

WAR, PEACE OR NEUTRALITY: AN OVERVIEW OF ISLAMIC POLITY'S BASIS OF INTER-STATE RELATIONS

By:
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Abstract

There is an increase interest on Islam in the field of international relations. The paper seeks to offer an overview to the basis of inter state relations between a Muslim polity and other Muslim or non-Muslim polity. It presents three possible options that will be the basis of international relations for an Islamic polity; war, peace and neutrality. It then argues that peace is the original basis and rejects the idea of perpetual war between Islamic and non-Islamic polity as espoused by jihadist groups.

Keywords: *War, Peace, neutrality, Islamic polity, inter-state relations*

Introduction

Although the study of Islam and Muslims is not new and has dated for hundred of years, one could not but notice that there is increase of interest on Islam in political and international studies. In S. Rajaratnam School of International Studies (RSIS) itself a research program on contemporary Islam was created and an increase of courses offered on Islam for its Master programs are a testimony to it. A similar trend can also be seen in many other academic and research institutions all over the world. This is partly contributed by Samuel Huntington's Clash of Civilisations theory that has created much debate on Islam, the emergence of Political Islam as one of the leading contemporary security issues and political development that political leaders and scholars have to grapple with, the 9/11 attack and the Global War on Terror that was launched by the United States in response to it and the increase importance of Middle East region as a source of global stability, security and future economic growth area where Islam plays an important part.

This paper seeks to contribute to the increase interest on Islam in the field of International Relations by offering an overview to the basis of inter state relations between a Muslim polity and other Muslim or non-Muslim polity which can be found in the traditional and neo-traditional (a rewriting of classical works by contemporary Muslim scholars with minor adjustment to suit contemporary time but little infusion of conventional theory to it) literatures relevant to the topic.

The paper begins with an introduction to Islam's foundational view on politics that is Islam understood as a comprehensive religion does not recognise the

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separation of the religion from politics, and what constitute an Islamic polity. It then provides three possible options of inter-state relations in Islam; war, peace or neutrality. Between these three options, it argues that peace is the original basis and rejects the idea of perpetual war between Islamic and non-Islamic polity as espoused by jihadist groups that have raised concern among security agencies and non-Muslim political and community leaders.

The methodology taken in presenting the options is the classical Muslim scholars' methodology of *ijtihad* or deduction from the Quran and the *hadith*,¹ based primarily on three important sciences popularly known as *Usul Fiqh*,² *Usul Tafsir*³ and *Usul Hadith*.⁴ These three sciences could be said as the core of Islamic hermeneutic. This approach also requires a study of the classical *ulama*'s texts to investigate their stand on the pertinent issues.

It is hoped that this paper will provide an introductory perspective on Islam and international relations and ideological underpinning of Muslim political view and conduct for those who are interested in the field.

Foundational View – Islam & Politics

Understanding Islam's perspective of international relations requires understanding the relationship between Islam and politics. The underlying concept of Islam's political view is the view that politics is an inseparable part of Islam. To appreciate the close relationship between Islam and politic, it is important to understand two important concepts.

The first concept is the view that Islam is a way of life. It is a comprehensive religion governing all aspects of human life, with no separation between any of the aspects.⁵ The comprehensiveness of Islam may be seen from the variety of books on *fiqh* (Islamic jurisprudence) and etiquette in Islam. These books discuss diverse topics in life from hygiene, to the relationship between husband and wife, affairs of the State, matters of justice and social regulations.

¹ Collection of Prophet Muhammad's deeds, statements and concessions. See Hashim Kamali (1991), *Principles of Islamic Jurisprudence*, Ilmiah Publishers, Petaling Jaya, pp. 44, 46-7; John L. Esposito (ed.) (1995), *The Oxford Encyclopaedia of Modern Islamic World*, New York :Oxford University Press, p. 83.

² The Principles of Islamic Jurisprudence. It has been defined as "methods by which the rules of *fiqh* are deduced from their sources." See Hashim Kamali (1991), *op.cit*, p. 1.

³ Also known as *Ulum Al-Quran*. It is the science of interpretation of the Quran. See Jalal Al-Din Al-Suyuti (n.d), *Al-Itqan Fi Ulum Al-Quran*, Dar Al-Fikr, n.p, vol. 1, pp. 1-8; Muhammad 'Abd Al-Azhim Al-Zarqani (n.d), *Manahil Al-Irfan Fi UlumAal-Quran*, Cairo: Dar Al-Fikr, vol. 1, pp. 23-4.

⁴ Also known as *Mustalah Al-Hadith*. It is the science in the study of *hadith*. Its objective is to determine the authenticity of a *hadith* and how rulings can be deduced from it. See Muhammad 'Ajjaj Al-Khatib (1989), *Usul Al-Hadith Ulumuhu Wa Musthalahuhu*, Beirut: Dar Al-Fikr, pp. 7-13; John L. Esposito (ed.) (1995), *The Oxford Encyclopedia of Modern Islamic World*, vol. 2, New York: Oxford, p. 84.

⁵Sayyid Qutb, *Milestone*, available at

http://web.youngmuslims.ca/online_library/books/milestones/hold/chapter_7.htm (28 June 2011). See also Abu Al-'ala Al-Maududi, *Islamic Way of Life*, available at

http://www.youngmuslims.ca/online_library/books/islamic_way_of_life/index.htm#b2 (28 June 2011).

Since Islam is a way of life, it certainly includes politics because politics is part of the reality of life. This also means that Islam does not accept detaching any aspect of life from the guidance of religion and despises the people of the past who believed in part of God's teachings and rejected the rest.

Secondly is the concept of man as God's *khalifah* (vicegerent) of this world. The Quran says, "And, behold your Lord said to the Angels: I will create a vicegerent on earth".⁶ As the *khalifah*, man is to submit fully to God and obligated to establish His order by implementing what He has decreed in the Quran and has been explained by His Prophet in the *hadits* (Prophet's tradition) in all aspects of life in this world. Establishing God's order in this world is regarded as an important manifestation of submission and worship of God.⁷

Based on the above two concepts, it is held that Muslims are responsible to implement Islam in politics or to participate in politics in accordance with the principles of Islam because it will help him to carry out his duty as *khalifah*. In fact, the word *khalifah* itself means power and leadership in the Quran.⁸ Hence, a Muslim cannot separate Islam from politics or politics from Islam.

To highlight the importance and role of politics in establishing God's order in the world, the Quran points out that God has made some of his prophets, kings and leaders, for example, the Prophets Daud (David) and Sulaiman (Solomon).⁹ Even Muhammad was not only a prophet, but also the political leader of Medina.

Thus, Islam as a way of life differs from secularism. Secularism segregates the role of religion from matters of society and state, limiting it only to the personal sphere and to places of worship. In contrast, Islam has guidelines for all aspects of life and demands its believers' commitment to all its teachings.

Islamic Polity: A Traditional Perspective

Based on the above said argument, it is then held that Islam should be the basis of Muslim's conduct of state. The terminology used to describe Muslim's political institution by classical scholars was *Dar Al-Islam* (land of Islam). There are two views on the meaning of *Dar Al-Islam* and *Dar Al-Harb* among them. One view states that the land of Islam must be ruled by Muslims and Islamic ruling system is applied. Another view put emphasis on the issue whether Muslims are in security or not.

