate disbelief and polytheism, and to promote Islam. In other words, the main evidence for offensive war being permissible, and even for it becoming a duty, is found in the Qur'an. All commentators and jurists agree that a worldly goal cannot justify offensive *jihad*. The entire *jihad* verses only permit Muslims to wage offensive war for sacred goals, as mentioned above.[7]

In fact, most jurists and commentators find that the main thrust of *jihad* verses[8]- which instruct Muslims to fight against the faithless – instruct in relation to when one is justified to *start* fighting against non-Muslims, i.e. wage offensive war.[9] These verses also refer to defensive war.

The late Ayatollah Khoei discusses when *jihad* is a duty. In his view - similar to many other jurists - *jihad* should be conducted against both the faithless and also against those Muslims who are aggressive towards other Muslim groups[10]. The faithless consist of two parties: people of the book (*ahl-al-kitab*) and polytheists. Islamic scholars have explained *jihad* mostly in relation to these two parties. Muslims should have a distinct approach towards each of them:

a) The polytheists (the faithless without book)
b) Muslims should approach these people and welcome them to Islam. Their conversion to Islam would mean that Muslims would no longer

7 See Jassas, Ahmad ibn 'Ali. *Ahkam al Qur'an*. vol. 2. Beirut, 1405 AH, p.169; Tabataba'i, *Al Mizan*. vol. 2. P. 67.
8 Like 9:29, 9:123, 4:74, 8:65, 9:36, 9:73, 60:9
9 Tusi, Muhammad ibn Hasan. *Al Mabsoot*. vol. 2. Tehran, 1387 AH. 2; Helli, Hasan ibn Yousef. *Montaha al Matlab*. vol. 14. Mashad, 1412 AH. p. 61; Khoei, Sayed Aboul Ghasem. *Menhaj al Salehin*. Qom, 1410 AH. vol. 1, p. 360; Najafi, Muhammad Hasan. *Jawahir al Kalam*. vol. 21. Beirut. 1404 AH, p. 4; Iraqi, Zia'al Din. *Sharh Tabsera al-Mota'allemin*. vol. 4. Qom, 1414 AH. p. 317; Sabzevari, Sayed Abd al A'Ala. *Mohazab al Ahkam*. vol. 15. Qom, 1413 AH. p. 81.
10 Khoei. *Menhaj*. vol. 1. p. 360.

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need to be concerned. If this cannot be achieved, Muslims should fight against them and kill them[11]. This obligation to fight arises, in Khoei's opinion, from these verses:

- O Prophet! Urge on the faithful to fight[12]
- Let those fight in the way of Allah who sell the life of this world for the Hereafter[13]
- Fight them until faithlessness is no more, and religion becomes exclusively for Allah[14]
- Then, when the sacred months have passed, kill the polytheists wherever you find them[15]
- Fight all the polytheists, just as they fight you all[16]

c) People of the book

As before, Muslims should approach them and ask them to choose between converting to Islam, paying *jizya* and being put to death[17]. It is argued that this ruling comes from the following verse in the Qur'an:

> Fight those who do not have faith in Allah nor [believe] in the Last Day, nor forbid what Allah and His Apostle have forbidden, nor practice the true religion, from among those who were given the Book, until they pay the tribute out of hand, degraded.[18]

4. *Revising jihad verses in the Qur'an*

Before discussing the position of the Qur'an in relation to *jihad* and fighting, please note the following methodological revision:

11 Ibid.
12 8:65
13 4:74
14 8:39
15 9:5
16 9:36
17 Khoei, *Menhaj*. p. 361; Helli, *Montaha al Matlab*. vol. 14, p. 63; Tusi, Muhammad ibn Hasan. *Al-Nahaya fi Mojarrad al Fiqh wa al Fatwa*. Beirut, 1400 AH. pp.291-292
18 9:29

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4.1 A methodological consideration

Although the legal rulings of a religion refer to the behaviour of its followers, the roots of these rulings - especially social ones – can be found in the theoretical principles and beliefs of a religion. In other words, each ruling originates from or relates to a theoretical view, which forms its ideological basis. Consequently, it is very important when studying Islamic rulings to observe its theological roots, so as to understand fully Islamic practical and jurisprudential rulings. Any lack of knowledge about such related theological grounds may result in a misunderstanding of the Qur'an's practical commands. Traditionally, religious scholars divide a religion into three parts: beliefs, morality and jurisprudence. A common method in religious studies is to look at each part separately, without considering their interrelation. Each study has its own difficulties and its own methods. Consequently, theology does not usually interfere with jurisprudence or morality. Similarly, jurisprudence is kept separate from theological problems.

This traditional method gives rise to some problems. While a religion is a united and related set of teachings, studying its problems in isolation may lead to unsatisfactory understandings and outcomes. For example, the followers of 'the unity of being' (*Wahdat al-Wujud*) are called untouchables by some jurists, while others disagree. The disagreement lies in the theological and philosophical knowledge of these jurists about the unity of God and the unity of being, but this difference is played out in jurisprudential rulings.

This methodological revision may not apply to some personal rulings, due to our ignorance of related theoretical principles, but it may apply to social issues. In many social rulings, it is possible to find related theoretical principles which may form a framework. This framework reveals the boundaries of the jurisprudential ruling. That is, the ruling must fall within this framework. So any ruling that lies outside its theoretical framework needs to be revised, in order to correspond to its underlying principles:

> It is a must for a jury to obtain this general view prior to studying the details. Our jurisprudence is not accustomed to this method. So a jury studies the minor issues before working on finding a general view- in which all the details would be organized. That's why the rulings are diffused with no connection and full of exceptions.[19]

19 Khashen, Hossein Ahmad. *Islam wa Khoshounat*. Danesh, Moosa, (Trans. from Persian). Mashad, 2012, p. 97.

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> There should be more depth in working on jurisprudential problems. It is the basic and infrastructural theories that constitute the superstructure rulings … These bases should not be considered as irrelevant to jurisprudence. These are not the diversity of literature, but they should be known as necessary and they should be found as much as the human potency allows.[20]

4.2 Related theoretical principles of jihad

Accordingly, some Qur'anic theoretical principles should be considered prior to studying *jihad* and verses that relate to fighting.

4.2.1 Compulsion is not justified in a religion

An important basic principle of the Qur'an is that belief and faith are not compulsory. Their nature is incompatible with coercion and everyone should select his/her beliefs and faith by his/her own will. Religion cannot and should not be an act of coercion:

> There is no compulsion in religion: rectitude has become distinct from error[21]

This verse is not a legislative rule but a rule of being. Compulsion is an outer action while belief is an inner action that takes place only through personal desire and will. So it can't be forced, and the Qur'an never allows such compulsion.

God commands His Prophet not to destroy himself with grief over people's lack of belief in the Qur'an[22], since no one can force them to believe in God and God does not want people to become believers against their will:

> And had your Lord wished, all those who are on earth would have believed. Would you then force people until they become faithful?[23]

Some Muslims said to the Prophet that if you compel those you rule over to convert to Islam, then we Muslims will become more powerful in the face of our enemies. The Prophet answered: 'I don't want to come face to

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20 Sadr, Muhammad Bagher. *The Traditions of History in the Quran*, Tehran, 2002. pp. 22-23.
21 2:256
22 18:6
23 10:99

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face with God having carried out a heresy that God has forbidden.' Then God revealed the previous verse.[24]

In the view of the Qur'an, God created human beings with free will and they should choose freely between virtue and sin:

> And say, [This is] the truth from your Lord: let anyone who wishes believe it, and let anyone who wishes disbelieve it[25]

4.2.2 The Prophet's duty is only to communicate

As a consequence of choice and free will, the Qur'an suggests the duty of the Prophet is simply to convey the message of God, and not compel people to obey. This view is emphasized in more than fifteen verses of the Qur'an, as in the following:

> But if they disregard, We have not sent you as a keeper over them. Your duty is only to communicate.[26]

In some other verses, the Qur'an emphasizes more explicitly that the Prophet's duty is to avoid being tyrannical:

> You are not a taskmaster over them.[27]

> We know best what they say, and you are not to be a tyrant over them. So admonish by the Qur'an him who fears My threat.[28]

Such verses limited what the Prophet was allowed to do to change people's faith. His duty was to communicate with people and invite them to embrace Islam. He was prohibited from carrying out any kind of practical threat or coercion, like fighting or killing. The previous two verses, in addition to the next verse, describe this principle:

> Indeed We have sent down the Book to you for [the deliverance of] mankind with the truth. So whoever is guided is guided for his own sake, and whoever goes astray, goes astray to his own detriment, and it is not your duty to watch over them.[29]

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24 Sadough, Muhammad. *Al Tawhid*. Qom, 1978, p. 342.
25 18:29
26 42:48
27 88:22
28 50:45
29 39:41

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The latter concept is also emphasized in four other verses: 6:66, 6:107, 10:108, 39:41and 42:6.

God wants people to be drawn willingly towards virtue and perfection, either individually or as a community, and therefore introduces this voluntary aspect as a goal for His apostles, showing that a movement towards virtue and justice is valuable only if it is conducted voluntarily. So, justice should be maintained by the people and not by the Prophet:

> Certainly We sent Our apostles with manifest proofs, and We sent down with them the Book and the Balance, so that mankind may maintain justice.[30]

If compulsory faith had any kind of value, God could have made all people faithful by sending a form of heavenly proof, but this is not the kind of faith that God chose for us. Belief and faith cannot be enforced, even by God:

> Had We wanted, We would have sent them a miracle from sky to make their heads hang down in submission.[31]

4.2.3 Emphasis on applying reason and proscribing of ignorant following

Another principle in the Qur'an is its great emphasis on intellect and reason. Thinking is greatly encouraged and people are asked to open their eyes and their minds to the realities of the universe:

> Have they not reflected in their own souls? Allah did not create the heavens and the earth and whatever is between them except with reason and for a specified term. Indeed many of the people disbelieve in the encounter with their Lord.[32]

On the contrary, the Qur'an blames those who act out of prejudice instead of reason:

> When they are told,'Follow what Allah has sent down,' they say,'We will rather follow what we have found our fathers following.' What, even if their fathers neither applied any reason nor were guided?[33]

30 57:25
31 26:4
32 30:8
33 2:170

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One criterion that Allah uses to evaluate human beings is the depth of their intellectual and mental reasoning. That's why this characteristic is referred to as a merit in the servants of Allah and as an outstanding defect in the worst people:

> Those who, when reminded of the signs of their Lord, do not turn a deaf ear and a blind eye to them.[34]

> Indeed the worst of beasts in Allah's sight are the deaf and the dumb who do not apply reason.[35]

This emphasis proves that in the view of the Qur'an, religious practices are not the main criteria for evaluating people, but that depth of understanding and reason are the main criteria. This means that the propagation and promotion of Islam is not wholly defined by enforcing Islamic rulings and conducting Islamic practices. It stresses the importance of propagating Islamic beliefs and of developing reason and intellect in people. This means prevailing over hearts and minds rather than territories. Thus the following verse will be achieved when Islamic beliefs are propagated before Islamic practices:

> It is He who has sent His Apostle with the guidance and the religion of truth that He may make it prevail over all religions though the polytheists should be averse.[36]

4.2.4 Human dignity

An important principle in the Qur'an, agreed by almost all Islamic jurists, is a reverence for human life. Rescuing one life is rescuing all lives, and murdering one person unjustly is murdering all people:

> That is why We decreed for the Children of Israel that whoever kills a soul, without [its being guilty of] manslaughter or corruption on the earth, is as though he had killed all mankind, and whoever saves a life is as though he had saved all mankind. Our apostles certainly brought them manifest signs, yet even after that many of them commit excesses on the earth.[37]

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34 25:73
35 8:22
36 61:9
37 5:32

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Because of this reverence, Islamic jurists usually take great care in their rulings about human life.

While there is no doubt about this principle among Islamic jurists, its domain is a controversial issue. For example, should such a prohibition refer to all people, or just to the faithful? In other words, what is the basis for a belief in human dignity in the world: faith or humanity?

A group of jurists, including Khoei, believe that human dignity depends on faith, meaning that unlike the faithful, the faithless lack dignity. According to this view, it is faith that confirms humanity, and those who lack faith lack humanity. Consequently, respecting the faithless is not required, either with regard to their lives or their property. This view arises from commands in the Qur'an about killing the faithless:

> And kill them wherever you confront them, and expel them from where they expelled you … [38]

> … then seize them and kill them wherever you confront them[39]

The late Ayatollah Khoei believes that:

> Starting a war against the faithless is allowed only after inviting them to Islam. If the Muslims invited them and they refused to accept, fighting against them is obligatory. But if the Muslims started their war before invitation and killed the faithless, although they have committed a sin, no blood money should be paid because the faithless lack reverence either in their lives or in their properties.[40]

He also mentions this problem as a reason for ruling that washing the faithless dead is unnecessary and even forbidden:

> The dead ablution is just for his cleanliness and for his respect and honour, and the faithless have no respect and may not be cleaned as they are untouchable.[41]

Accordingly, he rules that murdering a faithless person is not allowed because it leads to anarchy and not because his life is worthy of respect:

> A faithless despite lacking respect in Islam should not be killed if it leads to anarchy.[42]

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38 2:191
39 4:91
40 Khoei, *Menhaj*. vol. 1, p. 369.
41 Khoei, Sayed AboulGhasem. *Mosoua' al Imam al Khoei*. vol. 8. Qom, 1418 AH, p. 307.
42 Khoei, Sayed AboulGhasem. *Serat al Nejat*. vol. 2. Qom, 1416 AH, p. 411.

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This point of view should be reconsidered. There are two distinct kinds of human dignity mentioned in the Qur'an, one applying to worldly life and the other applying to other-worldly life. The first type of dignity belongs to all human beings, while the second type belongs to the inhabitants of heaven. The Qur'an explains the first kind as follows:

> Certainly We have honoured the Children of Adam, and carried them over land and sea, and provided them with all the good things, and given them an advantage over many of those We have created with a complete preference.[43]

Considering the next phrases of the verse, which talks about the worldly blessings of Allah, they show that the type of honour mentioned in the first phrase is a person's worldly dignity. This honour includes all people, as the verse talks about honouring the Children of Adam, not the faithful alone. Such a pervasive dignity results in the authenticity of respect for both the faithful and the faithless, unless they deserve punishment as a result of their false practice. The main advice of '*Ali ibn Abi Taleb* to *Malik* demonstrates this view:

> Habituate your heart to mercy for the subjects and to affection and kindness for them. Do not stand over them like greedy beasts who feel it is enough to devour them, since they are of two kinds, either your brother in religion or one like you in creation.[44]

So this kind of dignity depends on humanity, not on faith and should be considered as a basis for all worldly rulings.

The second kind of dignity is described in the following verse:

> Indeed the noblest of you in the sight of Allah is the most God wary among you.[45]

This kind of honour belongs to heaven. Those faithless who 'have hearts with which they do not understand, who have eyes with which they do not see, who have ears with which they do not hear'[46] lack this kind of dignity, as they have lost their humanity and intellect, but it doesn't mean that they have no honour in their worldly lives. This second kind of dignity will be revealed in the next world, and is not a criterion for worldly rulings.

