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“A Just War or Just a War?” Iraq a Year Later**

**In the Name of God, the Infinitely Compassionate, the Most Merciful.  
Peace be upon Prophet Mohammad and His immaculate progeny.**

**Imam Sayed Moustafa Al-Qazwini**

Justifiable use of force has been a long-standing debate among theologians, philosophers and governments. To classify any war as *just* would be acrimonious in Islam. Islam does not justify wars by the classical Western definition of “the just war”<sup>1</sup> theory. From an Islamic perspective, the question of whether or not the American led war on Iraq was necessary or not remains to be defined within the prism of Islamic Sharia/law,<sup>2</sup> circumscribed in light of the Quran and traditions of Prophet Muhammad.

The Quran prescribes Muslims with the following verse: **“And obey not the dictate of those who transgress the bounds, who mischief in the earth and promote not order.”**<sup>3</sup> Based on the instructions given by the Quran, two points are worth considering when evaluating the attack on Iraq.

First, is the issue of a non-Muslim nation invading and usurping away the lawful rights of a Muslim nation. Islam considers this as a form of blasphemy and imperialism. The Quran states: **“And never will God grant to the unbelievers a way to triumph over the believers.”**<sup>4</sup> Islam adopts the policy of brotherhood amongst Muslims in every aspect. *“The Muslims are as a single body,”* said the Prophet.<sup>5</sup> Thus, Muslim nations are aligned to defend one another when threatened by a foreign nation who deems to colonize, exploit, or abolish Islamic rule. The life and nation of a Muslim is central to the Islamic creed of living. Placing a barrier between state

and religion is inapplicable. Undermining it could be classified as an unassailable moral justification for defense.

Second, America's foreign policy in the Middle East has left Muslims skeptical of America's sincerity. Muslim skepticism of American sincerity is not unfounded. America's track record with Saddam is no secret, it is merely dismissed. Saddam's financial backer was none other than America. Rhetoric serves no purpose other than a reminder. America was the number one supplier for Saddam's biological and chemical arms. The "imminent threat" Saddam posed did not surface a few months ago, but rather twelve years ago when Saddam had been stockpiling weapons of mass destruction and promulgating hostile aggression within Iraq and toward its neighbors. America turned a deaf ear when Saddam gassed thousands of his own citizenry. Unlike its response to the invasion of Kuwait, America condoned Saddam's invasion into the sovereign nation of Iran and remained apathetic when he gassed the Iranian people. America not only knew about Saddam's aggression and atrocities, but it incredulously continued to nurture them.

The precursor that catapulted America's preemptive strike was the constant caterwaul of Saddam's arsenal lurking as an "imminent threat." Yet to date, no stacks of illicit weapons, poison gas or germ agent have been found in Iraq since the invasion led by the US and allied forces. In spite of everything, America continues to defend its action by stating that a "regime change" was needed. Islam has no quarrel with that statement because Saddam fits all the standards of a brutal dictator. Nonetheless, the concern for Muslims is, why *now*? Why not back when Saddam was most powerful in exerting his tyranny?

Thus from an Islamic perspective, America is looked upon as a party to Saddam's mischief (**"And obey not the dictate of those who transgress the bounds..."**) when it remained

silent in gassing innocent humans (**who mischief in the earth...**) and continued to financially sponsor him (**and promote not order.**”).

When the talk of war rang out, the anti-war movement erupted from each and every part of the world. Oddly enough, the majority of Iraqis living in and out of Iraq did not join the concerned world population rallying against the war. After four decades of living in fear, intimidation, and censorship the Iraqi people wanted relief from Saddam’s imprisonment. Their years of anguish can be likened to a verse from the Quran: “**And why do you not fight in the way of God and the utterly oppressed men, women, and children who are crying out, “O Lord! Rescue us from this town whose people are oppressors, and raise for us from You one who will protect, and raise for us from You one who will help.”**”<sup>6</sup>

When it comes to any form of disruption the Quran instructs those who are being oppressed with the following: “**Who, whenever tyranny afflicts them, defend themselves.**”<sup>7</sup> For decades exiled Iraqi dissidents, including prominent Iraqi Islamic scholars, actively sought assistance from others in ousting Saddam, as instructed in the following verse from the Quran: “**And assist one another collectively and individually in all righteous, constructive avenues, but assist not one another in sin, ill-will and hostility,**”<sup>8</sup>—but to no avail. Consequently when America’s interest grew in removing Saddam from power, many Iraqis welcomed it. Some Iraqis equate America’s assistance to a saying by Imam Ali: “*At times God will vindicate good through the use of evil.*” Hence, when the war started eminent Islamic scholars who remained living discreetly in Iraq advised Iraqis not to intervene with the US and allied forces in removing Saddam.

