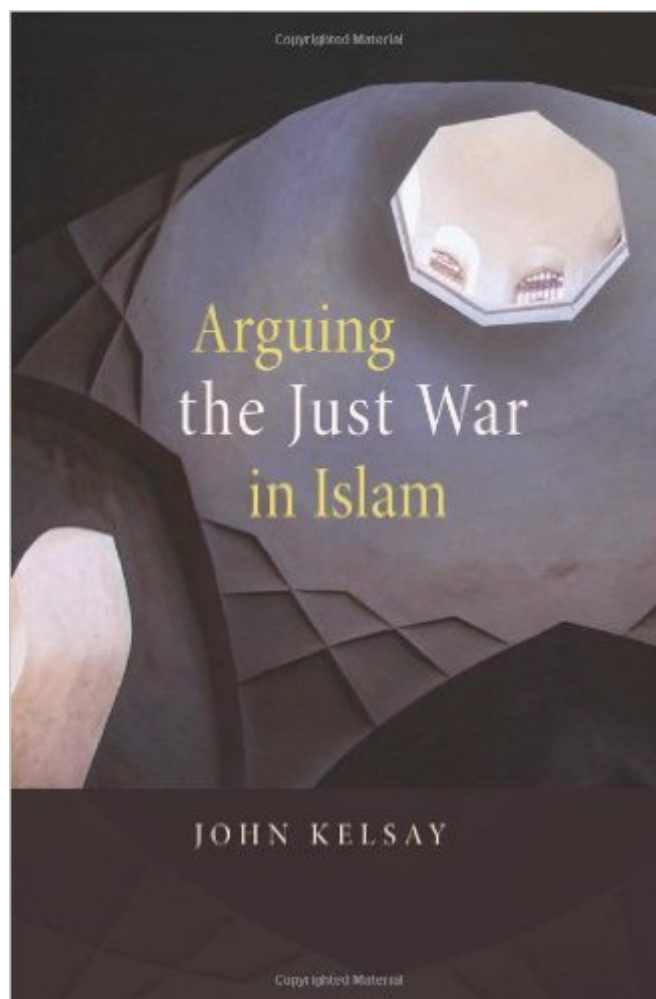


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# Arguing The Just War In Islam



## Synopsis

Jihad, with its many terrifying associations, is a term widely used today, though its meaning is poorly grasped. Few people understand the circumstances requiring a jihad, or "holy" war, or how Islamic militants justify their violent actions within the framework of the religious tradition of Islam. How Islam, with more than one billion followers, interprets jihad and establishes its precepts has become a critical issue for both the Muslim and the non-Muslim world. John Kelsay's timely and important work focuses on jihad of the sword in Islamic thought, history, and culture. Making use of original sources, Kelsay delves into the tradition of shari'a--Islamic jurisprudence and reasoning--and shows how it defines jihad as the Islamic analogue of the Western "just" war. He traces the arguments of thinkers over the centuries who have debated the legitimacy of war through appeals to shari'a reasoning. He brings us up to the present and demonstrates how contemporary Muslims across the political spectrum continue this quest for a realistic ethics of war within the Islamic tradition. Arguing the Just War in Islam provides a systematic account of how Islam's central texts interpret jihad, guiding us through the historical precedents and Qur'anic sources upon which today's claims to doctrinal truth and legitimate authority are made. In illuminating the broad spectrum of Islam's moral considerations of the just war, Kelsay helps Muslims and non-Muslims alike make sense of the possibilities for future war and peace.

## Book Information

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## Customer Reviews

After reading a number of authors writing on Islam in the past three years exclaim how Islam and the Qur'an has an embedded Just War theory, I was keen to pick up this book. Kelsay's approach

begins with an explanation of Islam; three in fact. This approach itself is testimony to Kelsay's understanding of divisions with Islam. Islam can be described from a Salafi perspective (deep understanding of Mohammed's intent, purpose, politics aside). Islam can also be studied theologically or politically. After this introduction Kelsay considers early scholars in Islam and their use of Hadith (sayings of Mohammad) and the first four Caliphs regarding war and conduct of war. Kelsay also spends quite a bit of time explaining the different schools of Law: Shafi'i, Hanafi, Hanbali (mostly Ibn Taymiyya), very little Maliki ideas and little to no Shi'a input. Kelsay admits that any Muslim scholar, founders of the schools of jurisprudence included, were influenced by their circumstances. As I read these portions of the book I was still grappling for a methodical flow of Islam's just war theory. All I found were bits and pieces in-between Kelsay's long reviews of early Islamic writings. As the book unfolded it was evident the author was addressing more than just war theory. Kelsay brought up the concept of democracy, its Islamic critics and defenders. Within war itself, Kelsay stayed mostly within the lines of contemporary interests: terrorism, Al-Qaida, Muslim Brotherhood, Hamas and the like. The discussion of just war in Islam narrowed to the following: the proper authority to wage war, the responsibility to wage war and the proper targets of war.

It is well-known that Christianity has a just war theory, most famously articulated by Augustine. But fewer people know that shariah, the Islamic tradition of jurisprudence and ethical norms, also has a just war theory embedded in it. Kelsay, a scholar of Islam at Florida State University, has written a book about this just war theory, detailing its sources, history, and current interpretations. We often hear the phrase "Shariah law" in news reports. Kelsay rightly terms this "shariah reasoning" to convey its fluidity. Shariah draws from, firstly, the Qur'an, Allah's revelation. But it also draws on stories about the prophet Muhammad and how he behaved as a political and military leader. As the centuries wore on, scholars of shariah reasoning, the ulama, drew on kalam (logic, or philosophy) and changing historical circumstances such as the Crusades and more recent colonialism. Shariah reasoning norms about just war were formulated at a time of Islamic power, when Muslim empires such as the Ottoman were in full force. Some of these moral norms seem obvious. For example, it is prohibited to directly and intentionally harm non-combatants. If you are laying siege to a city and have to burn it to the ground, killing women and children, then that is not direct harm. But if you have taken the city and women, children, and elderly are surviving, one cannot execute them for fun as so many victors did (e.g. Israel in Canaan). The category of "non-combatants" is fluid; traditionally women did not fight, but they do in the modern Israeli army. There were also norms against killing Muslims. When conquering a city, for example, a siege could be ended if the city

converted to the faith.

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