Thus, the condition for a land to be recognised as *Dar Al-Islam* is where the Muslims are safe and are not persecuted because of their religion.¹⁰ Where both the ruling system and the government are not Islamic or, from the latter

⁶ The Quran, (2):30.

⁷ The Quran, (3):85, (51):56.

⁸ The Quran, (24):55.

⁹ The Quran, (21):78-9, (2):102.

¹⁰ Tariq Ramadan (2002), *To Be a European Muslim*, London: The Islamic Foundation, pp. 125-6.

perspective, where Muslims are neither protected, nor feel safe or at peace, the land could not be considered as *Dar Al-Islam*.

Classical scholars termed the leader of a *Dar Al-Islam* as *Khalifah* (Caliph) or *Amir Al-Mukmineen* (Emir). Thus, *Dar Al-Islam* is also known as *Khilafah* (Caliphate) or *Imarah* (Emirate).¹¹

Today, *Dar Al-Islam*, *Khilafah* and *Imarah* are rarely used as terminology for Islamic polity, except in academic writings such as in the study of *fiqh* (Islamic jurisprudence) in traditional Islamic institutions. A more common terminology used for Islamic polity in contemporary time is *Al-Daulah Al-Islamiyah* (Islamic state).¹² However, its actual meaning is diverse depending on the user's school of thought. Similarly, the use of *Khalifah* and *Amir Al-Mukmineen* as the title for Muslim head of state is uncommon today.¹³ Instead, most contemporary scholars have no issue with the use of modern title such as president and prime minister.

Basis of Relationship between *Dar Al-Islam* and Non-*Dar Al-Islam*¹⁴

War as the basis

To understand international relations of a Muslim polity with non-Muslim state, one needs to understand the basis of relationship, at individual level, between Muslim and non-Muslim because Muslim scholars view that international relations is just an extension of the individual relations.

There are two major views on this issue. One view suggests that that armed *jihad* is the only kind of relationship that could exist between Muslims and non-Muslims. To the proponent of this view, armed *jihad* is a standing obligation until the end of the world and its aim is to fight the infidels wherever they may be found, in accordance with the Prophet's utterance to "fight the polytheists until they say 'There is no god but Allah'. Armed *jihad* is to be carried out until all the lands are liberated from the unbelievers and when all unbelievers submit under the rule of Islam.¹⁵

¹¹ Manzooruddin Ahmed (2003), "The Classical Muslim State", in Bryan S. Turner (ed), *Islam: Critical Concepts in Sociology*, vol. 1, London: n.p., pp. 201-10; John L. Esposito (ed.) (n.d), *The Oxford Encyclopaedia of Modern Islamic World*, vol. 2, p. 239 and vol. 1, p. 338; Richard C. Martin (ed.) (2004), *Encyclopedia of Islam and the Muslim World*, vol. 1, New York: Thomson Gale, pp. 116-23, 169-70.

¹² John L. Esposito (ed.), *op.cit.*, pp. 318-24.

¹³ *Ibid.*, vol. 1, pp. 86-7 and vol. 2, p. 239.

¹⁴ This section is extracted and improved from the writer's work in Muhammad Haniff Hassan (ed.) (2004), *Moderation in Islam in the Context of Muslim Community in Singapore*, Singapore: Pergas, pp. 187-223 and Muhammad Haniff Hassan (2005), "Response to Jihadis View of Jihad: A Sample Approach to Counter Ideology Work", in Rohan Gunaratna (ed), *Combating Terrorism*, Singapore: Marshall Cavendish Academic, pp.85-112; Muhammad Haniff Hassan (2006), *Unlicensed to Kill: Countering Imam Samudra's Justification for the Bali Bombing*, Singapore: Peace Matters, pp. 27-57.

¹⁵ Majid Khadduri (1966), *The Islamic Law of Nations: Shaybani's Siyar*, Baltimore: The John Hopkins Press, pp. 16-7; Abdul Karim Zaidan (1982), *Majmuah Buhuts Fiqhiyah*, Beirut: Muassasah Al-Risalah, pp. 44-7; cited in Muhammad Khair Haykal (1993), *Al-Jihad Wa Al-Qital Fi Al-Siyasah Al-Syariyah*, vol. 1, Beirut: Dar Al-Bayariq, p. 821; Sayyid Qutb (1985), *Fi Zilal Al-Quran*, vol. 3,

This view argues that verses on armed *jihad* in the Quran revealed in stages and God revealed verses of chapter 9 of the Quran to finalise the last stage. These last verses had abrogated the earlier verses revealed on armed *jihad* that state it is only permissible when Muslims are attacked.¹⁶ Often to support this view, the proponents, in contemporary times, would revive back the historical experience of the war of crusades, colonialism, the persecution of Palestinian Muslims by the Israeli and the neglect of International community under the leadership of the United States of America and recent development related to the attack on Afghanistan and Iraq by the coalition forces.¹⁷

This view proposes the idea of perpetual war between Muslim and non-Muslims that will only cease or end when the entire non-Muslims embrace Islam or fall under the rule of Muslim nation or enter into peaceful agreement with Muslims. Corollary to this view is the classification of state into *Dar Al-Islam* (Land of Islam) and *Dar Al-Harb* (Land of War). *Dar Al-Harb* refers to land other than *Dar Al-Islam*. The use of *Dar Al-Harb* as a terminology to describe non-Muslim land suggests that all lands, which are not *Dar Al-Islam* or does not submit to it, should be considered as at war with it.¹⁸

According to the proponents of this view, Muslims are not allowed to enter into permanent peace agreement with non-*Dar Al-Islam* states. The period of the agreement should not exceed ten years. They argued that such position would make the obligation of armed *jihad* against the non-Muslims redundant.¹⁹ However, some views that the period of peace agreement between Muslims and non-Muslims is discretion of Muslim ruler.

Peace as the basis

Another view suggests that peace and harmony is the basis of relationship, not war.²⁰ The view argues that the claim of final stages of armed *jihad* abrogated all the previous stages is unfounded and was not supported by prominent classical Muslim scholars.²¹

Beirut: Dar Al-Syuruq, pp. 1586-91. See also Sayyid Qutb commentary on offensive *jihad* in the same book at p. 1431-52.

¹⁶ *Ibid.*

¹⁷ Sayyid Qutb (1985), *op.cit.*, p. 1593.

¹⁸ James Turner Johnson (2002), "Jihad and Just War", *First Things: A Monthly Journal of Religion & Public Life*, Issue 124, Jun-Jul, 2002, pp. 12-4.

¹⁹ Majid Khadduri (n.d), *The Islamic Law of Nations: Shaybani's Siyar*, pp. 17-8, 142.

²⁰ Among scholars who also advocate such view are Wahbah Al-Zuhaili, Muhammad Rashid Ridha and Muhammad Abu Zahrah. See Muhammad Rashid Ridha (1960), *Al-Wahy Al-Muhammadi*, Cairo: Maktabah Al-Qaherah, p. 240; Muhammad Abu Zahrah (1964), *Al-Ilaqat Al-Dauliyah Fi Al-Islam*, Cairo: Al-Dar Al-Qaumiyah, pp. 47-52; Wahbah Al-Zuhaili (n.d), *Atsar Al-Harb Fi Fiqh Al-Islami*, Damascus: Dar Al-Fikr, pp. 113-4 cited in Muhammad Khair Haykal, *Al-Jihad Wa Al-Qital Fi Al-Siyasah Al-Syariyah*, pp. 821-3.