In Islam, Muslims are required to assess the outcome of the defense beforehand. The result must not be worse than the status quo. If the intention of the US and its allies were purely

to remove a tyrant dictator from power then the cause would be considered favorable. It is mentioned in the Quran:

**It may be that God will establish friendship between you and those whom you hold as your enemies. God has power, and God is often Forgiving, Most Merciful. God does not forbid you from dealing kindly and justly with those who do not fight you for your religion or drive you from your homes. God loves those that are just. God only forbids you from taking as allies those who fight you for your religion and turn you out from your homes and aid others in turning you out from your homes. Whoever takes them as allies, they are the wrongdoers.**<sup>9</sup>

However, to remove one tyrant from power and implement colonialism would just be another form of dictatorship. The Quran states: **“We shall confer dignity in the Eternal world upon those who do not seek to establish their might in the world and do not wish to create strife. Success in the world Hereafter awaits those who are God-fearing.”**<sup>10</sup>

Today, what remains to be seen is what will become of Iraq now that Saddam is no longer ruling?

### **PERMISSION TO DEFEND IN ISLAM**

In accordance with Islam, the ultimate purpose of humanity is to be in the service of God, to worship Him alone, and to construct an ethical social order. Hence, the sole interest of Islam is the welfare of mankind. It begins by upholding the sanctity of human life. Unjustly taking the life of one human is likened to killing the entire human race.<sup>11</sup> The Prophet said: *“The killing of a believer is greater in the sight of God than the perishing of the world.”*<sup>12</sup> The Quran also confirms: **“...nor slay such a life as God has made sacred except for just cause.”**<sup>13</sup>

Human rights prescribed by God are universal, autonomous and alienable, irrespective of the particular socioeconomic, cultural, political, or religious conditions under which they live.

Each person has a right to the fundamental needs of survival (food, water and shelter), to live in peace and security.

The Prophet said: *“People are masters of their own wealth and lives.”*<sup>14</sup>

The Quran states: **“Let there be no compulsion in religion, truth stands clear from error.”**<sup>15</sup>

The Quran also states: **“If your Lord had so willed, all those who are on earth would have believed: would you then compel mankind against their will, to believe?”**<sup>16</sup>

Islam’s conceptions of peace, non-violence and war are outlined in the Quran and exemplified in detailed accounts of the traditions and dealings of the Prophet during war and peace times with his foes.

Peace is the primary condition in Islam. Islam’s universal greeting is: **“And when the ignorant one addresses them, they say, “Peace!”**<sup>17</sup> One of the derivative meanings of Islam is peace, and peace according to Islam, is a condition based on surrendering to God’s will and living according to God’s laws. Thus, Muslims are accorded to: **“Enjoin good and eradicate evil.”**<sup>18</sup>

The Quran is consistent in advocating the concept that patience and forgiveness are the primary tools for peace, and that the use of force is a last resort. This is seen in the first thirteen years of Muhammad’s prophethood. The Prophet practiced a nonviolent resistance in spite of physical and verbal attacks perpetrated against him and his followers. He continued within the framework of the Quran that propagated the use of force as a last resort, and remained steadfast in the face of rising attacks.

The Quran states the following verses:

**“And if you forgive, it is closest to righteousness.”**<sup>19</sup>

**“Oh you who have faith, enter into peace all of you, and do not follow the footsteps of Satan.”<sup>20</sup>**

The Prophet used to say: *“Amongst the best moral values in this world and thereafter is to forgive he who did harm to you, speak well to him and be generous to him when you have power over him.”*<sup>21</sup>

In almost every case in the Quran the exhortations to peace and forbearance mitigate the stern injunctions of battle, such as: **“The requital of evil is an evil similar to it hence, whoever pardons [his enemy] and makes peace, his reward rest with God-for, verily; He does not love evil-doers.”**

The Quran also states:

**Yet indeed, as for any who defend themselves after having been wronged—no blame whatever attaches to them: blame attaches but to those who oppress other people and behave outrageously on earth, offending against all right: for them is grievous suffering in store! But if one is patient in adversity and forgives, this indeed the best resolution of affairs.**<sup>22</sup>

This is not to say that Islam encourages pacifism. Instead, it instructs Muslims not to be silent.