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43 17:70
44 Ali ibn Abi Talib. *Nahj al Balagha*. Qom, 1414 AH, letter 53.
45 49:13
46 7:179

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Revising Khoei's views on human dignity shows that the necessary distinction between these two categories has not been made, and has led to disrespect for the dignity of the faithless, when they should be allowed their own rights to life and ownership. So in the Qur'anic view, great care should be taken regarding both faithful and faithless lives, unless an individual is condemned to death due to certain specific reasons.

In the next pages I will show that the commands of the Qur'an about killing the faithless - which are cited to deny human dignity to the faithless - are not absolute commands. They belong only to the state of war, when Muslims have to defend themselves against aggression by the faithless.

4.2.5 Authenticity of peace

The fifth related principle in the Qur'an is that peace is superior to conflict, and that the main principle in people's lives should be peaceful coexistence. This is a principle that applies to Muslims' relations to each other and to their relations with non-Muslims. A thorough survey of the Qur'an indicates that peace is encouraged in at least five steps:

1. Peace is superior.

   > And reconcilement is better.[47]

2. The Qur'an asks Muslims to concentrate on their common traits with the followers of other divine religions and invites them all to live in peace:

   > Say, 'O People of the Book! Come to a word common between us and you: that we will worship no one but Allah, and that we will not ascribe any partner to Him, and that we will not take each other as lords besides Allah'.[48]

3. The Qur'an invites all believers in God to embrace peace:

   > You, who believe, enter absolutely into peace![49]

4. Whenever peaceful coexistence is possible, war is not justified at all and no one is allowed to fight. This interest in and emphasis on peace is so great that God not only advises Muslims to embrace it, but also

47 4:128
48 3:64
49 2:208

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prohibits any kind of war against people who seek peace and who do not want to fight Muslims:

> So if they keep out of your way and do not fight you, and offer you peace, then Allah does not allow you any course [of action] against them.[50]

5. God commands His Prophet to accept any request for peace not only before a war begins, but also during and after a war with an enemy. This is a compelling and beautiful command. Peace is so important that Muslims should seize any opportunity to achieve it.

> And if they incline toward peace, then you [too] incline toward it, and put your trust in Allah.[51]

4.3 Literal study of jihad and qital (fighting)

Jihad and *qital* are two key words used by Islamic jurists investigating the subject of fighting non-Muslims. Idiomatically both these terms are employed for *fighting* and primarily used among some Islamic jurists for *offensive* war, while its usage for *defensive* war is less common:

> There is no doubt that its main meaning is starting a war on Islam against the faithless, about which this verse was revealed: 'Warfare has been prescribed for you, though it is repulsive to you'[52]; and fighting against the faithless who attack Muslims is added to jihad although it is defense in fact.[53][54]

The late Ayatollah Khoei mentions that:

> Jihad … means hardness and toil and … [also] power and here it means fighting for the propagation of Islam and the governance of the faith.[55]

A literal study of these two words reveals that they do not mean a specific kind of fighting[56]. In other words, it does not necessarily mean offensive

50 4:90
51 8:61
52 2:216
53 Najafi. *Jawahir al Kalam*. vol. 21, p. 4.
54 See also Helli, Ibn Edris. *Al Saraer*. Qom, 1410 AH. vol. 2, p. 4; Ravandi, Qotb al din, *Fiqh al Qur'an*. vol. 1. Qom, 1405 AH, p. 328.
55 Khoei. *Menhaj al Salehin*. vol. 1. p. 360.
56 The literal meaning of *jihad* is of course 'effort' which is much wider than just fighting.

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war. The famous lexicographer, *Raqeb*, suggests jihad means 'using the whole power to ward off the enemy'.[57]

Ibn Athir describes *jihad* as 'fighting against the faithless, that is, striving and using entire attempt'.[58]

So, those verses in the Qur'an, known as *jihad* verses, may point to either defensive or offensive war. At the same time, the commands regarding fighting in the Qur'an are not absolute. That is, the commands may point to a special kind of fighting, and not to all kinds. Conditional commands to fight (*qital*) in some verses prove that fighting is a limited term and doesn't apply to all circumstances. This issue will be investigated shortly. However, this difficulty demonstrates that it is not easy to interpret *jihad* verses as divine commands to start fighting.

The author of *Riyad-al-Masa'il*, a Shi'ite jurisprudential book, believes that:

> The command to fight against the faithless is different from the command to start fighting against them.[59]

Consequently, there needs to be some external evidence and reason, (in addition to literal interpretations), in order to find out the exact meaning of *qital* and *jihad* in the Qur'an.

It should be noted here that, contrary to the common usage of *jihad* among some Islamic jurists and groups, the word *jihad* is not used for *physical fighting* (including during military operations) in the Qur'an. It is used for striving for God's sake. That's why Allah asks His prophet for *jihad* against hypocrites,[60] while early Islamic history reveals that the prophet never conducted a military operation against them. So the main term in the Qur'an that refers to fighting is *qital*.

> The doubt that has been cast upon the allocation of 'jihad' to fighting against the non-Muslims for their compulsion to Islam is originated from the definitions of jihad provided by some Islamic jurists, although these definitions don't limit the general meaning of jihad.[61]

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57 Isfahani, Raqeb. *Mofradat alfaz al Qur'an*. Beirut, 1412 AH, p. 208.
58 Jozri, Ibn Athir. *Al Nahaya*. vol. 1. Qom. p. 319.
59 Tabataba'i Haeri, Sayed Ali. *Riyad al Masa'il*. vol. 8. Qom, 1418 AH, p. 59.
60 66:9: 'O Prophet, strive against disbelievers and hypocrites; act stern with them! Their refuge will be Hell and it is such a wretched goal'.
61 Zohaili, Wahba. *The Issues of War in Islamic Jurisprudence.* Damascus, 1998, p. 37.

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However, we keep on using *jihad* for fighting, because of it having been used by Muslims and jurists.

4.4 Applying theoretical principles to the interpretation of jihad and qital

The principles I have listed are useful in the comprehension of *jihad* verses. They express that Allah has based human life on authority and liberty. That is, both the ways of virtue and sinfulness must be freely chosen and people should not be forced to accept religion. In this way, Allah explains His prophet's duty is just to communicate and introduces him as one who warns people, and not as a taskmaster or a tyrant over people, and not as one who is responsible for the conversion of all people to Islam. Consequently, *jihad* and *qital* can't be defined as fighting in order to convert people to Islam. Such a goal involves compulsion, which the Qur'an rejects. Rulings that ask Muslims to fight against polytheists, giving them a choice between conversion to Islam and murder, involve obvious compulsion and eliminate choice. In the same way, giving the right to choose to people of the book between Islam and *jizya* – or otherwise being put to death - is again a case of using force. Is it possible to say that the Qur'an asks the prophet not to 'force people until they become faithful' (10: 99) but then asks Muslims to do this?! While the Qur'an teaches the truth to 'let anyone who wishes believe it, and let anyone who wishes disbelieve it', how could Muslims ask the faithless to choose between Islam, *jizya* and murder?

In addition, how can a Muslim define his duty as developing Islam beyond what was asked of the Prophet? The duty defined in the writings of some jurists involves one or more steps beyond communicating the faith, i.e. collecting *jizya* or fighting, when the Prophet's duty is only to communicate.

These considerations demonstrate that defining *jihad* mainly as 'an offensive war for the promotion of Islam' exceeds certain principles in the Qur'an. The same problem applies to rulings about how Muslims should act against non-Muslims. These contradictions may be answered by revising the meaning of *jihad* and *qital*. In fact, *jihad* verses should be interpreted in relation to underlying theoretical principles. These principles give a general picture of the way Islam should be promoted, by way of wisdom and liberty, and that does not go beyond communication, and never involves compulsion. This method is mentioned in the Qur'an:

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> Invite to the way of your Lord with wisdom and good advice and dispute with them in a manner that is best.[62]

Within such a framework, *jihad* and *qital* verses can be understood much more carefully. These principles confine *jihad* and *qital* to any kind of fighting that doesn't involve compulsion and force to achieve conversion, in a solely *defensive* war.

The relevant verses merely encourage Muslims to defend themselves against aggression from the faithless. If non-Muslims start a war against Muslims, the faithful should certainly defend themselves. If their enemies fight them, then Muslims should fight back. In such conditions, letting the faithless choose between Islam or death (or *jizya*) is justified, since if they accept Islam[63], their hostility naturally disappears. Otherwise, they are still aggressive enemies against whom Muslims should resist.

In the same way, the verses that show Allah's will that Islam should prevail (like 9:33) don't justify offensive war, because domination should be obtained through promoting Islamic beliefs, prior to Islamic practices. In addition, genuine beliefs are based on thought and perception and not blind acceptance. This means that the superiority of Islam lies in its intellectual dominance, which is achieved through reason, deduction and preaching.

Indeed, the profound and stable dominance of Islam depends on it being accepted at a profound level. This again depends on the intellectual strength and rational depth of Islamic beliefs. Thus, the dominance of Islam originates mainly from its rational beliefs. Promoting these beliefs doesn't involve outward force and offensive war, but internal and intellectual persuasion through wisdom, advice and debate.

Some scholars, like *Zohaili*, have argued that starting a war is only justified when an obstacle is obstructing the path of Islam and has to be eliminated. This gives rise to some serious questions. Although Muslims are encouraged to invite others to join Islam, what would compensate for the lives lost during this kind of war? What reasons are there to show that offering an opportunity to embrace Islam is more important than the lives of the faithless?

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62 16:125

63 There is an important discussion on the meaning of *Islam*, whether it means peace and surrender, or it is an idiom for the religion brought by Muhammad (peace be upon him).

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The principle of human honour and dignity demonstrates Islam's respect for all life, unless a clear-cut reason justifies killing. The important point here is to be sure that such clear-cut reasons exist when a faithless person is killed during efforts to promote Islam. The main reasons given are Qur'anic commands to kill the faithless, but they are far from clear-cut. They may refer to defensive war instead of offensive war, and this is enough to nullify such justifications for murdering the faithless. Thus there are no clearly defined reasons to justify killing the faithless on the grounds of removing obstacles of invitation to Islam. In fact, concerns for human dignity confine such invitations to Islam to circumstances when a person's life is not put at risk.

4.5 Verbal study of the jihad and qital verses

In addition to the reasons mentioned above, it is helpful to study the *jihad* verses. This essay on the absolute and conditional commands of *jihad* leads to two conclusions:

First, the purpose of the commands regarding fighting is not concerned with the promotion of Islam or the forceful conversion of non-Muslims.

Second, all these commands address Muslims concerning the aggression of others towards them; and prohibit Muslims from starting a war.

The Qur'an merely encourages Muslims to practice self-defense. For example, in 2:190-193, Muslims are commanded to fight only against those who take up arms against them:

> Fight in the way of Allah those who fight you.[64]

In other words, the principal condition of this command is the opponent's aggression. This is a command concerning defensive rather than offensive war. The second verse clearly confirms this principle:

> …And expel them from where they expelled you.[65]

Another important aspect of this command concerns the end point of a war. The final verse commands fighting, not until the enemy is defeated, is

64 2:190
65 2:191

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eradicated or has converted to Islam, but until the problem caused by their aggression has been removed.

> Fight them until persecution is no more.[66]

In 4:91 Muslims are commanded to kill the pagans wherever they find them:

> … and kill them wherever you confront them.

This command refers to a special group of pagans: those who will not leave Muslims in peace, and never stop fighting, relentlessly seeking their death. This is the only group that God allows Muslims to fight. God explicitly states that Muslims are not allowed to fight against those pagans who offer peace:

> ... So if they keep out of your way and do not fight you, and offer you peace, then Allah does not allow you any course [of action] against them.[67]

This kind of differentiation, between those who keep on fighting against Muslims, and those who offer peace, shows that this severe command only refers to any group that is determined to kill Muslims. Muslims should fight the faithless not for their faithlessness, but for their hostility and aggression.

Perhaps the most serious commands regarding fighting polytheists in the Qur'an can be found at the beginning of chapter 9 (Tawbah). In these verses, God declares that He and His Prophet repudiate the polytheists and so their peace contract is no longer valid; the Muslims are asked to kill the polytheists wherever they find them:

> Then, when the sacred months have passed, kill the polytheists wherever you find them, capture them and besiege them, and lie in wait for them at every ambush.[68]

A concise analysis and comparison of these verses leads to the following two conclusions:

Firstly, the origin of the command to fight lies with the breach of a peace treaty by polytheists.

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66 2:193
67 4:90
68 9:5

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> …barring the polytheists with whom you have made a treaty, and who did not violate any [of its terms] with you, nor backed anyone against you. So fulfil the treaty with them until [the end of] its term... [69]

If Muslims are commanded to fight polytheists on the grounds of their polytheism, such an exception would not have been made. Consequently, the reason for fighting polytheists is something else, mentioned in the last verse: it is on account of the violation of a treaty. Thus this command is a command to defend oneself against aggression. Moreover, in later verses Muslims are explicitly told to fight side by side with leaders of the unfaithful in the case of a treaty breach, similar to the situation in the previously discussed verse:

> But if they break their pledges after having made a treaty and revile your religion, then fight the leaders of unfaith indeed they have no [commitment to] pledges maybe they will relinquish.[70]

Only then does God blame Muslims for not fighting a group which broke its treaties, was resolved to expel the Prophet, and was first to open hostilities against Muslims.[71] In conclusion, the context of these verses includes peace breaking (9:4, 9:10, 9:12 and 9:13) and expelling the Prophet (9:13). Such behaviour is obscene and need to be opposed, because they were initiated by polytheists (9:13).

Secondly, the war is not intended to convert polytheists to Islam. This means that Muslims are not commanded to continue with a war until the polytheists convert to Islam. If there were such an aim, God would not command His Prophet in this way:

> If any of the polytheists seeks asylum from you, grant him asylum until he hears the Word of Allah. Then convey him to his place of safety. That is because they are a people who do not know.[72]

A principle in the comprehensive reading of a book – including the Qur'an- is that when interpreting two commands with the same rulings, one absolute and one conditional, the absolute command should be interpreted in the light of the conditional one. This principle applies to *jihad* verses in which absolute and conditional commands of *jihad* exist, and the absolute ones should be interpreted in relation to the conditional ones.

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69 9:4
70 9:12
71 9:12-13
72 9:6

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Clearly, the conditional commands limit warfare merely to defense. Thus the absolute ones are relevant only in defensive wars.[73]

There are other verses in the Qur'an that encourage Muslims to fight against infidels. Regarding the above mentioned principle, they all inhabit the same context and only ever call for defense. None of these verses permit an offensive war.

I would like to conclude with the following remarks:

1. In the view of the Qur'an, compulsion is not in accord with belief and faith.
2. In the teachings of the Qur'an, the relationship between people, including believers and non-believers, is based on kindness and peace.
3. None of the reasons expressed to justify offensive war can be derived from Qur'anic principles.
4. There is some encouragement to fight infidels in the Qur'an. On closer investigation, such verses have a common context: they all refer to cases where aggression is first exercised by others against Muslims. God only ever encourages Muslims to defend themselves. God neither encourages Muslims to start a war nor allows them to do so.