²¹ Wahbah Al-Zuhaili (1991), *Al-Tafsir Al-Munir Fi Al-Aqidah wa Al-Syariah wa Al-Manhaj*, vol. 10, Damascus: Dar Al-Fikr, pp. 110, 175-8; Louay Safi (2003), *Peace and the Limits of War: Transcending Classical Conception of Jihad*, Virginia: The International Institute of Islamic Thought, pp. 7-13; Muhammad b. Ahmad Al-Qurtubi (1988), *Al-Jami' Li Ahkam Al-Quran*, vol. 4, Beirut: Dar Al-Kutub Al-Arabiyyah, p. 47; Ismail bin Katsir (1980), *Tafsir Ibn Katsir*, vol. 2, n.p.: Dar Al-Fikr, p.

The prevalent opinion is that all verses on *jihad* cannot be interpreted independently of each other. All the verses on *jihad* in Islam need to be studied together and reconciled to derive the true understanding of *jihad* in Islam. In this respect, the Muslim scholars have agreed that verses, which are general and unconditional, must be interpreted as conditional.²²

Classical Muslim scholars like Abu Hanifah and Ahmad b. Hanbal also argued that, except verse 29, the verses of chapter 9 of the Quran referred specifically to the Arab pagans of that time.²³ Some of them were more specific by saying that the verses were revealed on the people of Mecca or Quraisy.²⁴ An-Nawawi, among many other scholars wrote that the verse does not refer to the People of the Book (Jews and Christians).²⁵ Thus, it is inappropriate to apply these verses to all non-Muslims today.

In addition to that, the study of verses on *jihad* must not be detached from the historical context of the time they were revealed.²⁶ The classification was an attempt made by Muslim scholars during classical period to interpret their context and to implement certain Islamic laws, of which the application differed, depending on the country where Muslims lived.

The context that influenced those Muslim scholars was constant war between Muslims and non-Muslims (the Romans and the Persians). Muslim scholars felt that it was important to classify countries to ensure that laws pertaining to *jihad* were applied to the correct situation and place. It also helped them to issue *fatwa* according to the appropriate social and political environment. It is a fundamental principle in Islamic law that *syariah* is implemented with due consideration of the context.²⁷ The concept was influenced by the codification period of Islamic law. It was a period where Muslims were dominant in international political scene. The classification bore the psychological element of human beings in such a context – a sense of superiority above others.

338; Muhammad bin Jarir Al-Tabari (1984), *Jami' Al-Bayan An Takwil Ayi Al-Quran*, vol. 6, Beirut: Dar Al-Fikr, p. 80-1; vol. 13, part 26, pp. 40-4.

²² Abu Ishaq Al-Syatibi (1997), *Al-Murwafaqat Fi Usul Al-Fiqh*, Beirut: Dar Al-Makrifah, pp. 97-8, 233-5; Abu Hamid Al-Ghazali (1997), *Al-Mustasfa Min Ilm Al-Usul*, vol. 2, Beirut: Dar Ihya' Al-Turats Al-Arabi, pp. 48-50; Muhammad bin Ali Al-Syaikani (1999), *Irsyad Al-Fuhul Ila Tahqiq Al-Haq Min Ilm Al-Usul*, vol. 1, Beirut: Dar Al-Kutub Al-Ilmiyah, pp. 532-4, 475.

²³ Wabhab Al-Zuhaili, *Al-Tafsir Al-Munir Fi Al-Aqidah wa Al-Syariah wa Al-Manhaj*, vol. 10, p. 108-9; Muhammad Khair Haykal, *Al-Jihad wa Al-Qital fi Al-Siyasah Al-Syariyah*, vol. 3, pp. 1456-7.

²⁴ Muhammad b. Ahmad Al-Qurtubi, *Al-Jami' li Ahkam Al-Quran*, vol. 4, part 8, p. 42; Muhammad bin Jarir Al-Tabari, *Jami' Al-Bayan An Takwil Ayi Al-Quran*, vol. 6, part 10, pp. 61, 77; Ismail bin Katsir, *Tafsir Ibn Katsir*, vol. 2, p. 338.

²⁵ Muhyiddin Al-Nawawi (n.d), *Al-Minhaj: Syarh Sahih Muslim*, Beirut: Dar Al-Makrifah, vol. 1, p. 156; See also Mustafa Al-Bugha et.al (n.d), *Al-Wafi: Fi Syarh Al-Arbain Al-Nawawiyah*, Damascus: Dar Al-Ulum Al-Insaniyah, p. 47.

²⁶ "Does the Quran teach violence?", *IslamOnline*, 2 July 2007. See also M^o. Magdalena Martinez Almira (2011), "Women in Jihad: a Question of Honour, Pride and Self-Defence," *World Journal of Islamic History and Civilization*, 1 (1): 27-36.

²⁷ Tariq Ramadan, *To Be a European Muslim*, p. 123-4; Louay Safi, *Peace And The Limits Of War: Transcending Classical Conception Of Jihad*, pp. 19-23.

The political culture between states during the classical period had also an important part in the construction of the binary classification. States in the previous centuries had a strong tendency of using war as the preferred means of solving a problem or conflict. History has recorded that rulers, then, went to war over trivial reasons. This attitude was prevalent in the political scene, thus it also affected the perspective of Muslim legal scholars.

The proponent of the second view argues that the objective of armed *jihad* is not to fight non-Muslims because of difference in faith but to establish justice and eradicate oppression²⁸ and armed *jihad* in Islam can only be waged against those who wage war.²⁹ Like other major religions, the essence of Islam is peace, love, mercy and compassion.³⁰ Islam forbids violence and shedding of human blood.³¹ War cannot be used to win over non-Muslims to Islam. In Islam, there is no compulsion in religion.³² Diversity and difference in faith is part of God's creation.³³ Muslims are called upon to accept the diversity and to live with it.³⁴

They also argues that the notion, that it is the Muslims' duty to wage war against all non-Muslims, is inconsistent with the various rulings forbidding the killing of non-Muslims who are not involved in the war, that is, the children, women and priests or others who have ceased to be combatants such as prisoners of war.³⁵ If a difference in faith is sufficient to justify the killing of non-Muslims, there would have been no need for the such prohibition. Children, women, priest or prisoners of war should just be killed, unless they embrace Islam.³⁶

They note that the classification of states according to *Dar Al-Islam* and *Dar Al-Harb* did not originate from the Quran. Nowhere in the Quran is there explicitly mentioned such a classification. Neither is there any reference to them in the *Sunnah* of the Prophet Muhammad. Thus, there is no divinity to the classification.³⁷ Furthermore, *Dar Al-Islam* and *Dar Al-Harb* were not the only classifications found in the writing of Muslim scholars. Islamic terminology is full

²⁸ The Quran, (22):40.

²⁹ The Quran, (22):39, 40,(2):193, (4):75, (2):194, (2):190.

³⁰ The Quran,(21):107.

³¹ The Quran, (5):32.

³² The Quran, (2):256, (10):99.

³³ The Quran, (49):13, (5):48, (11):118-9, (10):99-100.

³⁴ Muhammad Haniff Hassan (ed.)(2004), *Moderation in Islam in the Context of Muslim Community in Singapore*, Singapore: np, pp. 187-223; Muhammad Haniff Hassan, "Response to Jihadis View of Jihad: A Sample Approach to Counter Ideology Work", in Rohan Gunaratna (ed.), *Combating Terrorism*, UK: Marshall Cavendish Academic, pp. 85-112; Sheikh Faisal Mawlawi, *Al-Mafahim Al-Asasiyah Li Al-Dakwah Al-Islamiah Fi Bilad Al-Gharb*, available at <http://uqu.edu.sa/safraih/ar/58302> (28 June 2011).