In fact, Muslims are persuaded not to be complicit when rights are being violated or threatened.

Nonetheless, it is also not a given carte blanche because to pardon is closer to piety.

One of the foremost instructions given to Muslims before resorting to war is prevention of war. The principle of intervention to solve dispute through peaceful negotiation is offered by the Quran: **“If two parties of believers fall into quarrel, make you peace between them: But if one of them transgresses beyond bounds against the other, then fight you all against the one that transgresses until it complies with the command of God; but if it complies, then make peace between them with justice, and be fair: for God loves those who are fair.”**<sup>23</sup>

Treaties and alliances are other forms of preventative action. Such agreements are considered sacred and binding. The Prophet Muhammad abided by all of the several treaties he

made with tribes living around Medinah. The most famous of all was the Treaty of Hdaybih, which was made with the polytheists in Mekkah.

War is the greatest prodigy that has existed throughout history. No matter what the outcome entails, its path is full of destruction and death. Despite its ugliness and apprehension, war is sometimes needed. The Quran states: **“Fighting has been prescribed (*kitabah*) to you, and it is an object of dislike to you; and it may be that you dislike a thing that is good for you, and it may be that you love a thing while it is evil for you...”**<sup>24</sup>

The Quran evidently explains why there is a need for fighting: **“Tumult and oppression is worse than killing.”**<sup>25</sup> Muhammad Husayn at-Tabatabai, a prominent Islamic cleric, comments on why God sanctions aggressive behavior and why He does not love those who act aggressively (often referred to in the Quran as, “exceeds the limit”). Tabatabai said: “Acting aggressively is to be condemned, but only when it is not in response to an aggression. If it is in reprisal of an aggression, then it is not “exceeding the limit” or “acting aggressively”. It is defending oneself from degradation, and liberating oneself from the fetters of slavery, oppression and injustice.”<sup>26</sup> As Augustine once said: “War is the result of sin, and war is the remedy for sin.”<sup>27</sup>

For Muslims, promotion of peace and normalcy<sup>28</sup> is what constitutes the grounds for battlement. Those who disregard the Islamic laws of the state have disrupted the order of society, and therefore, must be stopped by any means possible. The aim behind war is to deter aggression or oppression, not to impose Islam as a religion. Hence, the theme of force, which is sanctioned by God, is a necessary response to secure peace.

There is no simple direction, nor a systematic structure on war in Islam. Since the nature of war and the nature of the challenge changes, with each war comes its own assessment and

merit. In Islam, the action of defense is used as a last resort after all measures have been exhausted to maintain a stable co-existence. The Quran ordained the legitimate use of defense force and set down circumstances for war, including its disciplinary restriction and duration. The intention must be unadulterated and not vengeful. The method must not be excessive or genocidal. Furthermore, the form of defense is based on an edifice of ethical and moral rules, which is represented in the experiences and battlements of the Prophet. The Prophet said: *“I was sent to perfect the morals of people.”*<sup>29</sup>

Before dispatching the soldiers to war the Prophet briefed them about their duties and responsibilities. The Prophet would say:

Do not handcuff or tie up the prisoners. Do not mutilate. Do not kill the wounded. Do not pursue one retreating or one who throws down his weapon. Do not use treacherous means with the enemy. Do not kill the old, the young or the women. Do not cut down trees, unless you are forced to do so. Do not deploy poison in the lands. Do not cut off water supply. No house should be entered without permission and the people have safety. If any of the Muslims, whether high ranking or otherwise, give temporary refuge to any of the infidels to hear the message of God then let him do so. If he follows you [accepts Islam] then he is your brother in religion; but if he refuses, secure his safety and seek help from God.<sup>30</sup>

Permission to defend oneself from aggression or oppression was not given to the Muslims until the Prophet sought refuge in Medinah thirteen years after the start of his message. The verse permitting some form of military defense states: **“To those against whom war is made, permission is given to fight because they were wronged; and verily God is most powerful for their aid.”**<sup>31</sup>