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73 Khoei, Sayed Aboul Ghasem. *Mesbaah al-usul*. vol. 2. Qom, 1413 AH, p. 605.

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The Rhetoric of Power in Muhammad Husayn Fadlallah's *al-Islam wa-mantiq al-quwwa*

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Abstract: My paper aims to investigate how rhetoric supports a theory of empowerment, conveys the call to action and justifies violence. To date only a few articles have analysed rhetorical devices frequently used in modern Arabic religious and political discourses. Against this background, I will identify the rhetorical patterns and devices applied by Muhammad Husayn Fadlallah in his *al-Islam wa-mantiq al-quwwa* (Islam and the Logic of Power). Fadlallah in the 1970 s attempted to construct a coherent system of force and a project of empowerment for the Lebanese Shi'ah. In my presentation I plan to examine the rhetorical strategies by which he persuaded his mainly quietist audience and analyse how the various rhetorical tools transmit his philosophy of power. The use of rhetoric in Fadlallah's *al-Islam wa-mantiq al-quwwa*, as well as in his other writings and speeches, are manifold and predominant. They include arguments from scripture, necessity, virtue and instrumentality. Fadlallah has recourse to rhetorical questions, antinomy, metaphors as well as repetition to make his discourse convincing and effective. Moreover, he uses master narratives to frame his project of power in Shi'ah Salvation history. He supports his argument by Qur'anic references as an ultimate authority and quotes it widely to legitimise power and the use of force.

In my analysis I am going to prove that Fadlallah's discourse constructs a religious ideology in which force is understood as virtuous, instrumental and inevitable. Each element of his rhetoric is aimed mainly at reassuring the quietists that the quest for power is justified, and at mobilizing the Shi'ah to take action, even if it implies violence.

Muhammad Husayn Fadlallah's *al-Islam wa-mantiq al-quwwa* was written in 1976 at the outset of the Lebanese civil war while the Phalangist forces bombarded Fadlallah's constituency. The book is best described as a manual for the ideologues and leaders of Islamic movements of, and beyond the awakening Shi'i community. In the following I highlight some of the rhetorical strategies employed by Fadlallah in order to convince the quietist Shi'ah that the quest for power is justified, and at mobilising them to take action even if it implies violence.

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The present article intends to detect how a Muslim scholar uses rhetorical devices to make an argument. In the following I describe the structure of Fadlallah's reasoning then I outline the internal logic of his arguments and his understanding of logic. Third, I identify the rhetorical patterns applied by him - such as arguments from scripture, necessity, virtue and instrumentality, rhetorical questions, antinomy, metaphors and repetition and master narratives –, and I study the way the various rhetorical tools transmit Fadlallah's philosophy of power. My aim is to prove that Fadlallah's rhetoric constructs a religious ideology in which force is understood as virtuous, instrumental and necessary.

As J. Charteris-Black rightly observed, '[p]ersuasion is a multi-layered discourse function that is the outcome of a complex interaction between intention, linguistic choice and context.'[1] Fadlallah's aim was to prove that under certain conditions a violation of a moral rule is not immoral but morally justified and even required by the religious law. Accordingly, Fadlallah's *al-Islam wa-mantiq al-quwwa* endorses a specific rhetoric of violence.

The Structure of the Argument

The various chapters of the book deal with the aspects of power such as the Islamic doctrine, the problematic of standing up to tyranny, faith, spirituality, social strength, the question of numerical majority, the means of change, the link between *da'wah* and power, and the ethics of force. Fadlallah's method of presenting a topic follows a stable pattern. First, he presents his hypothesis regarding the issue in question. Second, he provides quotes from the Qur'an and the *hadith*. Third, he summarises the content of the quotes. Fourth, he relates their content to his hypothesis. Fifth, he draws the conclusion in which he paraphrases the hypothesis.

Fadlallah bases his reasoning on a combination of human experience and the contextual interpretation of revelation and tradition. He takes human experience as a starting point for any analysis and claims that this approach guarantees the realism of his reasoning.[2] Then he looks for a simi-

1 Jonathan Charteris-Black. Politicians and Rhetoric: The Persuasive Power of Metaphor. Basingstoke, 2005, p. 30.

2 Fadlallah. *al-Islam wa-mantiq al-quwwa*. Beirut, 3rd ed. 1985, p. 286.

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lar situation in the sacred texts of Islam and highlights the parallels between the two contexts. His focus at this stage is on the divine intention as unfolded in the particular situation. Finally, he assesses the present experience in light of the divine message. He considers his argument as realistic but without aspiring to mundane rationalism.

Through this process he aims to uncover the transcendental goal inherent in any given situation. As a result he designs a new reality of potentials constructed through a novel way of interpretation and argumentation, however, inseparable from the Islamic perception of life and politics, and embedded in the Shiʿi experience.

The Internal Logic of the Argument

Through a set of arguments, he justifies an internal logic of power in the Daʿwah Islamist political perspective. Fadlallah wants to convince the quietist Shiʿah that the Daʿwah tradition, which is committed to justice and peace, has in fact always promoted power – as well as the means to acquire it. He repeatedly states that peace is the priority for Islam,[3] while the resort to violence is an exception. However, when a peaceful attitude appears as a sign of weakness and compromise, Islam 'prefers confrontation'.[4] The variable that links nature (power pervades human existence) and norm (Islam shall bring in peace) is God. It is God who created nature as power and chose Islam to bring it to peace.

In Fadlallah's thought, a resort to war is legitimized by its purpose, which is to halt unlawful practices. In this system, any act is nothing but a mere means to achieve divinely set goals, and its value is determined by its intention. This makes Fadlallah's divine command ethics purposeful, and places his Machiavellian concept in a frame controlled by religious law. Similarly, the notion of transgression is evaluated in light of the Islamic principles and the actual situation on the ground. In this framework Fadlallah states that both violence and peace can be exercised and legitimized in view of the challenge the Muslim community faces.[5]

3 Ibid. p. 210, 265, 283, 299.
4 Ibid. p. 204.
5 Ibid. p. 205.

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Rhetorical Tools and Strategies

1. Argument from scripture

In *al-Islam wa-mantiq al-quwwa*, the Qur'an stands as the primary reference in Fadlallah's argumentation. The most effective way of citation is when the verses are embedded into the author's train of thought. Thus, the theme evolves through the Qur'anic passages carefully selected by Fadlallah. The Qur'anic quotes interweave and saturate the author's discourse to an extent that the readers feel as if the Qur'an was directly addressing them through his own ideas. As a result, the narrative contains intermittent exhortative passages, and the audience gets carried away by the flow of the Scripture, while being indoctrinated by Fadlallah.

Fadlallah draws on thematic exegesis to cement his rhetoric. At the beginning of the chapters and sections, he identifies the theme to be elaborated on and selects verses or group of verses that are linked to the selected theme. Subsequently, he comments on the idea present in the citations rather than engaging in an analytic exegesis of the terms and sequences, or giving details about the circumstances of revelation (*asbab al-nuzul*). This technique establishes an artificial coherence between the quoted verses and the author's interpretation, providing the reader with an assumed unity of meaning all through the passage or section.

From the frequency of the Qur'anic quotations, we can infer that he gives preference to the Qur'an over the *hadith.* As explained by Stephan Dähne, the rhetorical device called 'equivalence of contexts' in classical Arabic literature meant the use of the Qur'anic text with the aim of creating an intellectual, emotional setting in which the idea or the situation depicted in the Qur'an echoes the experience of the audience. Thus 'one finds the object of the speech subtly interconnected with the object of the respective Qur'anic passage'.[6] For Fadlallah, the Qur'anic milieu provides a context equivalent to the up-to-date situation of Shi'ah. Another reason for Fadlallah's preference of the Qur'an to *hadith* is that Qur'anic statements are general, rich in rhetorical elements and open to a wide range of interpretations.

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6 Stephan Dähne. 'Qur'anic Wording in Political Speeches in Classical Arabic Literature.' *Journal of Qur'anic Studies*. 3. 2001, p. 7.

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Studying the views of Fadlallah (along with Khumayni's and Muṭahhari's), an assumption can be made that the rejection of *qiyas* in Da'wah Islam prompted the activist thinkers to identify the general rules, and infer opinion from universal ethical principles as revealed in the Qur'an. This conceptualization gives much less scope for 'scripturalist absolutism'[7] and, at the same time, grants the natural presence of a teleological perspective in activist Shi'ism. Without this teleological perspective, activism could never win over quietism, because the former, traditional restrictions (rooted in a sort of doctrinal absolutism) had to be unwaveringly overwritten. Based on this analysis, it can be said that, with the help of extrapolated general principles, activist Da'wah thinkers – among them Fadlallah – attempted to dissolve tension between deontology and teleology, and mobilised their followers to resort to – even violent – action.

2. *Argument from necessity*

Elizabeth Frazer and Kimberly Hutchings claim that in processes of the justification of political violence, rhetorical tools are strategies that make certain conclusions inescapable by demonstrating that there are no acceptable alternatives.[8] One such tool is called 'necessity arguments'. Agents justify political violence by claiming that it is a necessity and what is necessary should be done for the survival of the individual or the community. Thus, the argument from necessity appeals to the human instinct of survival. This is a captivating rhetorical strategy in an Islamic context, all the more so given that it is justified by the Qur'an and the *shari'ah*. The Qur'an supports the permission to fight non-believers on the basis of the necessity to defend the community of believers. As for Islamic law, it allows forbidden acts in case of necessity, *al-darurat tubih al-mahzurat*.

In Chapter 6 (on 'the moral dimension of power in Islam') of *al-Islam wa-mantiq al-quwwa*, Fadlallah argues for the right of the weak and oppressed to use force in confronting the oppressors. Here, the use of force is a legitimate right of self-defence. Besides, confrontation can serve to prevent greater destruction. Fadlallah insists that, without permission to use force in cases of necessity, no moral principles or nothing sacred could

7 A term used by Daniel Brown in 'Islamic Ethics in Comparative Perspective'. In: *The Muslim World*. 89. 1999, p. 190.

8 Frazer and Hutchings. 'Argument and Rhetoric.' p. 193.

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have survived.[9] Furthermore, he adds that the legal permission addresses pious people who, having resorted to fight, are not accountable for the harm they cause. The exposition is designed to deal with the major concerns of the quietist Shi'ah in order to convince them that fighting is not only allowed but also a duty imposed by the circumstances. In Chapter 7 (on 'the call and the logic of power', while examining whether *jihad* is a means to call to Islam or not, Fadlallah concludes - referring to the early Islamic history - that 'force is one of the means to protect the Call and defend it from the challenges posed by its infidel adversaries'.[10]

3. *Argument from virtue*

Virtuous violence is defined by the values that motivate it and by 'the character of those individuals engaged in it'.[11] As a rhetorical tool, virtuous violence helps to avoid the conclusion that all kinds of political violence are necessary and rational. The argument from virtue is reasoned in two ways. The first one is the assumption that, in specific instances, force is virtue and since virtue must be realized, it follows that using force in specific instances is unavoidable. The other way focuses on virtuous agents. It assumes that everything done by virtuous people is good. Since virtuous people use force, it follows that using force is good.

Fadlallah differentiates between virtuous and evil uses of force: between killing and 'fighting in the path of God',[12] between the violence of the oppressors and the violence of the oppressed.[13]It is God who reveals the right use of force to Man through the *shardya,* which is the base of ethics.[14] Fadlallah asserts that 'The use of power that does not contradict Islamic values is a moral virtue that helps to establish a decent life.'[15] Consequently, the use of force is justified only if it reflects and embodies the virtues and values of Islam.

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9 Fadlallah. *al-Islam wa-mantiq al-quwwa*. p. 61.
10 Ibid. 228.
11 Frazer and Hutchings. 'Argument and Rhetoric.' pp. 181-182.
12 Ibid. p.198.
13 See e.g. *al-Islam wa-mantiq al-quwwa*. p. 61.
14 Ibid. p.195.
15 Ibid. p.196.

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Besides the focus on virtues, Fadlallah's discourse is centred on prominent figures who embody these characteristics. Fadlallah claims that the Imams refrained from action only when there was no leadership that possessed the necessary religious competence to lead the community to victory.[16] However, he stresses that the Imams supported all movements that acted according to the Islamic principles. The reference to the Imams as ultimate models of action is an affective argument through which he secures the legitimacy of his own discourse.

Fadlallah dedicates two chapters to the ethics of power and several sections to interpreting 'commanding right and forbidding wrong', because his ultimate aim is to convince the quietist Shi'ah that fighting for Islamic goals is virtuous. He reconstructs the meaning of violence as virtue in as much as it means righteous use of force. Through his references to virtuous figures such as the Prophet and the Imams who called to power, Fadlallah urges the Lebanese Shi'ah to take action and expects a 'keen response' from his audience.[17]

4. Argument from instrumentality

Fadlallah's repertoire of arguments contains end-oriented justifications that Frazer and Hutchings describe as arguments from instrumentality. Such substantiations evaluate violence as '"instrumental" for politics because it is an effective means for achieving political ends'.[18] However, this kind of justification leaves two major concerns un-addressed: the relationship between means and ends, and the unpredictability of the outcome. This is why supplementary arguments[19] such as arguments from necessity and arguments from virtue are applied. This phenomenon points to the fact that various types of arguments cannot be clearly separated even inside the same text and in most cases they are present simultaneously.

In the *Introduction* of the book, Fadlallah radically identifies power as the essence of life without which no self-esteem or progress is possible. His assertion is that 'the weak and oppressed were not able to win battles in support of their principles, thoughts and interests until they eventually

16 Ibid. p. 272.
17 Frazer and Hutchings. 'Argument and Rhetoric'. p. 189.
18 Ibid. p. 181.
19 Ibid. p. 181.

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got hold of the means or were in a position of power'.[20] At this point, he carefully mixes arguments from necessity and arguments from instrumentality. Although Fadlallah's argument is seemingly built on existential necessity, it is a goal-oriented ethics of existence. The implementation of Islam is the ultimate aim of human life. Thus, mere survival, or refraining from action, renders existence futile. Muslim life has a unique value only because it is instrumental to the victory of Islam. If the instrument is endangered, the supreme goal is imperilled as well. The use of force, therefore, is based on the necessity to secure the existence of the instrument and, consequently, on the realisation of the supreme Islamic goal.

In the conclusion of *al-Islam wa-mantiq al-quwwa*, Fadlallah asserts that Muslims are expected to be strong in order to realise the major Islamic objectives, and to prevent the aggression of its enemies. For this, military, economic, political, and scientific power is needed, and force serves as a deterrent. Therefore, violence is justified in as much as it opposes and destroys oppressive systems and secures the necessary stability for implementing the Islamic order. Therefore in Fadlallah's thought power is both a value in itself and an instrument and none of the aspects of power can be isolated from the rest.

