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.

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

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

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

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

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-

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

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