³⁵ The Quran, (47):4.

³⁶ Louay Safi (2003), *Peace and the Limits of War: Transcending Classical Conception of Jihad*, USA: International Institute of Islamic Thought, pp. 16-9 and 27-8; Abdul Hamid A. Abu Sulayman (1993), *Towards an Islamic Theory of International Relations: New Directions for Methodology and Thought*, Riyadh: International Islamic Publishing House, p. 24.

³⁷Mardin Declaration, 28 March 2010, available at http://www.mardin-fatwa.com/attach/Mardin_Declaration_English.pdf (28 June 2011); Tariq Ramadan, *To Be a European Muslim*, pp. 123 & 130; James Turner Johnson, "Jihad and Just War", *First Things: A Monthly Journal of Religion & Public Life*, pp. 12-4.

of many other classifications; *Dar Al'Ahd* (Land of Covenant), *Dar Al-Sulh* (Land of Truce), *Dar Al-Kufr* (Land of Unbelief). Also in the classical work, Zaidiyah school of jurisprudence differentiates between *Dar Al-Kufr* (Land of Disbelief) and *Dar Al-Harb*. Zaidiyah viewed that *Dar Al-Kufr* is a land where non-Islamic system prevail but is not necessarily hostile to Muslims.³⁸

Furthermore, the contemporary context requires the restructuring of Muslim political praxis from a scheme of permanent warfare against non-Muslims to one, which includes protracted truces, formal diplomatic relationships and membership in the international community of nation-states because any Muslim-ruled polity, which is a member of the United Nations, is by default, in a peaceful agreement with all other members of the United Nations by way of the United Nations charter.³⁹

Finally, they say that history has witnessed the peaceful spread of Islam and peaceful coexistence of Muslims with non-Muslims in China and Southeast Asia.⁴⁰ There is no need for the idea of perpetual armed *jihad* for the purpose of sharing the message of Islam to non-Muslims.

When a Muslim state is not at war with another state because of peaceful agreement between them, Islam requires such relationship be based on commitment to peace agreement, international convention and peaceful coexistence;⁴¹ non aggression and non-interference in internal affairs of any state,⁴² cooperation for common good,⁴³ respect for differences of cultures and civilisations,⁴⁴ justice for all and equal treatment and equal opportunity to all nations to participate in building world order and in formulating the standard of international conduct, principles and norms.

The proponents of war as the basis of relationship Muslim and non-Muslim polity view that difference of faith is a just cause to wage war against non-Muslims until they become Muslims or accept the rule of Islam on them. However, the proponents of peace as the basis of relationship view that there must be act of hostility that amounts to act of war and mere difference of faith is not a just cause to wage war.

³⁸ Ismail Lutfi Fatani (1998), *Ikhtilaf Al-Darain Wa Atsaruhu Fi Ahkam Al-Munakahat Wa Al-Muamalat*, Cairo: Dar Al-Salam, p. 74.

³⁹ Khalid Yahya Blankinship (1994), *The End of the Jihad State: The Reign of Hisham b. Abd al-Malik and the Collapse of the Umayyads*, New York: State University of New York Press, pp. 6-9.

⁴⁰ See Malise Ruthven (ed.) (2004), *Historical Atlas of Islam*, Cambridge: Harvard University Press, pp. 122-3; John L. Esposito (ed.) (2001), *The Oxford Encyclopedia of the Modern Islamic World*, vol. 2, USA: Oxford University Press, pp. 271-7; "Islam's Lasting Connection in China", *China Daily*, 20 May 2003, available at <http://www.china.org.cn/english/culture/65049.htm> (28 June 2010); see "Islam in China", *BBC*, available at http://www.bbc.co.uk/religion/religions/islam/history/china_1.shtml (28 June 2011).

⁴¹ The Quran, (8):61, (5):1, (2):177.

⁴² The Quran, (4):90, (8):72.

⁴³ The Quran, (5):2.

⁴⁴ The Quran, (49):13.

Despite the differences on the just cause of war, both thoughts view that no individual or groups are allowed to wage war or armed *jihad* in the name of Islam or for the community. War will always affect the public at large, thus the principle of consultation taught by Islam requires proper mandate from the people. The best people who are appropriate to hold such mandate are those who are mandated to be the government. Only in a situation where the government has collapsed, are Muslims allowed to organise themselves collectively to fights against any aggression as what had happened in Afghanistan during the invasion by Soviet Union.

Both thoughts agree that Muslims are guided by the rule of proportionality, based on the prohibition against any transgression and extremism. The rule of proportionality is also invoked in some of the rulings pertaining to the Islamic code of conduct in war, which prohibits Muslims from certain acts such as unnecessarily cutting off trees or destroying buildings, animals and places of worship for Muslims and non-Muslims. Based on this principle, contemporary Muslim scholars issue the prohibition against weapons of mass destruction. While Islam commands Muslims to fight injustices and evil, it does not allow Muslims to do it in a way that will cause an equal or greater evil or injustice. The most important aspect of the code of armed *jihad* in Islam is the prohibition of killing of civilian and non-combatants in war.

They also view that armed *jihad* may only be waged if the benefit derived from it is bigger than the harm it inflicts in relation to the objective it wants to achieve – the just cause. If the harm outweighs the benefits, then Islam does not condone it. Muslims are required to make due consideration between its advantages and disadvantages. Thus, in principle, resorting to war is only allowed if it will bring greater good or prevent greater evil.

Neutrality as the basis

Neutrality here refers to a status accorded by international law to state that “abstains from all participation in a war, and maintains an attitude of impartiality in its dealings with the belligerents.”⁴⁵ There are two types of neutrality in international law; 1) permanent neutrality as practiced by countries like Switzerland, Sweden, Austria and Finland, 2) non-permanent neutrality where a state proclaims neutrality in a given war.⁴⁶

This writer views that the Quran’s position on neutrality is not as clear as its position on war and peace. For example the Quran makes clear statement that allows Muslims to carry arms against those who wage war on them⁴⁷ and commands Muslims to accept peace when it is offered.⁴⁸ In contrast, the issue of

⁴⁵ Lawrence Preuss (1941), “The concepts of neutrality and nonbelligerency”, *Annals of the American Academy of Political and Social Science*, vol. 218, November, 1941, p.100.

⁴⁶ Cathal J. Nolan (ed.) (2002), *The Greenwood Encyclopaedia of International Relations*, vol. III London: Greenwood Publishing, p.1145.