5. Rhetorical questions

Fadlallah opens each chapter with a few rhetorical questions. This rhetorical tool is 'an assertion in the form of an interrogative statement (…) characterised by (…) aggressive and polemical content in which two hostile voices are dialogically opposed'.[21] A rhetorical question calls on the reader to choose from among two alternatives the one suggested by the author. Muhammad A. Badarneh identified four main functions of rhetorical questions in Arabic prose: 1. to confer a dialogic quality upon the text, 2. to launch a hidden polemic against those who have a differing view, 3. to question the foundation of differing views, and 4. to speak for and create identification with the reader.[22]

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20 Fa Fadlallah. pp. 17-18.

21 Badarneh, Muhammad A. 'Exploring the Use of Rhetorical Questions in Editorial Discourse: a Case Study of Arabic Editorials,' Text & Talk - An Interdisciplinary Journal of Language, Discourse & Communication Studies. 29. 2009. p. 639.

22 Badarneh. 'Exploring the Use of Rhetorical Questions.' p. 639.

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In the first page of *al-Islam wa-mantiq al-quwwa* Fadlallah asks:

> If Islam believes in force, is it blind force that justifies everything including aggression? Or is it the force that does not reach the point of aggression (*'ud-wan*)? (…) How does all this comply with Islamic morals such as forgiveness, tolerance and patience? Are the latter regarded as weaknesses that encourage Muslims to be submissive? Or are they aspects of strength that is in line with the Islamic concept? And [if so], how could this be the case?[23]

In these questions, Fadlallah addresses some of the essential issues dealt with in the book, and right at the outset makes his style polemic. The first two questions are in fact clauses of one single statement in which the opinion of those who promote unrestricted violence is presented in the subordinate clause, and as such it is undermined by the rhetorical question in the main clause asserting that Islam does believe in force but not in a blind one. The following four questions embrace another topic, the problem of morality with respect to strength and weakness. Here, the answer is provided in the concluding question that refers back to his preferred interpretation, thus disqualifying any differing views. In these questions, Fadlallah summarizes the essence of the book, declares his opinion, and addresses both the quietist and those who opt for spontaneous and limitless use of force. The cogency of the concluding rhetorical question lies in the fact that it contains the ideologically and rationally[24] viable alternative that is in line with the cultural code of the readers who are, therefore, expected to take it as self-evidently true.[25]

In Chapter 7, where Fadlallah examines the relation between the call to Islam and the Islamic concept of strength, he poses a rhetorical question where he applies the technique of double voicing.[26]

> Are violence, force, compulsion, fighting and the like considered as acceptable ways to bring people into Islam? Was there no other option for those who refused conversion but submission regardless of their beliefs? And can we consider that the force used in the Islamic conquests was the prime means of spreading Islam across the world?[27]

Here, Fadlallah expresses ideas that are associated with critiques of Islam. He takes these questions as opportunities to present critical opinions and at

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23 Fadlallah. *al-Islam wa-mantiq al-quwwa*. p. 13.
24 Badarneh. 'Exploring the Use of Rhetorical Questions.' p. 650.
25 Ibid. p. 652.
26 Ibid. p. 643.
27 Fadlallah. *al-Islam wa-mantiq al-quwwa*. p. 217.

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the same time reduce their weight through the interrogative form. Later on, he dedicates the whole chapter to denying these statements and bases his argument on primarily Islam-friendly Western sources. With this, his aim is to question the very foundation upon which critical discourse is built, to attack and cast doubt on the legitimacy and integrity[28] of their argument.

Fadlallah's consistent resort to rhetorical questions – characteristic of *khutba* style rather than of a well-thought written treatise – proves his determination to further bolster the contrast between 'us' and 'them'. He sets the scene for two antagonistic discourses: that of his readers and that of his opponents inside and outside of his community. As the two types of rhetorical questions demonstrate, his aim was to persuade the insiders and to discredit those who are adversaries of Islam. This polemical tone is reflective of the style of *al-Islam wa-mantiq al-quwwa* generally, and makes the book similar to a chain of extended *khutbas*.

In each case, Fadlallah dedicates the entire chapter to answering the rhetorical questions posed in the introduction. As Badarneh terms it, he speaks for the reader.[29] Fadlallah skilfully creates the illusion that there is space for the reader to interact with the text, but in fact he establishes false dichotomies and designs the discourse in a way to leave only one option to the reader.

6. Repetition

One of Fadlallah's most important rhetorical tools is repetition. He follows and makes use of a long tradition of Arabic prose in general, and religious-political discourse in particular, in which redefinition of an idea is considered as a logical proof. As Barbara Johnstone indicates, the linguistic forms and expressions that provide the argument with cogency 'are at the heart of the [Arabic] language, the discourse, and the rhetoric'.[30] Furthermore, she claims that 'persuasion is a result as much, or more, of the sheer number of times an idea is stated and the balanced, elaborate ways

28 Ibid. p. 656.
29 Ibid. p. 654.
30 Barbara Johnstone. 'Presentation as Proof: The Language of Arabic Rhetoric.' In: Anthropological Linguistics. 25. 1983, p. 56.

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in which it is stated as it is a result of syllogistic or enthymematic 'logical' organisation'.[31]

Johnstone's remarks apply to Fadlallah's argumentation in *al-Islam wa-mantiq al-quwwa* as well. He uses diverse tactics for repetition that include repetition of certain expressions, parallelism (repetition of form), and paraphrasing (repetition of content) in various ways. Out of the many examples of repetition that pervade the text and interconnect the various chapters, highlight only showcases. The first one illustrates Fadlallah's use of syntactic parallelism, both 'listing' – repetition of entire clauses cited to provide examples or details[32] – and 'cumulative repetition' – in which semantically each one builds on the previous one and thus has a kind of cumulative effect.[33] In Chapter 6, on the moral dimension of power, Fadlallah lists the reasons why Muslims need to resort to force in 5 points.

> 1. Making efforts to construct a life based on faith in God (*al-'amal 'ala bina' al-hayat*) (…) makes the movement stronger and faster (…) provides the actors with the feeling of confidence (…)
> 2. Protecting (*himaya*) religion against the persecution of its enemies (…)
> 3. Supporting (*intizar*) the oppressed, exploited, and helpless groups against the oppressors (…)
> 4. Weakening (*id'af*) the power of the nonbelievers, so that disbelief cannot hinder Islam from progressing (…)
> 5. Defending (*difa'i*) ourselves, and stopping all kinds of aggression against people, lands and sacred places, and fighting oppressors.[34]

In the passage quoted above, the goal of using force is emphatic, placed at the beginning in each statement, and put in *masdar* form. The use of verbal nouns provides the required action with a somewhat abstract sense – describes it as a value – but without depriving it of its dynamism, and thus presents it as a tangible duty for the reader.

In the same section, applying the same pattern gives the passage an internal rhythm. Two of the *masdar*s are synonymous (protect, defend), the rest – 'making efforts to construct', 'weakening the nonbelievers' and 'supporting the oppressed' create an intellectual context in which the use of force appears as constructive, purposeful and value-based. The explanations that follow the introductory statements cited above repeat the very same values and tasks: protecting Islam and the oppressed and weakening

31 Ibid. p. 52.
32 Ibid. p. 50.
33 Ibid. p. 51.
34 Fadlallah. *al-Islam wa-mantiq al-quwwa*. pp. 201-202.

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disbelief and oppressions. This common motif is present as a central idea in each of the five statements, however extended with a particular additional aspect in each instance.

The second example from the Introduction to Chapter 3 on spiritual strength, illustrates Fadlallah's use of reverse paraphrase 'in which the same action or event is described from two opposing perspectives'.[35]

> It is spiritual strength that generates the sense of value in the human soul and detaches life from feelings of fear, sadness, anxiety, loss and laxity, and fills it instead with feelings of confidence, happiness and resoluteness in order to provide it with confidence, steadfastness, and clarity [of vision] in planning and stance. It is through spiritual strength that Man possesses power to confront his enemies. Lacking this would cause a sense of weakness, uncertainty that leads to internal destruction, fills the soul with terror, and crushes all preparations for resistance (…)[36]

The extended paragraph combines reverse paraphrase with cumulative repetition. Fadlallah makes the same statement twice to emphasise importance of spiritual strength. In the first half of the passage, Fadlallah states that possessing spiritual strength generates further values, while lacking it leads to the reverse of those values (fear vs. confidence, happiness vs. sadness etc.). In the second half of the passage, he repeats the same features and broadens the perspective with the anticipated consequences of both attitudes. This method carries away the reader's attention and creates an emotional identification with the message in which happiness is inherently linked to the capacity of resistance. Linking instinctive human desires to political stance through their connection to the identical source actually creates an imprinting in the reader's mind.

Fadlallah uses paraphrase on a large scale and in diverse ways. One of them is summarizing preceding statements.[37] Another means is applied in the case of some ideas that pervade the texture of the book such as the obligation of 'commanding right and forbidding wrong' and its interpretation as a call to force. Fadlallah deals with the topic in three chapters: in Chapter 2 on 'the use of force against tyranny', in Chapter 4 on 'social strength' and in Chapter 8 on 'change and force'. In each case, the core message is repeated and broadened with new elements corresponding to the main theme of the respective chapter. Thus, the idea becomes domi-

35 Johnstone. 'Presentation as Proof.' p. 51.
36 Fadlallah. *al-Islam wa-mantiq al-quwwa*. p. 73.
37 See e.g. Fadlallah. *al-Islam wa-mantiq al-quwwa*. p. 45.

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nant in the book and provides a legal perspective to Fadlallah's arguments for power and force.

Finally, it is necessary to mention some key expressions in the book such as 'realistic vision / perception', 'corresponding to Islamic goals', 'standing up to tyranny / oppression', 'Islamic morality', 'defending the oppressed', 'resisting exploitation'and 'complying to responsibility'. These words and notions and their synonyms are repeated in each chapter countless times and gradually wear away the readers' intellectual defences against debates and arguments on the use of force.

With Johnstone's words in mind – 'repetition... is the key to the linguistic cohesion of the texts and to their rhetorical effectiveness'[38] – we can assume that repetition guaranteed the coherence of Fadlallah's system of thought. Also, it provided the book with a logic based on the internal coherence of the text. Although sometimes annoyingly repetitious, the text is able to fulfil its primary goal: to inculcate in the reader a sense of identification with the author's point of view.[39]

7. Master narratives

As Halverson [et al.] explained, narratives 'provide every society with its own sense of rationality'.[40] To understand how a narrative gains this logic-constructing capacity, its rhetorical organisation needs to be studied. Fadlallah's narrative is based on coherent scriptural master-narratives of empowerment. To reassure the contemporary Shi'ah that their battle now is a continuation of past struggles, Fadlallah provides analogies that help them reinterpret the experienced reality. By reinterpreting master narratives he provided a frame within which his audience could evaluate events and attitudes through their relation to the desired strength and power. Moreover, this perspective presented acquiring power as a sacred obligation and even inevitable for salvation.

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38 Johnstone. 'Presentation as Proof. p. 47.

39 See: Johnstone's reference to Deborah Tannen's 'Spoken and Written Language and the Oral literate Continuum.' In: Proceedings of the Sixth Annual Meeting of the Berkeley Linguistics Society. Berkeley, 1980, p. 7.

40 Halverson, Jeffry R./ Goodall, Jr. H. L./ Corman, Steven R. Master Narratives of Islamist Extremism. Basingstoke, 2011. p. 17.

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In my attempt to study the elements of Fadlallah's narrative of Da'wah history, I rely on the categorization of J. R. Halverson [et al.].[41] They define master narrative as a comprehensive and 'culturally embedded view of history' that provides a systematic understanding of the past, the present and the future of a community.[42] It shapes the communal as well as the individual identity and merges them into a coherent whole through ideology and required action.[43] Any master narrative is made up of narratives, a 'coherent system of stories'[44] that aim to provide a solution for a problem in the present by creating 'a narrative trajectory'[45] of conflicts, participants, actions, and events. Narratives employ archetypal characters – set in binary oppositions – relationships – alliances or conflicts – and 'standard actions' required from the agents of the story.[46] The solution to the ideological problem exposed in the narrative can only be found through the resolution of the original, real life conflict.

Fadlallah evokes all the key elements of the Da'wah master narrative: the Karbala' event, history as a venue of salvation from corruption, and the problem of occultation. The elements of his master narrative convey one message, that of the Manichaean perception of history that permeates Fadlallah's discourse. The basic conflict to be solved is the prevailing injustice and oppression in the contemporary reality versus the desire to change the state of affairs in accordance with the divine law that grants righteousness. For this Fadlallah constructed a new, universalistic master narrative of power as an essential means of realizing justice that ultimately brings about salvation. It is based upon the 'narrative trajectory' that presents inner strength and tangible power as inevitable in order to wipe out injustice, as part of the divine mission assigned to human beings.

7.1 The account of Karbala' in Fadlallah's narrative of power

Fadlallah claims – contrary to the prevailing perception – that al-Iusayn engaged in the fight not only 'to carry out the Imam's divine duty' with

41 Halverson et al. Master Narratives.
42 Ibid. p.12.
43 Ibid. pp. 21-22.
44 Ibid. p.23.
45 Ibid. p.19.
46 Halverson et al. Master Narratives. p. 24.

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full awareness of his destiny, but he was above all determined to restore 'the just Islamic rule'.[47] In Fadlallah's narrative, Karbala' took place as a result of circumstances that are 'familiar' (*ma'luf*)[48] to his readers, an act of resistance to be repeated by all the faithful. Put in the new frame, Karbala' is not only an open-ended conflict, but also a manifestation of power, courage, and hope. It is about accepting the allotted mission as well as about transforming the reality. The reinterpreted Karbala' is the symbol of 'noble sacrifice'[49] but also that of determined action. As such it appears as part of the obligation of 'commanding right and forbidding wrong'.

Furthermore, Fadlallah does not linger on portraying Mu'awiya and Yazid as archetypes of oppressors in order to describe the nature of evil. His narrative focuses on mobilisation and change. The inner conflict between weakness and strength is resolved by al-Husayn the warrior, whose figure takes primacy over the archetype of al-Husayn the martyr. Fadlallah provides a new direction to the trajectory of the master narrative of Karbala' in which martyrdom and resistance are not values in themselves, but only means leading to the final goal: power and justice.

7.2 The role of the Mahdi in Fadlallah's narrative of power

Fadlallah asserts that true change is never detached from the Islamic path and the final victory of the movement is realized with the return of the *Mahdi*.[50] However, he tackles the issue from a de-mystified and pragmatic perspective and insists that 'the need for an order and state'[51] is not restricted to the era of the Prophet and the Imams. He inserts two brief sections on the problem of the absence of the *Mahdi* in the context of the necessity of Islamic governance ('Islam – a call and a state')[52] and the permitted means of change ('Change by leniency and violence').[53]

This framing renders the problem of occultation secondary and deals with it simply to deny any views that oppose activism in the absence of

47 Fadlallah. *al-Islam wa-mantiq al-quwwa*. p. 269.
48 Ibid p. 270.
49 Halverson et al. p. 92.
50 Fadlallah. p. 274.
51 Ibid. p. 263.
52 Ibid. p. 260.
53 Ibid. p. 264.