The Quran set the premises for battle: **“Fight in the way of God against those who fight against you, but begin not hostilities. Lo! God loves not aggressors.”**<sup>32</sup> Four sets of premises

can be exhumed from this verse. First, war should be fought only for noble motives<sup>33</sup> (**Fight in the way of God...**) without seeking any earthly reward. Second, Islam forbids any act of military offense (**...but begin not hostilities...**); meaning, all battles must be in self-defense. The Prophet said: “*Do not fight them until they begin to fight you.*”<sup>34</sup> However, Islam permits the launch of a pre-emptive strike if it has sufficient reason for thinking that an attack is imminent. Third, the fight is only directed to those involved (**...fight against those who fight against you. . .**). Fourth, the prequel that features the acts prevention, such as patience, forgiveness, and treatise before any battle (**...but begin not hostilities...**).

Fighting is undesirable, and in some months even forbidden.<sup>35</sup> The first defensive battle in Islam was Badr, where the Prophet led over seventy expeditions. Some were intense battles to defend Medinah, while others were raids, skirmishes, or sieges. However, the Prophet did not partake in battles to convert people. Instead, the battles ensued because Islam was being aggressively attacked.

The origin and historical development in permitting self-defense can be seen in the moral concept of *jihad* in Islam, which permits Muslims to defend themselves. Orientalists have taken the word *jihad* and defined it strictly as “holy war.”<sup>36</sup> Yet in the history of Islam’s military expeditions there had never been a war termed as “holy”. In fact, to categorize any battle as a “holy war” would be an oxymoron. In Islam, war is decreed by self-defense in situations where foreign governments impose their agenda by in engaging in political dissent against sovereign Muslim states, in defense of religion, or in defense of those who have been expelled forcibly from their homes. The right to defend is duly bound when such conditions demand it.

Jihad is a term or a concept that can only be defined or applied by its context. Although the western media uses the term “jihad” with militant connotations, in truth, the word covers a

vast range of human activities such as family life, work, spiritual development, and justified military defense. For that reason, there is no universal consensus among Muslim intellectuals on precisely defining jihad.

The most important jihad is the struggle to purify the soul, and jihad in this context far outweighs any military jihad. This can be seen in the exemplary incident cited by the Prophet:

Prophet Muhammad met a group of Muslim soldiers returning home from a defensive battle and said: “Welcome to those who have concluded the minor jihad [struggle].” Astonished, the soldiers asked: “Was this military battle the minor jihad? Then what is the major jihad?” Prophet Muhammad replied: “The major jihad is the jihad to purify one’s self.”<sup>37</sup>

In the classical Islamic traditions, the essential condition for jihad is, “*jihad fi sabil Allah*” (struggle in the way of God); meaning that all actions undertaken must be done for the benefit of mankind, purely for the sake of pleasing God and not for selfish motives. This expression is deeply rooted with a verse from the Quran that captures the spirit of Islam’s message to its followers. The Quran states: “**Let there arise from you a group of people inviting what is good, enjoining what is right, and forbidding what is wrong (*amr bil-ma`rouf nahiyan al-munkar*): these are the ones who will be successful.**”<sup>38</sup>

Propagation of the Islamic faith which is the ultimate aim of jihad lies between the two conditions of *Dar al-Harb* (abode of war) and *Dar al-Salam* (abode of peace). Muslims are instructed to propagate this divine law through peaceful means if possible, and through defensive means, if threatened. Islamic hegemony is not to acquire territory or to plunder, but rather to spread the faith. Islam does not wish to sanction mass forcible conversion into *Dar al-Salam*, as seen in the following instructions given by Imam Ali to his appointed governor of Egypt, Malek

al-Ashtar: “...as for the people, they are either your brothers in religion or your equal in creation.”<sup>39</sup>

The Quran also sanctions when war is to end. The Quran states: “**And fight them until persecution is no more, and religion is for God. But if they desist, then let there be no hostility except against wrongdoers.**”<sup>40</sup>

Also: “**If they seek peace, then you seek peace. And trust in God for He is the One that hears and knows all things.**”<sup>41</sup>

Islam aims to bring about peace and prosperity to all mankind. It abhors any act of hostility and attempts to maintain the structure of peace. As Imam Ali once said: “*Peace is the fruit of forbearance.*”<sup>42</sup> In light of forbearance, Islam laid down obstacles by which to avoid war, such as forgiveness, amnesty and peaceful pacts. Yet when the threat or the act of aggression becomes ominous then Islam instructs one to defend. Ultimately, it is the Quran that defines the circumstances and system of war while the Prophet determines its ethical behavior.