⁴⁷ The Quran, (22):39-40, (2):190-3, (4):75

⁴⁸ The Quran, (8):61.

neutrality can only be inferred from some implicit verses in the Quran. In 9:4, Muslims are commanded not to harm people who have not helped the enemies of Islam in their fight against the Muslims. By calling for them not to be harmed, Muslim scholars inferred that the Quran recognises neutral stand in the conflict and therefore ruled its permissibility in Islam. The scholars strengthened this inference by other verses of the Quran dealing on the same issue but more clearly:

“Except those who join a group between whom and you there is a treaty (of peace), or those who approach you with hearts restraining them from fighting you as well as fighting their own people. If Allah had pleased, He could have given them power over you, and they would have fought you: Therefore if they withdraw from you but fight you not, and (instead) send you (Guarantees of) peace, then Allah Hath opened no way for you (to war against them). Others you will find that wish to gain your confidence as well as that of their people: Every time they are sent back to temptation, they succumb thereto: if they withdraw not from you nor give you (guarantees) of peace besides restraining their hands, seize them and slay them wherever ye get them: In their case We have provided you with a clear argument against them.” (The Quran, 4:90-91)

The word, *i'itizal* (withdraw – emphasised above) that the verses were referring to present the concept of neutrality as it means not involving oneself in the ongoing conflict. The word itself has been used in classical Arabic to indicate a tribe's abstention from taking side with any parties in conflict.⁴⁹

In a *hadith* (the Prophet's traditions), the Prophet is reported to have described a war between two Muslim factions and was asked by one of his companion, “What do you order me to do if such a state of affairs should take place in my life?” He said, “Remain with the group of Muslims and their Imam (ruler).” The companion said, “If there is neither a group of Muslims nor an Imam (ruler)?” The Prophet answered, “Then turn away from all those sects even if you have to bite (eat) the roots of a tree (for survival), till death comes while you are in that state.”⁵⁰ Again the word *i'itizal* was used by the Prophet when he suggested that Muslims shun all the warring factions.

It is not surprising, later on, when acting out the commandment contained in this *hadith*, many companions of the Prophet chose to remain neutral when the war between Ali and Muawiyah occurred. In one of the military expedition sent by the Prophet against the Byzantine territory of Mu'tah, in north Arabia, Banu Ghanam, a branch of Hadas tribe, chose to remain neutral even though others fought against the Muslims and the prophet honoured the tribe's neutral stand.⁵¹

This is further strengthened by the practices of the third Caliph after the Prophet in his treaty with the Nubian. The treaty stated, “We (Muslims) shall not wage war against you, nor prepare for war against you, nor attack you so long as you observe the conditions of the treaty between us and you..... But it will not be

⁴⁹ Muhammad Hamidullah (1987), *Muslim Conduct of State*, Lahore:n.p, pp. 284-8.

⁵⁰ Al-Bukhari, *Sahih Al-Bukhari*, hadits no. 7084; Muslim bin Al-Hajjaj, *Sahih Muslim*, hadits no. 1847.

⁵¹ Ibn Hisyam (n.d), *Sirah Ibn Hisyam*, vol. 2, Jeddah: Muassasah Ulum Al-Quran, p. 382.

incumbent upon the Muslims to drive away any enemy who may encounter you, nor to prevent him from you, between the limits of the territory of Ulwah and Aswan.⁵²

However, the above evidences point out neutrality within a specific context only. They do not refer to permanent neutrality as mentioned above. This by any measure is not comprehensive enough to enable a neutral party to adopt it in contemporary practices. The thing that is lacking is that there is no detailed provision covering the right and the duties of the neutral for contemporary practices.

In this respect, it should be pointed out, firstly, that Muslim scholars have agreed that matters pertaining to war are the responsibility of *Ulil Amri* (a legitimate authority). The guiding Islamic jurisprudence maxim for Muslim rulers in executing their power is, *tasarruf al-imam ala ar-raiyyah manutun bi al-maslahah* – the conduct of a ruler towards his subject is based on what is in their best interest.⁵³ In other word, the ruler is given the mandate to make independent judgement (*ijtihad*) after consulting competent people amongst the population on the issue of neutrality.

Secondly, the principles of Islamic jurisprudence recognise customs and conventions as secondary sources of law as long they do not contravene any principles of *syariah* and fulfill all conditions of valid customs in Islam.⁵⁴ There are various Islamic jurisprudence maxims pertaining to the use of customs as source of law; *Al-Adah muhkamah* – Custom is a binding law, *Al-Tsabit bi al-urf ka al-tsabit bi al-syara* – What is established by custom is similar to what is established by *syar'ii* proof (The Quran, *hadiths* (Prophet's tradition) and other recognised source of law), and *Al-Makruf urfan ka al-masyrut syartan* – Validity of an accepted custom is similar to validity of a stipulated agreement.⁵⁵

Thirdly, Islam recognises the importance of context in the formulation and implementation of law. Due recognition of customs as mentioned above is one example. It has also been agreed by all Muslim scholars that law should be tailored, adjusted and changed in accordance to changes of time and place. The maxim says "*La yunkaru taghayyuru fatwa wa ijtihad wa hukm bi taghayyuri al-zaman wa al-makan*" - Change of *fatwa*, *ijtihad* and rule is permissible with the change of time and place.⁵⁶

⁵² Muhammad Hamidullah (1987), *op.cit.*, p. 293.

⁵³ Jalal Al-Din Al-Suyuti, *Al-Asybah Wa Al-Nazair*, p. 83; Muhammad Sidqi bin Ahmad Al-Burno (1996), *Al-Wajiz Fi Idhah Qawaid Al-Fiqh Al-Kulliyah*, Beirut: Muassasah Al-Risalah, p. 347.

⁵⁴ Muhammad Hashim Kamali, *Principles of Islamic Jurisprudence*, pp. 283-95.

⁵⁵ Jalal Al-Din Al-Suyuti, *Al-Asybah Wa Al-Nazair*, pp. 63-7; Muhammad Sidqi b. Ahmad Al-Burno, *Al-Wajiz Fi Idhah Qawaid Al-Fiqh Al-Kulliyah*, pp. 270, 306.

⁵⁶ Muhammad Sidqi b. Ahmad Al-Burno, *Al-Wajiz Fi Idhah Qawaid Al-Fiqh Al-Kulliyah*, p. 310; See Muhammad Haniff Hassan (2006), *Unlicensed to Kill: Countering Imam Samudra's Justification for the Bali Bombing*, p. 123.

Fourthly, all Muslim rulers from Muslim countries have ratified the relevant conventions and Islam commands Muslims to honour any agreement or contracts that they have entered into.

Based on the above four points, it can be argued that international law, treaty and customs, that do not contradict Islamic principles, could provide the needed clarification on the issue of neutrality for contemporary Muslims. As a matter of fact, current practices, customs and context are elements too important for Muslims to ignore in their conduct of state.

Although the Quran and the *hadiths* are not definitive on the issue of permanent neutrality, this writer argues that it is permissible in Islam. It is not obligatory but an option worth considering in the best interest of the people.

On the contrary, some of the proponents of war as the basis of relationship between a Muslim and non-Muslim states viewed permanent neutrality that has no specific timeframe as impermissible. They argue along the same line that concludes the impermissibility of permanent peace agreement with non-*Dar Al-Islam* state.

Basis of Relationship between *Dar Al-Islam* and another *Dar Al-Islam*

Traditionally, Muslim scholars viewed all *Dar Al-Islam* as one undifferentiated category. Although in reality Muslim lands could be divided into several sovereign and independent political entities but such differentiation is only in form. From the Islamic jurisprudence viewpoint, they are one nation that could not be divided based on artificial geographical boundary or ethnicity.⁵⁷

The majority of traditional Muslim scholars viewed that Islam does not permit the existence of multiple *Dar Al-Islam* and it is not permissible to appoint two Muslim rulers in the same period.⁵⁸ This is because Islam enjoins unity and forbids the opposite.⁵⁹

The current practice in the Muslim lands is excusable based on the Islamic jurisprudence maxim that states: *dharurat* (emergencies) permit the prohibited. However, the maxim is qualified by another maxim which states: situation that creates emergency must be eliminated. Muslims, thus, are obligated to rectify the situation or overcome the *dharurat* as the maxim dictates. On that respect, permissibility of multiple independent *Dar Al-Islam* must be regarded as a temporary ruling only, and Muslims should not feel please with such situation.⁶⁰

⁵⁷ Ismail Lutfi Fatani, *Ikhtilaf Al-Darain Wa Atsaruhu Fi Ahkam Al-Munakahat Wa Al-Muamalat*, pp. 84.