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the Imam. It is power and authority put at the service of implementing the *shari'ah* that 'lays the foundations of justice in life,'[54]and as such they are detached from the requirement of infallible leadership. With this statement Fadlallah echoes the Sunni position and puts aside a basic Da'wah condition of legitimacy. Power inasmuch as it serves justice is legitimate, it enjoys priority over infallibility, and it is accessible to every committed Muslim.

7.3 Salvation history in Fadlallah's narrative of power

In Fadlallah's narrative the events of salvation history as described in the Qur'an – and thus preserved in the collective system of belief – are to prove the legitimacy and necessity of resorting to violence in certain situations. The first Muslims did not use force out of mere habit but fought for the just cause, in the same way as the contemporary Lebanese Shi'ah are expected to do. He invokes relevant episodes of this salvation history and interprets them as necessary manifestations of the legitimate use of force. Thus, Fadlallah provides a constant moral framework of using force for his audience.[55] This connection between the narrative of the past and the mobilisation in the present is a crucial aspect of Islamist discourse.

8. Antinomy (tibaq)

In the justification of the use of force, Fadlallah's argument is based on the claim that it is Islamic as opposed to other non-Islamic forms of power and aggression. This approach necessitates the perception of a bipolar world in which what is Islamic is by essence good, and what is non-Islamic is essentially bad. Maintaining the constant tension between the two is indispensable for the internal logic of his reasoning. Therefore, in order to preserve the coherence of the argument, Fadlallah depicts the world through mutually exclusive antinomies (*tibaq*), a prominent rhetorical feature extremely popular in the current and past Arabic political and religious discourses. In this rhetorical figure, concepts with irreconcilably op-

54 Ibid. p. 263.
55 Hume, Mo. 'Questioning Violence: Meanings, Myths and Realities.' Bulletin of Latin American Research. 28. 2009, p. 50.

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posing meaning are juxtaposed in the same sentence or paragraph and shape the style and the argument of Fadlallah's discourse.[56]

The most prevalent *tibaq* pairs in *al-Islam wa-mantiq al-quwwa* are the following: positive (*ijabi*) vs. negative (*salbi*); goodness (*khayr*) vs. evil (*sharr*); falsehood (*batil*) vs. righteousness (*haqq*); strength (*quwwa*) vs. weakness (*da'f*); faith (*iman*) vs. disbelief (*kufr*); right (*ma'ruf*) vs. wrong (*munkar*); leniency (*lutf*) vs. violence (*'unf*); realistic (*waqi'i*) vs. idealistic (*mithali*).

However, with a double twist, Fadlallah sometimes reconciles binary oppositions.[57] For example, he asserts that 'strength is neither the tolerance in times of peace to preserve life, nor is it the violence in times of war that demolishes life (…) Islam advocates both peace and war to preserve freedom, as well as all the virtues and principles it believes in'.[58]Thus, he presents Islam as a comprehensive system in which the seemingly mutually exclusive means can be equally legitimate by rendering them Islamic.

Fadlallah's division of the world into 'us, the believers' and 'them, the infidels' exempts the believers from the burden of rationally defining what is right and what counts as wrong. In H. L. Goodall's words, this approach 'serves to simplify a complex world that is otherwise threatening, unknown, ambiguous, different, and often unfair, so much so that it becomes the duty of all true believers to rid the world of "them" [even] by force.'[59] This observation fits Fadlallah's emphasis on the inevitable clash between the opposing forces of corruption and righteousness, and the inherent moral aspect of this combat. In this the 'Islamic system / order' (*al- nizam al-islami*) appears as 'righteous',[60] as opposed to the 'order of disbelief' *(al-nizam al-kafir).*[61] Through dichotomies - Fadlallah establishes a new – political – myth in which collaboration, quietism and compromises are associated with decay and deviation, while resistance, revolt, and activism

56 Heinrichs, W. P. '*Tibaq*.' In : *Encyclopaedia of Islam*. P. Bearman et al. (Eds.). 0. Leiden, 2000, pp. 450-452.
57 Fadlallah. *al-Islam wa-mantiq al-quwwa*. p. 243.
58 Ibid. p. 205.
59 Goodall, Jr, H. L. 'Blood, Shit, and Tears: The Terrorist as Abject Other.' (a paper presented at the conference on 'Managing and Legislating Workplace Abjection.' University of York, United Kingdom, 23 September, 2009). Quoted in Halverson et al. 22.
60 Fadlallah. p. 272.
61 Ibid. p. 257.

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are the inevitable constituents of the Islamic revolution and equal life force.

9. *Metaphors of battle(field)*

Among the rhetorical tools applied by Fadlallah, metaphors have a special significance. In the following, I will look at one of the most recurrent of them in *al-Islam wa-mantiq al-quwwa*: the notion of *ma'raka* battle(field). As Jonathan Charteris-Black observed, the systematic nature of metaphor choices informs us how social relations are perceived in a given context, and how beliefs 'are conceived and communicated'.[62] In Fadlallah's use, the metaphor of battlefield is ascribed to various actions suggesting an underlying 'conceptual metaphor' that life is conflict. The conceptual (underlying) metaphor, 'life is a battlefield' determines the choice of words such as 'submission', 'collaboration', 'destruction', 'subjugation', 'destruction', 'confrontation', 'escape', 'neutral' and 'steadfast'. Acts of the believers are described with the terminology of warfare, leading to either victory or defeat as if they were part of a military campaign.[63] Inherently related to this perception is the idea that religion was revealed to guide Man in the ongoing mythic cosmic clash of the good and bad.

Fadlallah imbues the book with the notion of *ma'raka*, insinuating that life in its all aspects is a battlefield where violence can be a basic and natural human response to the various challenges and dangers posed to the individual and to the community. His use of the notion 'battlefield' both metaphorically and literally (references to Hittin,[64] Badr,[65] Uhud,[66] al-Ahzab,[67] and Hunayn[68]) connects the two realms into a coherent unity. Fadlallah's technique is based on reification, the reference to abstract phenomena – such as tensions and confrontations characteristic to human existence – by the concrete notions of battle and battlefield. Battle(field) as a metaphor can refer to acts of resistance as well as the social, economic,

62 Charteris-Black. Politicians and Rhetoric. 3.
63 Ibid. p. 90.
64 Fadlallah. *al-Islam wa-mantiq al-quwwa*. p. 236.
65 Ibid. pp. 293-296.
66 Ibid. p. 270.
67 Ibid. p. 270.
68 Ibid. pp. 175-8.

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political, and intellectual fields of life, and to the psyche of the believer. Accordingly, the enemy can be all those who criticize Islam in any form, who cause a rift in society, who resort to quietism, and those who act without self-restraint.

Terming every aspect of human life as a potential or actual battlefield, Fadlallah made use of the power of metaphors in binding the 'conscious and unconscious means of persuasion – between cognition and emotion – to create a moral perspective on life'.[69] Thus, through the use of metaphors, Fadlallah managed to influence the emotional associations of the Lebanese Shi'ah and re-interpret the Da'wah ethos. Charteris-Black claims that metaphors relate abstract notions and 'ideologies' to daily experience and thus make them affective and accessible.[70] The use of a particular metaphor, which in turn legitimates a proposed ideology or policy is embedded in a particular social and cultural value system that can transform a metaphor into a myth. By myth, I mean 'a narrative that embodies a set of beliefs expressing aspects of the unconscious [and] provides an explanation of all the things for which explanations are felt to be necessary'.[71] 'Political myths' are created by binding novel modes of action to traditional values through metaphors. The evaluation implicit in figurative language, thus, appeals to the emotions of the audience and the resulting political myth provides a new perception of a given problem.

The historical battles mentioned carry a political meaning as well. Considering the context in which the book was published – 1976 Beirut – the early battles of the Muslim community are supposed to recall the potentials of the righteous minority – the Shi'ah- and the importance of faith and organisation. In this discourse, the problems and enemies of the past are re-materialized in the present, with the same significance although in a different setting.

In Fadlallah's argument, we can also detect 'a slippage from a metaphoric relation of association to a logical relation of causation'.[72]In the 'metaphor frame', the political establishment, the quietist Da'wah tradition, and non-Islamic ideologies are related as causes to the social-economic problems, and to the political weakness and deprivation of the community as effects.

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69 Charteris-Black. p. 13.
70 Ibid. p. 22.
71 Ibid. p. 22.
72 Charteris-Black. Politicians and Rhetoric. p. 100.

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Concluding remarks

The present article is intended as a contribution to our understanding of Islamist discursive practices. Accordingly, special emphasis was paid to the relationship between the author, his text, and the reception of his intended audience, in particular, by analysing the rhetoric and ideas that he employed to persuade them. Many of the studied features use or create a binary opposition to create and cement the notion of 'us' vs. 'them'. References were made to certain aspects of intellectual and social history to situate the author's discursive practices in relation to the values of his intended audience.

In sum, we can assume that Fadlallah's rhetoric constructs a religious ideology in which force is understood as virtuous, instrumental and necessary to promote the interests of the Shi'ah minority. In this framework any act is nothing but a mere means in achieving divinely set goals, and its value is determined by its purpose. Fadlallah's use of scripture and master narratives served to prove that a tradition committed to justice always promoted power and the means to acquire it. The various tools constitute a coherent rhetorical strategy due to their interrelatedness in serving the underlying idea: the justification of power and legitimizing the means that lead to it.

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Jawdat Sa‘id and the Muslim Philosophy of Peace

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Abstract: Jawdat Sa‘id (born in 1931) is known as the Gandhi of the Arabs and Islam. He was trained at al-Azhar and influenced by Gandhi, M. Iqbal and Malik Bennabi. Nowadays, he is the foremost advocate of non-violence in modern Islam. He contested S. Qutb's ideology and led an ascetic life until he left Syria recently. Sa‘id opposed confrontation between the Syrian regime and Islamists. He developed a unique pacifist stance in the Muslim world, based on the principle of prophetic disobedience. This paper will address Sa‘id's philosophy of peace and its impact on Islamic thought. Furthermore, I will look at his historicist epistemology, the main asset of his pacifism. Sa‘id believes in causality and learning from human history, experience and science as tools for reinterpreting the Muslim tradition.

Introduction

It must be said, this is a depressing time for peace in the Muslim world. Political violence affects most of the 57 members of the Organisation of Islamic Cooperation (OIC). In addition, radical Islamic movements, all over the globe, hold a bloody and suicidal campaign of nihilist terror. As a general rule, as it stands, Muslim societies have only two violent options: repressive regimes or chaos. Over and above this, there seems to be no effective counter-movement for peace; violence and its perpetrators are condemned, but no wide and critical movement of Islamic thought is endorsed to question the anthropological, religious and political - very much interrelated - nature of violence in the Muslim world.

Yet, all is not sinister. Movements of civil society and intellectuals sustain the promise of peaceful Muslim societies. Although rarer than red sulfur, to use a metaphor from Arabic literature, Muslim intellectuals who dedicate their lifelong projects to peace do exist. Recently, M. Keshavjee and R. Jahanbegloo reminded us of some central ideas of peace to be exploited in Muslim ethics (ex. mercy, *rahma*) and figures (ex. Khan Abdul

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Ghaffar Khan).[1] In the last decade, there is indeed an active quest of pacifism in Muslim thought.[2]

Of all current Muslim pacifist intellectuals, Jawdat Sa‘id (born in 1931) is incontestably the most outspoken voice. Since 1960, he wrote and led activities that promote peace from an Islamic perspective. He is even known as the Gandhi of the Arabs. Nevertheless, there is no doubt, at least in the Arabic speaking countries, that he is the foremost advocate of nonviolence. Be that as it may, his half-century intellectual and political itinerary attracted very little attention. No scholarly study has been dedicated to him in any European language and the few discussions of his ideas in Arabic do not do justice to his project. This paper constitutes the first comprehensive attempt to present Jawdat Saʿid's thought to a scholarly public.

This study begins by presenting a few elements of Sa‘id's biography and context in order to discern the specificity of his itinerary (1). Then, I will briefly look at his theoretical foundations of peace, mainly his theory of knowledge (2). Subsequently, I will come to the core of this paper which examines Sa‘id's major ideas and arguments for peace. Finally, I will show the limits of his system of thought (4), especially in his reading of Muslim history and tradition.

1. Jawdat Sa‘id: A profile of peace

Sa‘id's context is marked by three circles of violence. The first conflict was between Syria and Israel. Sa‘id was born and spent most of his life in the village of Bi'r al-‘Ajam (the Golan Heights). The village was occupied and destroyed by Israel in 1967. After 1973, the village was returned to Syria, and a movement of reconstruction and repopulation, in which Sa‘id participated, took place. A second conflict emerged between the Muslim

1 Keshavjee, M. Dispute Resolution. In: Amyn B. Sajoo (Ed.). A Companion to Muslim Ethics. London, New York, 2010, pp. 151-166.
And Jahanbegloo, R. ‘Nonviolence'. In: Amyn B. Sajoo (Ed.). A Companion to Muslim Ethics, p. 187-199.

2 See for example:
Halverson, Jeffrey R. Searching for a King: Muslim Nonviolence and the Future of Islam. Washington, 2012.
The work of K. D. Crow, Mohammed Abu-Nimer and Asghar ‘Ali Engineer deserves special attention in this regard.

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Brotherhood and the Baath regime in the sixties, leading to a bloody confrontation in the seventies and early eighties. Sa'id was very close to Islamic movements, as an observer and a critic. The major circle of violence, however, is the one that burst out in 2011, between the Syrian regime and the Syrian rebels and people, which killed hundreds of thousands. Within this context, Sa'id engaged in the heated debates about non-violence and social change in Islam.

He was trained at al-Azhar in the 40 s and 50 s where he graduated in Arabic language studies. He also lived in Saudi Arabia for a short time. He was a secondary teacher of Arabic in Damascus during the sixties, a prisoner and victim of the regime's repressive policies on several occasions. In 1973, he decided to rejoin his village and live an ascetic life as a farmer, albeit engaged in Syrian intellectual debates and politics.[3] He left Syria in 2012 after the bombing of his village by the Syrian regime and the death of his brother.[4]

Sa'id is known to be one of the earliest voices to challenge S. Qutb's Islamist ideology. In 1966, he published his *Madhhab ibn Adam al-awwal aw mushkilat al-ʿunf fi al-ʿamal al-Islami,* the first pacifist book in Islamic thought, a revolutionary step in the context of the sixties. In this book, the influence of Gandhi (d. 1948) and Muhammad Iqbal (d. 1938) are evident. In his subsequent books, he seeks to explain the foundations of pacific change in the Muslim world, with a particular interest in the philosophy of history, society and knowledge, displaying the clear influence of the Algerian thinker Malik Bennabi (d. 1973). This can be seen in his works *Hatta yughayyiru ma bi-anfusihim*: *bahth fi sunan taghyir al-nafs wa-l-mujtamaʿ* (1970), *Fuqdan al-tawazun al-ijtima'i* (1978), *al-ʿAmal qudra wa-irada* (1983), *Iqra' wa-rabbuka al-akram* (1988) and *Riyah al-taghyir: qadaya al-insan wa-l-ʿilm wa-l-taʾwil (1995)*. His later works are engaged with the problem of violence (*Kun ka-ibn Adam, and La ikrah fi al-din : dirasat wa-abhath fi al-fikr al-Islami, 1997*) and that of law (*al-Din wa-l-qanun : ru'ya Qur'aniyya*, 1998).

