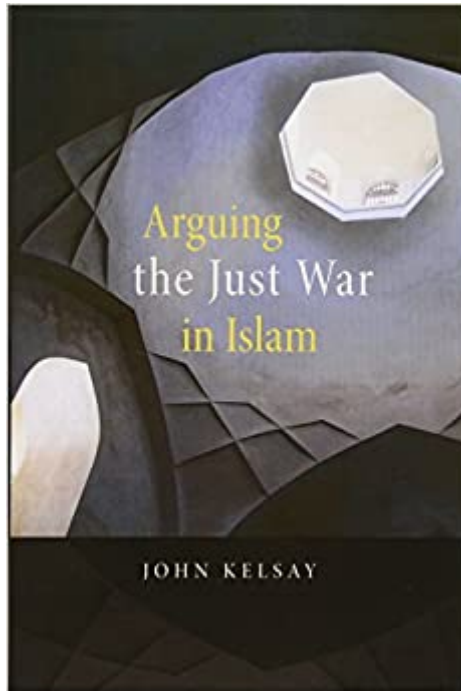




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# **Arguing The Just War In Islam**



## 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

Paperback: 272 pages

Publisher: Harvard University Press (May 15, 2009)

Language: English

ISBN-10: 0674032349

ISBN-13: 978-0674032347

Product Dimensions: 8.1 x 5.4 x 0.8 inches

Shipping Weight: 11.2 ounces (View shipping rates and policies)

Average Customer Review: 3.6 out of 5 stars 6 customer reviews

Best Sellers Rank: #134,336 in Books (See Top 100 in Books) #17 in Books > Religion & Spirituality > Islam > Rituals & Practice #25 in Books > Religion & Spirituality > Islam > Theology #80 in Books > Religion & Spirituality > Religious Studies > Psychology

## Customer Reviews

In lucid prose John Kelsay leads the reader on an illuminating journey from the time of the Prophet Muhammad, through the sacred sources of Islam and the debate over their interpretation, to the

internal debates between moderates and extremists that shape today's global politics. One cannot fully understand the range of possibilities that confront Islam and the world without comprehending the internal reasoning and discourse that Kelsay brilliantly explores in this remarkable work of synthesis. (R. Scott Appleby, University of Notre Dame) This book sets a new gold standard for interpreting jihadist radicalism for western readers. Sober and nuanced throughout, this book succeeds as an introduction to early Islam and the development of shari'a, as an analysis of the evolution of a distinctive style of radical jihadist interpretation, and as a valuable exploration of critically important arguments within contemporary Islam. (James Turner Johnson, Rutgers University) John Kelsay presents a masterful and lucid account of the full sweep of Muslim discourse on just war, exploring not only the moral arguments made but also the intellectual and political environment in which Muslims have debated the ethics of war for centuries. (Sohail Hashmi, Mount Holyoke College) Kelsay opens up the contemporary debate between Muslim militants and democrats about the justice of armed resistance to Western domination, and sets out its historical roots. His grasp is assured, his analysis is searching, and his writing is lean and lucid. (Nigel Biggar, University of Oxford) This book is a must for all who confront contemporary Islamist jihadism and its claim to fight a just war. Kelsay makes a superb contribution to understanding the religious legitimization of war in contemporary Islam and Islamic alternatives to it. (Bassam Tibi, University of Goettingen, Germany) Kelsay shows that today's freelance fatwa-hurlers rarely capture the best of Islamic thought, but are not wholly divorced from it either. Their pronouncements attempt to pass for "Shariah reasoning," a tradition of reconciling the Koran's passages and the Prophet Muhammad's examples to changing times... To his credit, Kelsay refuses to whitewash the role of religion in fostering the violence he discusses... Yet his analysis also respects the nuances of Shariah reasoning... By forensically dissecting the development of Shariah reasoning he illuminates the situation we now face, in which classical Islamic scholars are trumped by bloodthirsty bandits who pose as thinkers. (Irshad Manji New York Times Book Review 2008-01-06) [Kelsay] makes a good argument that classical Islamic reasoning was diverse because it always recognized that legal judgments were contextual rather than ideological. This gives way to a diversity of legal reasoning in the modern world, exploding the myth of a single "Islamic" approach to either the necessity or the means of war in achieving political aims... A must-read for those who want to move beyond hype and fear to a nuanced understanding of the multiple possible futures before the Muslim world. (Robert Hunt Dallas Morning News 2008-04-02) This book moves beyond those simplifications that would either depict the militancy and terrorism of many Islamist groups as emblematic or charge that such groups are hijacking a peaceful religion. (L. Carl Brown Foreign Affairs 2008-05-01)