⁵⁸ Al-Mawardi (n. d.), *Al-Ahkam As-Sultaniyah*, Surabaya: Syarikah Bankul Indah, p. 8.

⁵⁹ The Quran, (49):10, (3):103.

⁶⁰ Ismail Lutfi Fatani, *Ikhtilaf Al-Darain Wa Atsaruhu Fi Ahkam Al-Munakahat Wa Al-Muamalat*, p. 93.

Dar Al-Islam is land for all Muslims but non-Muslims can be its citizens. All Muslims are obliged to fend off any hostility and defend any *Dar Al-Islam*. The obligation could become *fardhu ain* (personal obligation) upon all Muslims when the enemy occupies any part of *Dar Al-Islam*. All Muslims are to support the mission of *Dar Al-Islam* – to spread Islam and implement the *syariah* in other lands.⁶¹

Based on the above, the basis of relationship between different *Dar Al-Islam* of Muslim states must always be peace. War is only permissible against those who transgressed God's rule; after all peaceful means have been exhausted.⁶²

Concluding Remarks

From the theological perspective, an Islamic polity has three options as the original basis of relations with non-*Dar Al-Islam*; perpetual armed *jihad*, peace or neutrality. Its relationship with a *Dar Al-Islam*, however, must be based on peace only.

The proponents of peace as the original basis of relations argued that the emergence of the idea of perpetual armed *jihad* in the classical period was due to the historical experience of Muslims – a prolonged conflict with the Romans and Persians. They also suggested due to the political culture of the international relations then, that war is always used as a means to pursue security and power, has influenced the thinking of Muslim scholars in the early period to put forth the idea of perpetual armed *jihad*.

This writer shares the view held by the proponents of peace as the primary basis of inter-state relations for Islamic polity. In addition to the argument presented, the writer believes that the idea of war as the primary basis of Islamic polity's inter-state relations which put Islam and Muslim in a state of perpetual war with the others negates the very fundamental message of Islam as the religion of peace, harmony, tolerance and virtuous existence as strongly indicated by the following teachings of Islam:

Islam is a religion of peace. This is, firstly, by virtue of its name that is derived from the verb *aslama*, which means, "to submit, surrender" and the verb *aslama* is derived from the root word *salm* or *silm*, which means "peace, security".⁶³ Secondly, the greetings that Muslims are enjoined to convey to others is *Assalamualaikum*, which means peace be upon you. Thirdly, the Quran prefers peace than conflict.⁶⁴ Fourthly, history has proven that Islam is better accepted during peace time and through peaceful means. The Hudaibiyah Accord serves as

⁶¹ Ibid, pp. 70-2.

⁶² The Quran, (49):9, (5):33.

⁶³ Majma' Al-Lughah Al-'Arabiyyah (n. d.), *Al-Mu'jam Al-Wasit*, Cairo: n.p, 3rd edition, pp. 462-3; Rohi Baalbaki (2001), *Al-Mawrid: A Modern Arabic-English Dictionary*, Beirut: Dar Al-Ilm Li Al-Malayiin, pp. 107, 641; J.M Cowan (ed.) (1976), *The Hans Wehr Dictionary of Modern Written Arabic*, New York: Spoken Languages Services, pp. 424-5.

⁶⁴ The Quran, (8):61.

a powerful demonstration of this: record numbers of people came into Islam in the consequent two peaceful years, so much that it was almost the same as the total for the preceding nineteen years of the prophet's mission. History has also shown that Islam has the potential to spread rapidly via peaceful methods as it did in the Malay Archipelago and in China.

Therefore, establishing and maintaining peace and the use of peaceful means to convey the message of Islam are of importance in Islam. On that note, peaceful coexistence with other faiths and culture is enjoined upon Muslims. It is a means and a manifestation of their commitment for peace and, also, serves better the objective of sharing the message of Islam.

Islam regards diversity and plurality as a natural state of God's creations. For examples, the Quran states that God created the different sexes and ethnic groups among mankind⁶⁵ for positive reasons, that is, to know and understand each other.⁶⁶ Even fruits, though of one type, may look and taste different.⁶⁷ Muslims are enjoined to embrace diversity and, thus, tolerance for diversity becomes fundamental teaching of Islam. This is, then, manifested through Islam's command for respect of other faiths, non-interference in matters of other religion⁶⁸, prohibition of any form of compulsion and coercion in matters of faith⁶⁹ and rebuking or insulting other faiths⁷⁰, which become the basis for peaceful coexistence of various faiths in a society. Islam requires acceptance of faith based on free choice.⁷¹ Intolerance will only inevitably produce conflict. This will not go well with the claim that Islam is religion of peace.

Since conflict will produce hardship and difficulty, this will negate another important character of Islam that is a religion of simplicity, practical and easy.⁷² The following also can be found from the prophet's tradition that reinforces the Quranic message of tolerance, practical and realistic. There are many *hadiths* (prophetic tradition) that point to the same character. One of them is, "Make it convenient and do not make it difficult, tell them the good news and do not make them run away" (Narrated by Al-Bukhari).

The idea that Muslims are obligated to wage war perpetually against all non-Muslims and, as a corollary to it, against all unIslamic polity is only plausible if one accepts that all non-Muslims are fundamentally hostile towards Islam and will never cease conspiring against, subvert, try to subjugate and fight it when there is opportunity that underlies the idea. This will also mean that Muslims are allowed to hold prejudice views and negative stereotypes towards all non-Muslims. All these do not sit well with the message of the Quran and rational thinking. In line

⁶⁵ The Quran, (30):22.

⁶⁶ The Quran, (49):13.

⁶⁷ The Quran, (6):141-2.

⁶⁸ The Quran, (109):1-6.

⁶⁹ The Quran, (2):256, 272, (10):99.

⁷⁰ The Quran, (6):108.

⁷¹ The Quran, (18):29.

⁷² The Quran, (2):185, (5):6, (22):78.

with the rule of diversity, the Quran enjoins a differentiated view, not only towards Muslims but also towards non-Muslims. In the Quran, both Muslims and non-Muslims are constantly described as non-homogenous groups. God accords each kind of them their own status and ruling.⁷³ There are many verses in the Quran that mentions non-Muslims positively.⁷⁴

From rational thinking, prejudice and stereotype towards non-Muslims as mentioned above is no different from the misconception amongst some non-Muslims that all Muslims are terrorists and fundamentalists. It is highly questionable when Muslims argue against non-Muslims' stereotyped perception towards Muslims but at the same time are guilty of stereotyping all non-Muslims as bad and villainous.