In Islamist circles, Saʿid's thought was known in the eighties. In the nineties, intellectuals, both Islamist and secular, became interested in his

3 Crow, K. D. 'Nurturing Islamic Peace Discourse'. In: *American Journal of Islamic Social Sciences.* 17. 2000, pp. 64-66.

4 *Jawdat Saʿid daʿiyat al-laʿunf* http://www.syriancenternews.net/ar/news/print_news/10459 [15.08.15].

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discourse as radical Islamist violence devastated Algeria and Egypt.[5] He was regularly invited to universities and academic conferences to speak about dialogue, democracy and peace. It is 9/11 that brought him to a larger audience in the Arab world. His appearances on al-Jazeera since 2004, made his voice heard.[6] In 2001, his niece 'Afra' Jalabi translated into English a long article Sa'id wrote for the Journal of Law and Religion, summarizing his ideas, thus becoming known to a Western audience.[7]

2. *Knowledge as a foundation of peace: insights into Saʿid's epistemology*

It is indeed a particularity of Sa'id to adopt one of the most rationalist, materialist and historicist views in Islamic reformism. He does not lean on the Qur'an as the source of knowledge, but as an indicator of knowledge to be acquired by reason from both our nature and history. Sa'id sees knowledge as the means to peace, and ignorance as the way to violence. There is both naivety and scientism in his thought. Let us consider this passage:

> Knowledge is the mother of peace. Through knowledge, human beings realize the possibility of human reform without disrupting or destroying humanity, because the one with little knowledge and little tricks has resort to demolition and destruction, and sometimes adopts the attitude of ('Let me die with the Philistines!') instead of heading toward knowledge that would turn enemy to a close friend.[8]

Rather than seeking the matrix of peace in divine knowledge, as Muslim reformists do, Sa'id pursues it in human knowledge in so far as it leads to reform, patience and human alliance. Conversely, ignorance results in de-

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5 The first monograph on his thought was published in 1995:
Sa'id, Jawdat/ Mahmud, Ibrahim. *al-Hijra ila al-Islam: hawla al-'alam al-fikri li-Jawdat Sa'id : hiwar, dirasat, ta'qib*. Beirut, 1995.
A Festschrift dedicated to him and his works was published in 2006:
al-Marzuqi, Abu Yaʿrub (Ed.). *Jawdat Sa'id : buhuth wa-maqalat muhdat ilayh*. Damascus, 2006.
Both studies lack any critical appraisal of his ideas.

6 For example, see his interview in the famous *al-Shari'ah wa-l-hayat* show:
Saʿid, Jawdat. *Sunan al-taghyir fi al-afaq wa-l-anfus*. May 2005.
www.aljazeera.net/News/archive/archive?ArchiveId=125687 [15.08.15].

7 Saʿid, Jawdat. Law, Religion, and the Prophetic Method of Social Change. Afra Jalabi (Trans.). In: *Journal of Law and Religion*, 2000–2001, 15, pp. 83–150.

8 Saʿid, Jawdat. *Iqra' wa-rabbuka al-akram*. Beirut, 1988, pp. 15-16.

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struction, suicide and dysfunction. It is not an idealist view. For, it is a process to which he dedicates several books to explain its minutiae. Behind the lines, one can observe an Islamic view of the world: in the Muslim imaginary, *jahiliyya* is thought to be a state of ignorance as well as of permanent violence. Thus, Sa'id endorses the reformist paradigm and glorifies early Islam as embodying knowledge and peace, only to criticise current suicidal Muslims and give full credit to science.

Probably, where Sa'id markedly breaks with the reformist paradigm, is in the link he perceives between nature and history in harmony with the Qur'an. He believes in the unity and complementarity between them at one and the same time. The Qur'an is an indicator of the laws of nature and history. It is a guide to these laws, which everyone is called to discover. As he puts it:

> Muslims fly from joy if they see something of the signs of the horizons and the selves, supporting their religion, but what they do not pay attention to accurately is that the signs of the horizons and the selves if they become a well defined approach with a solid structure and constant foundations in the verses of the book, the promised God's knowledge to overcome corruption in the land and shedding blood, and conversion to the ways of peace will turn into reality (There has come to you from God a light, and a Book Manifest whereby God guides whosoever follows His good pleasure in the ways of peace, and brings them forth from the shadows into the light by His leave) (Q. 5:16).[9]

This is a critical view of the so-called scientific miraculous nature of the Qur'an, the Muslim concordism. Sa'id diverges from Islamic reformism, which embraced concordism as an answer to the challenges modern science addressed to Islam. He is a scientist and believes science, not religion, can solve human problems. Here is what he has to say about it:

> Astronomy is a clear and close example about how the signs of the horizons and the selves unite the understanding and eliminate conflict and strife. After the signs of the horizons and the selves testify for astronomy, there is no controversy or strife and the world's understanding of the functioning of the earth and the sun, moon and stars unite. And they do not dispute over the texts and do not engage in the push and pull, misinformation and excommunication. Thus, if we have seen the horizons and the selves and we were able to show them to the others there vanishes conflict and appears harmony, and so they

9 Saʿid, *Iqraʾ*, pp. 225-226.
Arberry, A. J. The Qur'an Interpreted: A Translation. New York, 1996, p. 191.

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> can see truth (We shall show them Our signs in the horizons and in themselves, till it is clear to them that it is the truth) (Q. 41: 53).[10]

Obviously, Sa‘id does not endorse an apologetic attitude. Instead, he believes that religious texts, taken alone, cause disruption between humans and only science can unite them. Thus, he imagines a different future from that of the reformists. While the latter expects humanity to finally admit the truth of the Qur’an, Sa‘id looks forward to seeing humans come to realize the harmonious order they can build together on the basis of science.

It is this attitude that pushes his fundamentalist critics to accuse him of materialism. For example, ‘Adil al-Tall considers him, along with M. Iqbal and M. Shahrur, as materialists. Al-Tall bases his criticism on *Iqra’ wa-rabbuka al-akram* in which Sa‘id argues that matter is the steady existing thing to which human beings should have recourse whenever there is divergence about reason or tradition.[11]

Sa‘id is a semi-Qur’anist; he does not reject *sunna’s* authority, but his arguments are mostly based on the Qur’an. He repeatedly criticizes the ways Muslims read the Qur’an and the tools they use in their readings. Sa‘id believes that the effective reading of the Qur’an should be a contemporary Qur’anic understanding, *fahm qurʾani muʿasir*, a posture rather than a method, whereby the reader thinks about the Qur’an in terms of human knowledge today. As such, he discards the exegetical legacy because it is outdated as knowledge. Central to his Qur’anic approach is the unitary reading of the Qur’an, history and nature. He goes further, calling on an evolutionary understanding of history and nature in reading the Qur’an. He calls evolution *sunnat al-tatawwur al-ta’rikhi*. Science should not oppose religion because the Qur’an directly refers to science. All that precedes modern science should be considered outdated and unable to help reading the Qur’an. History evolves and so should the reading of the book. His understanding of the interpretation of the Qur’an, *ta’wil al-kitab* is realization. The Qur’anic meaning, even if revealed in the 7th century, finds its meaning today only with the spectacular development of human knowledge.[12]

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10 Saʿid, *Iqraʾ*. p. 226.

11 al-Tall, ʿAdil. *al-Nazʿa al-maddiyya fi al-ʿalam al-Islami : naqd kitabat Jawdat Saʿid, Muḥammad Iqbal, Muhammad Shahrur ʿala daw’ al-Kitab wa-l-sunnah*. ‘Amman, 1995, pp. 85-100.

12 Sa‘id, Jawdat. *Riyah al-taghyir: qadaya al-insan wa-l-‘ilm wa-l-ta’wil*. Beirut, 1995, p. 99 ff.

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3. Sa‘id's philosophy of peace

In his philosophy of peace, Sa‘id finds inspiration in the Qur’anic narrative of prophetic disobedience.[13] Since Adam, the prophets taught humanity to reject violence as a way of change. He asserts, in particular, that Muhammad's experience with moral, social, and political issues was based on persuasion rather than violence. In his view, the *khilafa* (632–661) is as peaceful as Muhammad's order. Willing to idealize the early figures of Islam, he falls into a defense of *jihad*. For him, *jihad* is war for a just society and should be preceded by persuasion in a peaceful society. That is, only an elected government can wage *jihad*. He claims early Muslims did not use violence for the sake of worldly goals. They endorsed the Qurʾanic view of peace and violence that consists of fighting unjust violence with justice. Sa‘id supports his claim by citing Muhammad's refusal to use violence in the Meccan period, who wanted to transmit a peaceful message by peaceful means. Sa‘id reinterprets the Medinan prophetic *jihad* as a tool to establish justice in Medina. He does not see in Islam a universal message that should be spread, as S. Qutb does. Reason is universal and all humans should make their own peaceful and just societies.

According to Sa‘id, peace is the primary attitude Muslims should adopt; they should not initiate conflict in any circumstances. Calling to Islam should be peaceful, and peace should be the basis of an Islamic society. Violence is only permissible if a society agrees to use it to establish justice and to end persecution. In this case, violence should only be employed by a mature and rational authority. Force should be used proportionally to remove injustice. He thinks that peace creates spiritual force, science, democracy, and justice. In the field of international relations, Sa‘id criticizes Muslim attitudes toward external occupation and American hegemony. He thinks world peace is only relevant if Muslims make peace essential to their societies. Although he vehemently rejects American hegemony, based on violent policies, he focuses on building a Muslim rationalist and humanist ethos. He often calls on his followers to learn from the Japanese experience after the Second World War: coping with the American hegemony through science, democracy, and economic development rather than emotion and violence. For current Muslim societies, he preaches peaceful resistance to occupation and despotism. Naturally, this idea is

13 Sa‘id. Law. pp. 123-126.

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resisted by many opponents. However, he also dismisses the policies of current regimes. Further, he totally rejects the Islamic movements, which he compares to *khawarij*—violent Muslim dissidents in early Islam.[14]

3.1 The doctrine of the first Son of Adam

Sa'id calls pacifism the doctrine of the first Son of Adam (Abel).[15] To illustrate this doctrine, he often quotes the following Qur'anic verse 'Yet if thou stretchest out thy hand against me, to slay me, I will not stretch out my hand against thee, to slay thee; I fear God, the Lord of all Being' (5:25).[16] The doctrine of the Son of Adam consists in rejecting violence against adversaries. It is the way of the prophets and the way Muslims should follow. Muslims should not call to murder, assassination, impose an opinion by force on others, nor should they change their minds under force. One also has to endure all sorts of suffering for the sake of principle, and one should not make others suffer for their own principles. Furthermore, Sa'id highlights the sense of sacrifice in the biblical story: offering oneself in order to guide others, becoming thus an example of ethical behaviour. It is also the case that one should not commit oneself to something one cannot fulfill and be prepared to to adopt it in front of all people.[17] The mission of the prophets is to build peaceful societies of believers, as can be seen in the examples he gives of the lives of Noah, Hud, Moses, Shu'ayb, Jesus and Muhammad.[18]

Sa'id was aware that in 1966, when he wrote his book, the application of Islamic law, the quest of the Islamic state and the violence that goes with them, were generally unquestionable in the Islamist circles. Sa'id was one of the earliest voices to distinguish between two roles: that of calling to Islam (*daʿiya*) who peacefully builds an Islamic society and that of judge (*qadi*), who applies Islamic law in an Islamic society.[19] This distinc-

14 Sa'id. Law. pp. 136-144.
15 The son of Adam and Eve. Sa'id misses the opportunity here to acknowledge motherhood as equal to fatherhood, and to eliminate patriarchal biases, another form of violence in human history.
16 Arberry, A. J. The Qur'an Interpreted. p. 132.
17 Sa'id, Jawdat. *Madhhab ibn Adam al-awwal aw mushkilat al-'unf fi al-'amal al-Islami*. Cairo, 1993, pp. 93-94.
18 Ibid. pp. 103-126.
19 Ibid. p. 128.

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tion might have inspired Hasan al-Hudaybi's *Du'at la qudat*. At any rate, Sa'id takes a position against Qutb's radical Islamism. He claims that the 'deviated' society - preferring this term over that of the *jahili* society - should be reformed by way of communication, preaching and advice. Spreading Islam should be peaceful.[20] Believing that Islam is superior to other beliefs and, therefore, should be spread is one of the most violent ideas and acts, still almost unanimously accepted by Muslims. It stems from the belief that 'our sacred' is more 'sacred' than that of others. Furthermore, if every believer in a religion wishes to expand its sphere of influence, peace cannot be hoped for.

3.2 Jihad and khuruj

Still, this romantic image of the early Islamic period as a model of peace cannot erase the practice of *jihad* by the Prophet and his companions. To respond to this challenging claim, Sa'id makes here another distinction between *jihad* and *khuruj*. While he understands *khuruj* to mean the use of force and violence to reach power, *jihad*, for him, is the use of force, after reaching power with the will of people, to prevent compulsion in religion, in case no other means is possible. Sa'id considers that the Prophet called first to God, with wisdom, good preaching and disputation in the best manner, until he reached power with the will of people and their conviction. The Prophet reached power without force, save the force of persuasion and ideas. The people of Medina received him as their leader. At that moment, the Prophet started to practice *jihad* fighting those who deceive people about their religion and combating those who oblige people to follow their religion. Thus, in his understanding, fighting aims at protecting religious freedom.[21]

Sa'id states that his *jihad* has two conditions: a condition in the case of the fighter and another in the enemy. The first entails acquiring power by the will of people and the second is that the enemy should be forcing people to convert to a religion or preventing them from joining a religion, like Quraysh and all the nations Muslims fought in early Islam. So, he declares Islam innocent from violence. Moreover, it maintained the freedom of be-

20 Ibid. p. 132.
21 Sa'id. *Madhhab*. pp. 41-42.

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lief, before any other civilization.[22] In this argument, Sa‘id is no different from the Muslim reformists; his interpretation of early *jihad* as good *jihad* ignores the fact that freedom of belief is a modern notion. In pre-modernity, wars were not declared to protect freedom of belief. As the *ridda* wars and the law of apostasy show, the very notion of freedom of belief in Islam is not so evident.

According to Saʿid's conditions of *jihad*, Islamists today are dissidents, *khawarij*. They all understand *jihad* as *khuruj*. Sa‘id goes further maintaining that all Muslims are *khawarij* today: the quietist dissidents, *qa‘ada* who are dissidents in their beliefs but do not carry out violence, and the activist dissidents.[23] As he puts it, ‘Muslims consider the killers of ‘Ali as dissidents because he was a rightly guided Caliph, but call those Muslims who killed ‘Ali infidels and dissidents. Therefore, Muslims' actions are different from those of the dissidents. But what they forget and do not consider is that the dissidents considered ‘Ali an infidel and that killing him was for the good of Muslims'.[24] Here, he makes a double point: that of reciprocity (if A acts violently, B is likely to respond violently) and that of the vicious circle (as long as A acts violently, B will act violently). So, every time A kills B for the reason of dissidence, it pushes B to use violence for the same reason.