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John Kelsay has provided the best introduction I've found to the self-understanding and the social constructions of Islam and the way its consequent mindset has been used by both historical and contemporary extremists to justify jihad against its perceived enemies. He lays out with crystalline clarity the historical events and resultant thought processes that have brought Islam to its place in today's world. Professor Kelsay does not write entirely without bias but he keeps it well under control. One senses from time to time that he is trying quite hard to "stick to the facts" when there is much more that he could say were he willing to indulge his personal opinions. The well-informed reader may not agree with all of Kelsay's conclusions about just war mentality in the contemporary Muslim world but one has to be impressed with the depth of his scholarship and the lucidity of his writing. Very highly recommended.

Fascinating book on the history of "just war" theory and how it relates to and is derived from Islam and the abrahamic religions.

This book is not without merit yet its tenor strikes me as another apologetic for Islam. As the title suggests, John Kelsay argues for a "just war" theory in the history of Islam, according the Islamic scholars he cites; according to Islamic (Sharia) law, etc., thus defying the history of Islamic jihad, as well as contemporary violent jihad and Koranic-inspired Islamic (imperial) expansionism and supremacism. I was struck by the clinical or disinterested approach Professor Kelsay applied toward distinguishing the murder of Israeli Jews from the murder of thousands of innocents in the World Trade Center Towers on September 11, 2001. The difference between the murders al-Qa'ida committed and those Hamas, Islamic Jihad and other Palestinian organizations commit possibly lies in the "idea that Israeli forces constitute a clear and present military threat in the ways that New York and Washington targets do not." .....Yusuf al-Qaradawi spoke for the majority at Al-Azhar

University (the place President Obama spoke to the Muslim world, the Ummah, June 2009) when he argued that "Israeli society is militaristic in nature. Both men and women serve in the army and can be drafted at any moment...If a child or an elderly person is killed in this type ('self-sacrifice', i.e., suicide / martyrdom operation), he or she is not killed on purpose, but by mistake (really?) and as a result of military necessity. Necessity makes the forbidden things permitted." Al- Qaradhwai is an Egyptian theologian and leader in the Muslim Brotherhood organization; an organization Barack Obama has been courting in the Egypt, the Middle East and America. Islamic law, according to Kelsay, argues for protection of non-combatants and civilians, the protection of innocent non-Muslim women and children, etc., when (according to my read and those of scholars) the Qur'an make no provision of mercy toward unbelievers. Unbelievers must submit to the hegemony of Islam, convert or be put to the sword in this world; unbelievers are consigned to hell-fire (or eternal torment) in the hereafter. That (the late) Osama bin Laden is not a Muslim in good standing can be inferred from Kelsay's book because his form or interpretation of Islam or jihad does not accord with the consensus of Islamic scholars, authorities, etc. How can he or his followers be good Muslims or devout Muslims? Only, what Islamic scholar of repute situated in the Middle East read bin Laden out of Islam? The 9/11 terror-atrocities run counter to Kelsay's just war theory of Islam described in his book. Professor Kelsay argues Islam does not sanction the senseless slaughter of innocents.

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, Hanifi, 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. In this narrowed focus of terrorist groups, targets and authority, Kelsay does have a few interesting sources and a vivid dialogue between contemporary scholars. But I was looking for more. Outside of terrorism, Muslim states have engaged in multiple wars, with each other and with outsiders. What was the just war reasoning behind those engagements? Was it all politics? Kelsay admits that Islam's focus in just war thinking is very different from the western tradition. Most discussions in Islam focus on the issue of authority. Something else interesting to note, Kelsay couldn't divorce Islamic just war from its religious roots. From the earliest days of Islam, war was an ethical demand to defend Islam. Those who apposed the religion were legal targets. Where there are democracy advocates in Muslim countries today, even the most liberal will limit their arguments of freedom and justice just short of apostasy. To protect Islam, which is an ethical demand, no one can preach anything other than Islam and no one can leave Islam for another religion. Just war theory in Islam is all about protecting the religion, its teachings and its followers. It's the 'how' and the proportionality of this demand that is under debate. Overall, the book was a good read and I enjoyed the multiple historical sources and the creative approach. I was disappointed with the flow and the fact that Kelsay only chose a handful of token Qur'an texts to support his thesis. I was under the impression that the Qur'an had more to say on the matter. Asking what Shari'a has to say about just war in this case is like asking what the British constitution has to say about a specific legal matter. The Brits have no formal constitution. They have a legacy of legal sources and legal precedent. Shari'a can interpret laws and just war from any number of reasonable angles. It's all about who does the interpreting. Back to square one.

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