Based on the above arguments and the role of context in shaping the view of Muslim scholars during classical period as illustrated in the section that touch on peace as the basis of relationship with the objective of ensuring the security of a *Dar Al-Islam*, this writer holds that the idea of perpetual armed jihad is just a theological construct offered the scholars then, not a divine injunction, in response to the prevailing reality of international system that is anarchic and during which war as an important instrument of power and security predominated. In this respect, one could find supporting argument from conventional international relations tradition such as offensive realism which holds that the anarchic international system provides strong incentives for states to continuously strive for maximum accumulation of power in relation to other states because security is best guaranteed by achieving a hegemonic power. In doing so, states pursue expansionist policies when and where the benefits of doing so outweigh the costs. A non-hegemonic power in an anarchic international system is in constant worry that other states will use force to harm or conquer.⁷⁵

Although the idea of perpetual armed jihad as the basis of inter state relations is worrying and disturbing from both conventional international relations and contemporary Islamic jurisprudence point of view, there are no evidences to show that any of Muslim countries states subscribed to it or based its foreign policy on it, even for countries like Saudi Arabia and Islamic Republic of Iran which are known for their strong Islamist ideology.

Many of the conflicts that involved Muslim countries are motivated by *realpolitik* or local grievances than ideological in nature. The scale and the regularity of the armed conflicts lack the kind that is motivated by an "imperial ambition" as exemplified by Saddam Hussein's war against Iran and his occupation of Kuwait. The number of conflicts between Muslim countries and the nature of alliance also do no point out to the idea of perpetual armed jihad. Muslim countries are in

⁷³ The Quran, (8):72-5, (35):32, (4):95, (60):8-9.

⁷⁴ The Quran, 2:62, 5:69, 82.

⁷⁵ Jeffrey W. Taliaferro (2000/1), "Security seeking under anarchy: Defensive realism revisited", *International Security*, vol. 25, no. 3, Winter, 2000/1, pp. 128-9.

constant alliance with non-Muslim super power to ensure its security, rather than allying among themselves to subdue the unIslamic polity.

For now, one could say that the cause of worry from the idea of perpetual armed *jihad* currently comes from non-state actors. The most prominent of them is Al-Qaeda. A study of Al-Qaeda's ideology will show that the political dimension of Islam is an essential aspect of it. Violence is a tool to achieve political objectives, which are the establishment of the Islamic caliphate or Islamic state, to facilitate the implementation of the *syariah* law and subjugation of non-Muslims under the rule of Muslims. These necessitate armed rebellion against infidel or apostate governments.⁷⁶

Finally, the idea of perpetual armed jihad to subdue all unIslamic polity is not much different from any form of imperial ambition that has existed through out history. The former is based on Islamic theology while the latter could be based on any rational ideology or religious tradition. This is to suggest that, not only Islam is not the single source of imperial ambition, but also eradicating the idea of perpetual armed jihad does not eliminate the emergence of imperial ambition from any polity. In fact, offensive realism, as mentioned before, suggests that imperial ambition as a means to achieve hegemonic power that guarantees security is natural response to the reality of international politics.

References

Abu Sulayman, Abdul Hamid A (1993), *Towards an Islamic Theory of International Relations: New Directions for Methodology and Thought*. Riyadh: International Islamic Publishing House.

Abu Zahrah, Muhammad (1964), *Al-Ilaqat Al-Dauliyah Fi Al-Islam*. Cairo: Al-Dar Al-Qaumiyah.

Ahmed, Manzooruddin (2003), "The Classical Muslim State". *Islam: Critical Concepts in Sociology*, edited by Bryan S. Turner. London: Routledge. Vol. 1.

⁷⁶ "Bin Laden's fatwa", *PBS Online Newshour*, August 1996; "Nas Bayan Al-Jabha Al-Islamiyah Al-Alamiyah Li Jihad Al-Yahud Wa Al-Salibiyyin", *Al-Quds Al-Arabi*, 23 February 1998; Tayseer Alouni's interview with Usamah bin Laden, *Al-Jazeera*, October 2001; "Text of Osama bin Laden's statement", *AP*, 9 October 2001; "Bin Laden rails against Crusaders and UN", *BBC News*, 3 November 2001; "Bin Laden's warning: full text", *BBC News*, 7 October 2001; *Sout Al-Jihad*, No. 3, 1424H, p. 18, 25-30; *Sout Al-Jihad*, No. 7, 1424H, p. 26-7; *Sout Al-Jihad*, No. 19, 1425H, p. 37-8; *Sout Al-Jihad*, No. 18, 1425H, p. 46-7. Muhammad Abd Al-Salam Al-Faraj, *Al-Jihad: Al-Faridhah Al-Ghaibah*, p. 15, available at <http://www.tawhed.ws/a?a=a5ieej5j> (28 June 2011). Al-Faraj was a leader of Egyptian Islamic Jihad Organisation which Ayman Az-Zawahiri also belongs to before its merger with Al-Qaeda. The book was the organisation primary reference of its ideology; Abu Hamzah Al-Baghdadi, *Limaza Nuqatil? Man Nuqatil?*, available at <http://www.tawhed.ws/r?i=juzn3cvs&str=> (28 June 2011); Hamd bin Abdullah Al-Humaidi, *Hatta La Tasma' Li Al-Jihad Munadiyan*, 8 Jumada Al-Ula 1423H, available at <http://www.tawhed.ws/r?i=6yp4itbx&str=%D8%AD%D8%AA%D9%89+%D9%84%D8%A7+%D8%AA%D8%B3%D9%85%D8%B9> (28 June 2011).

- Al-Baghdadi, Abu Hamzah (n.d), *Limaza Nuqatil? Man Nuqatil?* Online. Available at <http://www.tawhed.ws/r?i=juzn3cys&str=> (28 June 2011);
- Al-Bugha, Mustafa and Muhyiddin Al-Mistu (n.d), *Al-Wafi: Fi Syarh Al-Arbain Al-Nawawiyah*. Damascus: Dar Al-Ulum Al-Insaniyah.
- Al-Burno, Muhammad Sidqi bin Ahmad (1996), *Al-Wajiz Fi Idhah Qawaid Al-Fiqh Al-Kulliyah*. Beirut: Muassasah Al-Risalah.
- Al-Faraj, Muhammad Abd Al-Salam (n.d.), *Al-Jihad: Al-Faridhah Al-Ghaibah*. Online. Available at <http://www.tawhed.ws/a?a=a5ieej5j> (28 June 2011).
- Al-Ghazali, Abu Hamid (1997), *Al-Mustasfa Min Ilm Al-Usul*. Beirut: Dar Ihya' Al-Turats Al-Arabi. Vol. 2.
- Al-Humaidi, Hamd bin Abdullah (1423), *Hatta La Tasma' Li Al-Jihad Munadiyan*. 8 Jumada Al-Ula. Online. Available at <http://www.tawhed.ws/r?i=6vp4itbx&str=%D8%AD%D8%AA%D9%89+%D9%84%D8%A7+%D8%AA%D8%B3%D9%85%D8%B9> (28 June 2011).
- Al-Khatib, Muhammad 'Ajjaj (1989), *Usul Al-Hadith Ulumuhu Wa Musthalahuhu*. Beirut: Dar Al-Fikr.
- Al-Maududi, Abu Al-A'ala, *Islamic Way of Life*, available at http://www.youngmuslims.ca/online_library/books/islamic_way_of_life/index.htm#b2 (28 June 2011).
- Al-Mawardi (n.d.), *Al-Ahkam As-Sultaniyah*. Surabaya: Syarikah Bankul Indah.
- Al-Nawawi, Muhyiddin (n.d.), *Al-Minhaj: Syarh Sahih Muslim*. Beirut: Dar Al-Makrifah. Vol. 1.
- Al-Qurtubi, Muhammad b. Ahmad (1988), *Al-Jami' Li Ahkam Al-Quran*. Beirut: Dar Al-Kutub Al-Arabiyyah. Vol. 4.
- Al-Suyuti, Jalal Al-Din (n.d), *Al-Itqan Fi Ulum Al-Quran* N.p: Dar Al-Fikr. Vol. 1.
- Al-Syatibi, Abu Ishaq (1997), *Al-Muwafaqat Fi Usul Al-Fiqh*. Beirut: Dar Al-Makrifah. Vol. 3.
- Al-Syaukani, Muhamamad bin Ali (1999), *Irsyad Al-Fuhul Ila Tahqiq Al-Haq Min Ilm Al-Usul*. Beirut : Dar Al-Kutub Al-Ilmiyah. Vol. 1.
- Al-Tabari, Muhammad bin Jarir (1984), *Jami' Al-Bayan An Takwil Ayi Al-Quran*. Beirut: Dar Al-Fikr. Vol. 6.