Sa‘id admits that most Muslim jurists today understand *jihad* to mean fighting disbelief. He was delighted that M. S. Ramadan al-Buti, an eminent jurist in Syria (killed in 2013), in his much debated *al-jihad fi al-Islam*, claimed that disbelief is not a reason to declare *jihad*. Sa‘id thinks that this is the first step toward reform. He also agrees with al-Buti that priority should be given to understanding and knowledge rather than force. This can change the whole direction of the Islamic movement.[25]

3.3 Misconceptions about peace in Islam

Beyond semantics, Sa‘id is conscious that pacifism challenges some fundamental tenets of Islam. One of the criticisms Islamists levied against him is that pacifism leads to abolishing *jihad* all at once. Unable to go that

22 Ibid. p. 43-44.
23 Ibid. p. 34.
24 Ibid. p. 57.
25 Sa‘id, Jawdat. *Kun ka-ibn Adam*. Beirut, 1997, p. 275.

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far, he concedes that *jihad* should stay until the end of time but should be practiced in an independent society, whose faith is clear and solid. Reaching the independence of Muslim society should not be achieved through fighting and the use of force, but through persuasion and preaching. The best *jihad* is saying the just word. It is a tool to be used in every circumstance and does not need a specific society.[26]

Another argument Sa'id's opponents advance against him is that ethics are ineffective with persons who do not commit themselves to peace. They probably have in mind the Israeli-Palestinian peace process. Sa'id takes here an optimistic view. If that is true, he states, 'one could not distinguish between justice and injustice or the good and the bad. In any case, doing evil because the others do the same cannot create any good, and Islam distinguishes itself from opportunism'.[27] Closely related to this argument, the promoters of violence argue that saying the truth without force has no effect. They argue that uttering the just word to a tyrant is useless as you might end up being slaughtered like a sheep. They assert that those who told the truth left no trace, and if they were killed rather than killers, their death was in vain. People are used to listen to those with the stick and force, thus, is inevitable, as they put it. Sa'id looks for the answer to this objection in the prophetic model which suggests how the clear uttering of truth shakes the world. Sa'id turns the argument around. Islamists today are unable to reproduce the prophetic model: their call to Islam is compromising and they believe that the call to Islam cannot change things. Thus, they worship power as much as the others do.[28]

Sa'id considers these 'misconceptions' as symptoms of a polluted reality which lost its balances and rules. All counter-arguments against pacifism prefer imposition over persuasion, sacralizing the use of force and giving it authority in changing human beings and societies. They commit the errors of obliging others through violence or submission to violence.[29]

In his view, the good questions are the following: Why is it that people worship? Is it fear? Or is it incapacity? Is peace a withdrawal or negativity? Sa'id believes that pacifism is positive and effective. Every time human beings understand the meaning of humanity and truth, they realize the importance of pacifism and its effectiveness. Difficulties are possible, but

26 Sa'id, *Madhhab*. pp. 157-159.
27 Ibid. pp. 161-162.
28 Ibid. pp. 163-167.
29 Ibid. pp. 181.

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there is much less hardship in pacifism than in using violence. The real threat to Muslims, Sa'id maintains, is that of intellectual stupidity. In fact, Muslim activists suffer as the public does not support them, except perhaps with sympathy. So, they are alone in their fight. In many cases, hearts are with the activists and swords are against them. The real reason people are afraid is that Islamic activism is related to violence. Sa'id claims that any Muslim would resist oppression and persecution much more if accused of being a Muslim, rather than of preparing a coup.[30]

It is evident that Sa'id recommends an exit from the vicious circle of violence. The dominating theology, law and history of Islam make his position sound out of place. On the whole, the 'misconceptions' are real experiences in the Muslim societies. Unless one would criticallly question the relationship between the sacred and violence (in the manner R. Girard[31] did), Islamic violence would appear 'normal' to most Muslims and 'abnormal' to Sa'id.

3.4 Does peace go by the book or by reality?

In modern times, several Muslim thinkers have developed, in divergent manners, a theology of peace in Islam. The basic idea of this theology is that peace goes by the book: the belief in Islam and the application of its laws create a *pax islamica*. In this regard, the most popular work among Muslim activists is *al-Salam al-'alami wa-l-Islam* by Sayyid Qutb (printed 15 times so far). According to Qutb, in Islam, peace is a rule and war is a necessity. However, war is continuous and should be sustained until the achievement of divine order on earth. People would be free from servitude, except to God. His idea of a link between Islamic monotheism and peace is recurrent in the modern literature on the subject. There is a necessity to sustain war, Qutb argues, because aggression towards Islam by non-Muslims is to be driven out. Qutb claims that the call to Islam, *da'wah*, is universal and should be allowed to achieve its mission. Any attempt to prevent it would be seen as war on Islam. In case enemies prevent the call to Islam, like Quraysh did with Muḥammad, war should be launched.[32]

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30 Ibid. pp. 176.
31 Girard, René. *La violence et le sacré.* Paris, 1972.
32 Qutb, Sayyid. *al-Salam al-'alami wa-l-Islam*. Cairo, 1993, pp. 169-174.

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On this matter, Sa'id takes an opposite view. For him, peace comes from reality. Fear of God did not dissuade Muslims and did not create peace between them in 14 centuries, starting from the first Muslim civil war (656–661) until the recent Gulf wars. However, the nuclear weapon created peace between the major actors in international relations. The divine and religious dissuasion fails to create a spontaneous peace. In the final analysis, the nuclear dissuasion might be considered divine in so far as it is a divine habits (*sunan*) on earth. It is not a shortcoming of Islam if it fails to establish peace, for evidence should be sought and evidence can only be found in reality. It is then from reality that we should start to build peace and not from the book. [33] This reasoning reflects Sa'id's epistemology which has been shown to rely on nature and history as sources of knowledge.

3.5 Peacebuilding

When it comes to peacebuilding, Sa'id has very little to say.[34] He is aware that peacebuilding, in the modern sense of the process, is despised in the Muslim world. He goes so far as to call it the greatest craziness. However, he invites Muslims 'to think about the state of the Muslim world had it chosen to live in peace, and had they believed that the best among them is who starts peace, and that the Muslims should make peace and not God who is in the sky'[35]. One of the major obstacles against peace is the firm belief that all problems stem from external powers. No effort has been made to analyze the religious, the social and the political structures of violence.

Thus, Sa'id is unable to formulate anything but a series of rhetorical questions about endless Muslim conspiracy theories. For example, he asks the following question: Don't we forget our external enemies when hatred comes between us? Despite this rhetorical tone, Sa'id challenges the whole Arab political mythology, constructed by Arab nationalism and later by Islamism. He draws attention to the misrepresentation of the world,

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33 Sa'id, Jawdat. *La ikrah fi al-din: dirasat wa-abhath fi al-fikr al-Islami*. Damascus. 1997, p. 107.

34 He signed the Damascus Declaration in 2005 and led peaceful demonstrations in 2011 in Syria, but a year later he went into exile.

35 Sa'id. *Kun*. p. 92.

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which Muslims formulate in religious terms.[36] His criticism has the merit of shaking up the current political discourse which consists in the belief that Islam is under attack. It is certainly deficient to build peace on criticism, but it is a necessary step to liberate the mind.

3.6 World peace

Sa‘id promotes democracy and equality as the way towards world peace. If such world society comes to exist, it will realize the will of God and the wish of the prophets. Religions imagined long ago a peaceful world society. He denies any opposition between democracy and religion in the objective they seek. The call of the prophets and God's unity are best represented by democracy, Sa‘id asserts. History evolves, making it possible to reach a world society today. Back in time, the prophets called for equality between people. Evolution takes time and humans are ready now, through democracy, to establish peace. Yet, the ideal of the prophets is practiced partially in some democratic 'islands'; world peace is still under construction.[37]

However, Sa‘id argues, prophethood differs from democracy in the tools it uses to reach the objective of peace. Democracy allows for creating societies in blood while prophets insist this should be done by persuasion and non-violence. In the end, democracy acknowledges that establishing a society of law by violence is illegitimate, but the modern cultures that sustain democracy accept violence.[38] He sees the veto right in the UN's Security Council as an example of the contradictions that exist in the international system.[39] Conversely, he believes that the prophets forbade the use of violence to create the society of law because it is impossible to create an effective peaceful society with violence; there is a contradiction between the two. That is the reason the prophets forbid self-defense. Creating society with violence makes violence a cult and strengthens the law

36 Ibid. p. 93.
37 Sa‘id, Jawdat. *al-Din wa-al-qanun : ru'ya Qur'aniyya*. Beirut, 1998, pp. 137-138.
38 It seems to me that there is here an incoherence in Sa‘id's thought. As he considers nature and history as sources of knowledge, he should acknowledge that violence is a biological and cultural human behaviour. Modernity and democracy, in line with science and history, support this.
39 Sa‘id. *al-Din*. pp. 141-142.

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of the jungle where power rules. As he puts it, 'a different world is possible the moment you stop to change society by violence and forbid this over your self. When you do that you feel you have the right to claim forbidding violence'.[40] In other words, a peaceful world society can only be ruled by law. For law assures equality between humans.

Sa'id claims that the establishment of the European Union made the idea of equality in the face of law and on the basis of the people (of Europe) a reference. It is not Napoleon or Hitler who united Europe, but law as he said. Moreover, there is no veto in the EU. He goes on saying that the United Nations cannot be an example of world union until it endorses one law and abolishes the veto. For him, the EU bears the promise of world union and peace.[41]

Yet, Sa'id does not explain why religions could not unite humans in any institution to date. In reality, religion can also be a source of conflict, as one can observe today in Africa and Asia. Europe also had its religious wars until recently.

4. Limits

One of the limitations of Saʿid's philosophy of peace is that it lacks the support of history. A historical gap exists between a supposedly early period of peace in Islam and fourteen centuries of violence. It is a fundamentalist standpoint, a characteristic of Muslim reformism, to believe that the foundational moment is guiltless while the community's historical development was anomalous. History does not back his position on early Islam either. He refers to the Meccan period as an ideal of peace. However, the Prophet took up arms in Medina. The Medinan period was not only defensive and violence was not practiced for the sole reason of implementing the law, to defend justice or protect religious freedom. Wars against the Arab tribes and the Byzantine Empire during the life of the Prophet were aggressive wars, clearly intended to spread Islam. The Rightly guided caliphs took the action of the Prophet further and conquered large areas in Asia and Africa. This was not done peacefully. Sa'id ignores the voluminous chapters on *jihad* in the compilations of *hadith* and the *Sira*. It is then

40 Ibid. pp. 145-146.
41 Ibid. pp. 146-147.

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a double limitation: the absence of a history of peace and the prevalence of a forceful history of violence.

Apologetic bias is another major concern with Sa‘id’s thought, a result of ignoring history, as he argues that Islam did not establish itself by sword, but ‘that Islam created the sword that never commits injustice or supersedes somebody by way of falsehood. This is the result of piety, preaching and patience. The function of the sword is to overtake the transgressor, *zalim*’.[42] This relies on a distinction he makes between Islam (as a divine message) and the realities of Muslims. Thus, the reality of Muslims today should be changed and defending the divine’s Islam should not be confused with the defense of today’s Islam. He borrows this distinction from Iqbal: a revealed Islam = the Qur’anic Islam = the true Islam vs an invented Islam = false = the non-Qur’anic established by non-Arab converts to Islam, in order to falsify it.[43] His apologetic and polemic tone is particularly at work in his comment on the assassination of Kaʿb b. al-Ashraf (a Jewish rival of Muhammad) by the commands of the Prophet. He justifies the act, claiming that Muslim society was built and independent, and when war is declared by Muslim society, such is not the time of pacifism ; assassination could be such an act of resistance, executed by guerrilla fighters who enter the camps of the enemies to sabotage them.[44]

Another serious weakness with Sa‘id’s project is its minimalist theoretical and conceptual apparatus. He acknowledges this problem and calls for a more theoretical work to deepen the ideas he defends. When we examine the philosophers he quotes or relies on, we are struck by the absence of Kant, for example. The European thinker he engages with often is A. Toynbee, on his philosophy of history. More strikingly, one notices the absence of Sufis and Muslim philosophers from his references. In general, Sa‘id pays no attention to the ethics of Mu‘tazilis, Sufis or Muslim philosophers. He is not interested in the Western philosophy of ethics either. This could explain to a certain extent his limited reputation among non Islamist thinkers.

42 Sa‘id. *La ikrah*. p. 162.
43 Ibid. p. 201.
44 Ibid. p. 174.

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Conclusion

The most obvious finding to emerge from this study is that Jawdat Sa‘id owes his pacifism much to philosophy, especially the philosophy of knowledge. His belief in nature, reality and history as sources of knowledge, rather than the religious texts, allows him to promote universal peace. The Qur’an is an indicator of this knowledge-in-the-world, promoting the unity of prophethood, at the heart of which lies the peaceful doctrine of the first Son of Adam.

Can science, which Sa‘id perceives as the matrix of peace, solve human conflicts? In principle, modern science has much improved the human condition, but perpetuated some old and created some new ways of violence. In addition, that human beings agree on the scientific results of astronomy does not mean that they would agree on the economy, politics or religion. Quantifiable science solves only measurable problems in specific areas of human activity.

Despite his belief in historical evolution, micro history, on the other hand, seems to weaken Sa‘id’s argument. He is in difficulty arguing for his philosophy of peace on the grounds of Islamic history, while he is eloquently at ease when it comes to arguments from reason or the Qur’an. There is, therefore, a definite need for engagement with history. The problem appears at two levels: the history of pacifist views in Islam yet to come forward and the critical approach of the sacred as violence in early Islam.

Sa‘id’s ideas have the merit of questioning the Muslim legacy in law, theology and history. A wider discussion of his ideas could be one of the ways to think about the Islamic ethics of peace.

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III. *Jus in bello*

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Lying in War: Different Ethical Justifications

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> *'It is crystal clear that peace and war are among the most important concerns in the world. And in both we have no choice but to lie because war, as the Prophet of God has said, is deception'.*[1]

Abstract: This paper tackles a very challenging issue. On the one hand, lying is held to be a vice and forbidden from an Islamic viewpoint. On the other hand, it is common ground among Muslim ethicists and jurists, or al-fuqaha', that Muslim armies are justified in lying during a war. But the question is how do they justify this position? I hope to provide answers to this question, referring to a number of methodological positions.

All Muslim scholars without exception believe that lying in war is permissible. Muslim jurists, (or al-fuqaha'), the traditional narrators, (al-muhaddithun), and ethicists, often devote a chapter of their academic works to this issue, with titles such as 'Lying in War', *al-Katheb fi al-harb*, and discuss the problem from various perspectives. Briefly, Muslim scholars, or al-'Ulama', argue that Muslim fighters are permitted to lie during war. But how is it permissible and what are the grounds for this exception? Lying is considered one of the deadliest sins in Islam, and in many verses of the Qur'an God condemns liars in various ways, assuring them that they will go to hell. For example, one verse reads, 'the curse of Allah be upon them'. So, if lying is a grave moral crime, how can we justify it in certain situations, such as war?