Al-Zarqani, Muhammad ‘Abd Al-Azhim (n.d), *Manahil Al-Irfan Fi UlumAal-Quran*. Cairo: Dar Al-Fikr. Vol. 1.

Al-Zuhaili, Wahbah (1991), *Al-Tafsir Al-Munir Fi Al-Aqidah wa Al-Syariah wa Al-Manhaj*. Damascus: Dar Al-Fikr. Vol. 10.

Baalbaki, Rohi (2001), *Al-Mawrid: A Modern Arabic-English Dictionary*. Beirut: Dar Al-Ilm Li Al-Malayiin.

“Bin Laden rails against Crusaders and UN” (2001), *BBC News*. 3 November.

“Bin Laden’s warning: full text” (2001), *BBC News*. 7 October.

“Bin Laden’s fatwa” (1996), *PBS Online Newshour*. August.

Cowan, J.M (ed.) (1976), *The Hans Wehr Dictionary of Modern Written Arabic*. New York: Spoken Languages Services.

“Does the Quran teach violence?” (2007), *IslamOnline*. 2 July.

Esposito, John L. (ed.) (1995), *The Oxford Encyclopaedia of Modern Islamic World*. New York: Oxford University Press. Vol. 2.

Fatani, Ismail Lutfi (1998), *Ikhtilaf Al-Darain Wa Atsaruhu Fi Ahkam Al-Munakahat Wa Al-Muamalat*. Cairo: Dar Al-Salam.

Hamidullah, Muhammad (1987), *Muslim Conduct of State*. Lahore: Sh. Muhammad Ashraf.

Hassan, Muhammad Haniff (ed.) (2004), *Moderation in Islam in the Context of Muslim Community in Singapore*. Singapore: Pergas.

Hassan, Muhammad Haniff (2005), “Response to Jihadis View of Jihad: A Sample Approach to Counter Ideology Work”. *Combating Terrorism* edited by Rohan Gunaratna. Singapore: Marshall Cavendish Academic.

Hassan, Muhammad Haniff (2006), *Unlicensed to Kill: Countering Imam Samudra’s Justification for the Bali Bombing*. Singapore: Peace Matters.

Haykal, Muhammad Khair (1993), *Al-Jihad Wa Al-Qital Fi Al-Siyasah Al-Syariyah*. Beirut: Dar Al-Bayariq. Vol. 1.

Ibn Hisyam (n.d), *Sirah Ibn Hisyam*. Jeddah: Muassasah Ulum Al-Quran. Vol. 2.

Ibn Katsir, Ismail (1980), *Tafsir Ibn Katsir*. N.p: Dar Al-Fikr. Vol. 2.

“Islam in China” (n.d), *BBC*. Online. Available at http://www.bbc.co.uk/religion/religions/islam/history/china_1.shtml (28 June 2011).

“Islam’s Lasting Connection in China” (2003), *China Daily*. 20 May. Online. Available at <http://www.china.org.cn/english/culture/65049.htm> (28 June 2010).

Johnson, James Turner (2002), “Jihad and Just War”. *First Things: A Monthly Journal of Religion & Public Life*. Issue 124. Jun/Jul.

Kamali, Hashim (1991), *Principles of Islamic Jurisprudence*. Petaling Jaya: Ilmiah Publishers.

Khadduri, Majid (1966), *The Islamic Law of Nations: Shaybani’s Siyar*. Baltimore: The John Hopkins Press.

M^a. Magdalena Martinez Almira (2011), “Women in Jihad: a Question of Honour, Pride and Self-Defence,” *World Journal of Islamic History and Civilization*, 1 (1), pp: 27-36.

Majma’ Al-Lughah Al-‘Arabiyah (n.d), *Al-Mu’jam Al-Wasit*. Cairo: N.p. 3rd Edition.

Mardin Declaration (2010), 28 March. Online. Available at http://www.mardin-fatwa.com/attach/Mardin_Declaration_English.pdf (28 June 2011).

Martin, Richard C. (ed.) (2004), *Encyclopedia of Islam and the Muslim World*. New York: Thomson Gale. Vol. 1.

Mawlawi, Sheikh Faisal, *Al-Mafahim Al-Asasiyah Li Al-Dakwah Al-Islamiah Fi Bilad Al-Gharb*. Online. Available at <http://uqu.edu.sa/safraih/ar/58302> (28 June 2011).

“Nas Bayan Al-Jabhah Al-Islamiyah Al-Alamiyah Li Jihad Al-Yahud Wa Al-Salibiyyin” (1998), *Al-Quds Al-Arabi*. 23 February.

Nolan, Cathal J. (ed.) (2002), *The Greenwood Encyclopaedia of International Relations*. London: Greenwood Publishing. Vol. III.

Preuss, Lawrence (1941), “The concepts of neutrality and nonbelligerency”. *Annals of the American Academy of Political and Social Science*. Vol. 218. November.

Qutb, Sayyid (1985), *Fi Zilal Al-Quran*. Beirut: Dar Al-Syuruq. Vol. 3.

Qutb, Sayyid, *Milestone*. Online. Available at http://web.youngmuslims.ca/online_library/books/milestones/hold/chapter_7.htm (28 June 2011).

Ramadan, Tariq (2002), *To Be a European Muslim*. London: The Islamic Foundation.

Ridha, Muhammad Rashid (1960), *Al-Wahy Al-Muhammadi*. Cairo: Maktabah Al-Qaherah.

Ruthven, Malise (ed.) (2004), *Historical Atlas of Islam*. Cambridge: Harvard University Press.

Safi, Louay (2003), *Peace and the Limits of War: Transcending Classical Conception of Jihad*. Virginia: The International Institute of Islamic Thought.

Shakir, Zaid (2003-4), "Jihad is not perpetual warfare". *Seasons*. California: Zaytuna Institute. Autumn-Winter.

Taliaferro, Jeffrey W. (2000/1), "Security seeking under anarchy: Defensive realism revisited". *International Security*. Vol. 25. No. 3. Winter.

Tayseer Alouni's interview with Usamah bin Laden. (2001) *Al-Jazeera*. October.

"Text of Osama bin laden's statement" (2001), *AP*. 9 October.

Zaidan, Abdul Karim (1982), *Majmuah Buhuts Fiqhiyah*. Beirut: Muassasah Al-Risalah.