Not a single verse in the Qur'an justifies lying in war. To my knowledge, no one has yet found a text from the Qur'an that defends lying in war.

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1 Al-Tha'alibi, Abu Mansur. *Tahsin al-qabih wa taqbih al-hasan* (The Improvement of the Bad and Condemnation of the Good). Baghdad: 1981, p. 37.

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The permissibility of lying in war is mainly found in certain traditional narratives, or *hadiths*, attributed to the Prophet Muhammad. Sunni and Shi‘ite scholars claim that the Prophet Muhammad authorizes Muslim fighters to lie in war. These accounts cover much the same ground. According to the most renowned *hadith*, the Prophet Muhammad says that war necessarily involves deception, *al-harb-o khoda*, and this *hadith* is accepted by both Shi‘ite and Sunni denominations. For instance al-Tabari, the great Muslim historian, Qur’an commentator and jurist, in his book *The Purification of the Sayings*, *Tahthib al-Athar*, deals with this *hadith* in some detail, discussing different aspects in considerable detail. The *hadith* is greatly respected by all Muslim scholars and jurists, and accordingly it forms the basis for the permission to lie in war.

However, this *hadith* requires some clarification. Firstly, there is the question of how we pronounce the term *khoda*. The most common pronunciation is *khoda*, but some philologists claim that *khada* is more correct, and others take the view that *khoda* is correct.

What is the meaning of this *hadith?* Indeed, what does it mean to say that, ‘war is deception’? By analyzing some examples of when this *hadith* has been mentioned, we can come to a better understanding.

According to one *hadith*, in the war of Ahzab, or the Parties War, Amr ibn ‘Abdewod, a pagan general, came to fight Imam ‘Ali. To distract his attention, ‘Ali said to him: ‘you are one the very best Arab fighters, so why do you need other fighters to help you?’

Amr looked behind him to see to whom ‘Ali was referring, but as he did so ‘Ali cut both his feet off with his sword, and killed him. When ‘Ali came back to Muhammad with his sword covered in blood, the Prophet asked him, ‘did you deceive him?’

‘Ali, answered that he had: ‘O, yes. War is deception.’

The second and most famous *hadith* relevant to our subject is also attributed to the Prophet Muhammad. According to this *hadith*, a woman called Umm Khulthum is the narrator. She said, ‘The Prophet only ever allows lying in three cases: in war, for making peace between people, and in marital disputes.’ It is worth noting that this woman only narrates this one *hadith* about the Prophet, but it is accepted as a true *hadith*, or *al-hadith al-sahih*. All Muslim narrators, commentators and ethicists from different schools of thought, have accepted it. This Umm Kulthum was ‘Uthman, the third Caliph of the Prophet’s stepsister, and an early Muslim believer. No one has written anything against her and it seems that all commentators have accepted her honesty and accuracy. We cannot be sure that this

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hadith was quoted literally, word for word. Indeed we don't know what the exact words of the Prophet Muhammad were in this exceptional case, which does allow for the possibility of different interpretations.

There are other *hadiths* that frankly assert that lying in war is allowed. Laying aside some minor differences, all Muslim scholars believe that Muslim fighters can tell lies in war. Thus the most important issue here is to define the meaning and boundaries of lying in war.

The boundaries and interpretations

Lying is only permissible in a state of war. Muslim scholars assert that lying is permissible only during a war, and on the battlefield. So no one can extend this permission to other situations during a time of conflict, such as a no-war no-peace state, a ceasefire, or even during a temporary ceasefire. For example, Muslim fighters cannot propose a peace agreement or seek an appeasement when their real intention is to deceive the enemy. Therefore, lying, however it is defined, is confined to the battlefield and to war tactics and strategies. With this limitation in mind, some *hadith* narrators have included a chapter in their commentaries entitled 'the prohibition of any kind of deception, even those of a trivial nature', (*Tahrim al-ghadr walow Shi'ahyessira)*. They have collated relevant *hadiths*, asserting that deception refers to all, even the enemy. One *hadith* attributed to the Prophet Muhammad reads, 'If anyone has an agreement with another party then they should not do anything to contravene it, until the agreement has come to an end'. This teaching is rooted in the Qur'an. According to this fundamental Muslim scripture, all Muslims are obliged to obey such solemn commitments, unless the other party in an agreement violates it first. If this happens, Muslims are obliged to inform the other side who have invalidated the agreement, that they are now no longer bound by its content.

Thus, lying is permitted only in the state of war, or to be more accurate, on the battlefield. Lying in such a situation involves all kinds of deceptive tactics, including exaggerations and withheld information in order to mislead the enemy. However, when it comes to peace talks, ceasefire, and armed peace, then any kind of deception, include lying, is strictly forbidden. Lying becomes a form of treachery and infidelity, and it is against Islamic teaching.

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Why lying in war is permitted?

In what follows, I will discuss the main approaches and arguments for and against lying in war. The various positions can be summarized as follows:

1. When lying in war is permissible, because God, or Shari‘ah, has allowed it.
2. When lying in war is permissible, because it is necessary.
3. When lying in war is not permissible, but deception is.
4. When lying in war is basically prohibited.

1. When lying in war is permissible, because God, or Shari‘ah, has allowed it.

According to this approach, there is nothing intrinsically bad about lying. God prohibits lying, but he himself has allowed it in wartime. Ibn Hajar al-Asqalani, attributes this position to Abu-Bakr ibn al-‘Arabi, the great Maliki jurist.

This justification is rooted in the Ash‘ari school of thought, equivalent to the divine command theory in Christianity.

The strongest defender of this interpretation is al-Ghazzali, (1058-1111 the great Sufi and Ash‘ari thinker and jurist. In his masterpiece, *The Revival of Religious Sciences*, he devotes a chapter to the evils to do with slander, (evils of the tongue). In this chapter al-Ghazzali introduces and addresses twenty vices and evils of the tongue, including backbiting, cursing, false promising, mocking and lying. ‘Lying is,’ he writes, ‘one of the worst sins and an abomination of defects’. Then he narrates many *hadiths* attributed to the Prophet Muhammad, including the sayings of his companions. According to one of these, the Prophet said, ‘the worst betrayal is that you tell your brother something and he believes you, when you are lying.’ Furthermore, he quotes from ‘Ali ibn Abi Talib - one of the most important Imams of the Shi‘ite school - ‘the most heinous sin in the sight of God is the lying tongue’.

Al-Ghazzali mentions more than thirty *hadiths* and sayings with a single theme: lying is a grave and heinous sin and should be condemned. The sole argument for him is what the Prophet said against lying. Thus, he believes, according to the Ash‘ari school of thought, that lying is utterly forbidden, because God and the Prophet have said so.

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At the end of this discussion, he adds that lying is not forbidden *per se*, but because of its harmful effects on the victim. The least of this harm is that the victim is made to believe something that is not true. On the other hand, some forms of deception may have merit, so it follows that any form of lying that falls into this category may be permissible, and may sometimes be obligatory. Maymon ibn Mehran has said that lying in some situations is preferable to telling the truth. Suppose a man with a sharp sword is chasing an innocent man in order to kill him. Then he comes to you and says, 'Did you see a man running away?' What do you say? Don't you say, 'No, I didn't see him'? You would not tell him the truth. This kind of lying is obligatory.

Accordingly, al-Ghazzali continues, we say that speech is a means to certain goals, and a desirable goal may be achieved either by lying or by telling the truth, even though lying is strictly speaking forbidden. But if we can only achieve our goal by lying rather than telling the truth, as long as our goal is permissible then lying is permissible too. If the goal is obligatory, such as saving the life of a Muslim, then again, lying is obligatory. Therefore, if telling the truth could lead to the death of a Muslim fleeing from a would-be assassin, then we have to lie. And if our purpose in a war requires lying, or making peace between people requires lying, then we are permitted to lie. Nonetheless, we should avoid lying whenever possible, because there is always a danger that we will learn to lie in situations where it is not necessary.

After this analysis, al-Ghazzali adds that the main reason for this exception is to be found in the words of the Prophet Muhammad, permitting lying in certain situations, including during war.

To summarize, al-Ghazzali denies the necessary evil of lying, declaring that there are situations when we are permitted to lie in war.

2. Lying in war is permissible, because it is necessary

War is an emergency situation and thus lying can be acceptable. In war there will be bloodshed and many innocent people, including civilians, are killed. So Islam does not approve of it, except in very limited situations. If war, which is the supreme example of violence, is justified in some situations, then lying in war, which is less violent and less harmful than offensives carried out during a war, can be justified. Abod al-Rahman Hassan Habanke, a contemporary Muslim writer, following this kind of argument,

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writes, 'it is clear that war involves deception and trickery. War and killing is basically forbidden, but in cases of necessity they are allowed. Similarly lying to the enemy during a war is permitted, and lying in many cases is less harmful than killing'.[2] According to this kind of justification, lying in war is permissible as a lesser evil.

3. *Lying in war is not permissible, but trickery is*

According to this approach, what happens in war involves deceiving the enemy, rather than lying to him. There is a fine line between lying, deception and trickery. When I lie, I state something, by writing or speaking, which I don't believe to be true, to mislead the listener or the reader. For example, if as a general I declare that from tomorrow we will unilaterally end the war, but in fact I have no intention of doing so and merely intend to deceive the enemy, then I have blatantly lied. But if I order my soldiers to withdraw, without saying anything about my intentions, and then secretly get my troops ready for attack, then this is a permissible wartime deception. In both these two cases my enemy has been deceived. In the former it is because of my outright assertion, while in the latter I have not said anything about my intentions, but the enemy, without any rational justification, has mistakenly interpreted my actions as a sign of wishing to make peace.

According to this interpretation, I am only responsible for my words, but I have no responsibility for the mistaken interpretations of my enemy. In fact, martial withdrawal has at least two equally important possible meanings: the first is an informal sign of good will and ceasefire, but the second is evidence of troops being readied for attack. It follows that it is the enemy army's leaders who are responsible for interpreting my actions accurately and logically.

Muhallab, as ibn Hajar claims, defends this viewpoint, and strongly asserts that Islam never permits any kind of clear-cut lying.[3] So lying is nev-

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2 Habankah Al-Midani, Abd al-Rahaman Hassan. *Al-akhlaq Al-Islamieh wa 'Ososoha* (Islamic Ethics and its Foundations). Damascus: Dar Al-Qalam, 1407 AH, vol. 1, p. 554.

3 Ibn Hajar Al-Asqalani. *Fath al-Bari besharh sahih al-Bokhari* (The Victory of God in the Interpretation of *Sahih al-Bokhari*). Beirut: Dar Al-Adyan, (No date), 6. p. 184..

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er justified, but we can behave in such a way that the enemy misunderstands our intentions and is deceived.

4. *Lying in war is basically prohibited, and there is no room for lying in the war*

This interpretation is based on an analysis of lying and its essence. If we lie, as rational human beings, we lie intentionally and purposefully. Our main intention in lying is to deceive someone, because we think that by deceiving them we can achieve our goal. To achieve this goal, we behave as if we are stating the truth, to make them believe us. Our victim will believe us, only when she or he trusts us. So, we need to be trusted to be believable.

Now, the question is, who should we trust? And what kind of behaviour leads to trust? We only trust people whom we think are honest, truthful and benevolent. Based on our experience, we decide to trust or distrust a person, and this decision is usually made according to some criteria, such as honesty, truthfulness and benevolence. Yet, we believe, rightly or wrongly, that our enemy is neither honest, nor truthful, nor benevolent. So, we have no reason to trust them, and we have to put aside this charitable principle when we interpret their words and actions. Furthermore, we have to look at what they say and do with suspicion. The Greek myth of the Trojan horse is a caution against ignoring such suspicions. After the wooden horse is taken within the walls of Troy, the young Trojan soldiersconsider it to be a symbol of good will; the sages of the city think otherwise. The tragic results of such blind trust in an enemy demonstrates that the best policy in war is distrust. If we take this analysis on board, then we should not trust our enemy, because trusting an enemy is both dangerous and foolish. The basic rule of war is to distrust our enemies, unless we have sufficiently good reasons to think otherwise. In this situation and on the battlefield, the fighters should use any tactics available to deceive their enemy, and this right applies to both sides. No one would be wise to believe their enemy or interpret their actions according because they want to think the best of people. On the contrary, it is better for each side to be cautious and not trust their enemy, unless there are good reasons to do so. Therefore, lying in war is permissible, because there is no trust, and because abusing an enemy's trust is the name of the game. So, we can conclude that lying in war is not an exception to the proscription against ly-

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ing, as it is in effect not lying at all – rather it is a kind of acceptable trickery in the context of wartime tactics.

Conclusion

In this brief paper, I have attempted to classify different justifications for lying in war - which may well be incomplete and need further amendment. But my main point here is that though we cannot live a good life and be a liar, we cannot avoid lying altogether. It seems to me that we may agree that lying is a moral sin and unacceptable, but at the same time, most of us believe that there are some situations in which lying is acceptable. For example, lying in the face of torture or other forms of duress is acceptable. No one, for example, condemns the nun who lied to Inspector Javert to save Jean Valjean in Victor Hugo's *Les Misérables*. Kant, an absolutist philosopher who opposed any kind of lying and for any reason, had no choice but to allow it in certain situations. In his essay, 'On a supposed right to lie from altruistic motives,' he declares that when we have only two choices, telling the truth or lying, it is our unique and single duty to tell the truth even to the murderer at the door. However, in his lectures on ethics, he asserts that in some situations, being truthful to an enemy, or to someone who wants to hurt us, may result in our becoming a defenceless victim.

So, the question is not whether we are justified in lying in any circumstances, or whether we have an absolute duty to tell the truth, rather when and in what circumstances we are justified in lying. On the battlefield and when fighters are perpitrating the worst atrocities, lying, which is less violent than other crimes, is an ethically permissible option. Moreover, we may take the view that we have no obligations towards an enemy and that our first and foremost duty is to save our own lives.

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The Institute of Theology and Peace (ithf) is a research organization in Hamburg, Germany that has studied since 1978 the theological and ethical aspects of peace and war from a Catholic-Christian perspective. The institute has supported also several projects on peace ethics in other religious traditions including Judaism and Islam as a contribution to interreligious dialogue and mutual understanding. ITHF has launched since 2013 a long-term research project on peace and war in the Islamic tradition, focussing on the contemporary discourses. The task of the Institute of Theology and Peace is to research the ethical foundations of peace and incorporate them into the current political discourse on peace. Through the publication of the book series *Studien zur Friedensethik* (Studies on Peace Ethics) the Institute aims to intensify political debate on foreign policy and security with a greater emphasis on peace ethics. In endeavouring to achieve this goal, it suggests what policies will be of greatest assistance to people who are threatened by violence, poverty and lack of freedom today and which, at the same time, will help to establish a peaceful international order in the future, in which security, justice and respect for human rights are guaranteed for all.

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