## CONCLUSION

In conclusion, the concept of just war theory is invalid in Islam. However, a war is justified under Islamic Sharia if it is fought for noble motives, and if it is fought in self-defense only towards those involved. The allies’ motives in the war against Iraq are highly questionable. If the motive was to remove Saddam, why act now rather than when he was at the height of his reign of terror against innocent Iraqi civilians as well as bordering countries? Moreover, does the U.S. desire peace in the region, or is it concerned with domination? It appears that the U.S. was motivated by economical factors as well as protection for other allies in the region, such as

Israel. This being so, the United States was not justified in its invasion on Iraq according to Islamic Sharia.

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<sup>1</sup> Rooted in the 4<sup>th</sup> century by Saint Augustine of Hippo, and later developed by Thomas Aquinas, are a set of principles that outline a 'just war' as: 1) Being a just cause. 2) Authorized by a competent authority. 3) With the right intentions.

<sup>2</sup> It is the Islamic jurists (*fuqaha*) and not the state that play the role of legislator. For Shia Muslims Islamic *Sharia*/law is derived from four sources: 1) Quran. 2) *Hadiths/Sunnah*: traditions, actions, and consents of Prophet Muhammad in matters pertaining to the meaning and practices of Islam, which have been transmitted through a line of narrators. 3) Consensus (*ijma*) of the learned religious scholars (based on the Prophet's traditions and the twelve infallible Imams). 4) Reason (*ijtihad*).

<sup>3</sup> Quran 26:151-152. IMAM SAYED MUSTAFA AL-QAZWINI (trans.).

<sup>4</sup> Quran 4:141. (ABDULLAH YUSEF ALI, THE MEANING OF THE HOLY QU'RAN, New ed., Amana Corporation trans., 1989).

<sup>5</sup> 61 M.B. MAJLESI, SEAS OF LIGHT 148 (ed.).

<sup>6</sup> Quran 4:75. ABDULLAH YUSEF ALI, THE MEANING OF THE HOLY QU'RAN, New ed., Amana Corporation trans., 1989).

<sup>7</sup> Quran 42:39. IMAM SAYED MUSTAFA AL-QAZWINI (trans.).

<sup>8</sup> Quran 5:2. IMAM SAYED MUSTAFA AL-QAZWINI (trans.).

<sup>9</sup> Quran 60:8. IMAM SAYED MUSTAFA AL-QAZWINI (trans.).

<sup>10</sup> Quran, 28:83.

<sup>11</sup> Quran 5:32; 6:151; 17:33.

<sup>12</sup> AYATOLLAH IMAM MOHAMMED SHIRAZI, WAR, PEACE & NON-VIOLENCE, AN ISLAMIC PERSPECTICE 61 (Fountain Books 2002).

<sup>13</sup> Quran 25:68.

<sup>14</sup> 61 M.B. MAJLESI, SEAS OF LIGHT 272 (ed.).

<sup>15</sup> Quran 2:256. ABDULLAH YUSEF ALI, THE MEANING OF THE HOLY QU'RAN, New ed., trans., Amana Corporation 1989).

<sup>16</sup> Quran 10:99. ABDULLAH YUSEF ALI, THE MEANING OF THE HOLY QU'RAN, New ed., trans., Amana Corporation 1989).

<sup>17</sup> Quran 25:63. ABDULLAH YUSEF ALI, THE MEANING OF THE HOLY QU'RAN, New ed., trans., Amana Corporation 1989).

<sup>18</sup> Quran 9:71. IMAM SAYED MUSTAFA AL-QAZWINI (trans.).

<sup>19</sup> Quran 2:237. IMAM SAYED MUSTAFA AL-QAZWINI (trans.).

<sup>20</sup> Quran 2:208. IMAM SAYED MUSTAFA AL-QAZWINI (trans.).

<sup>21</sup> AYATOLLAH IMAM MOHAMMED SHIRAZI, WAR, PEACE & NON-VIOLENCE, AN ISLAMIC PERSPECTICE 103 (Fountain Books 2002).

<sup>22</sup> Quran 42:40-43. LAHORE: IDARA TARJUMAN AL QURAN (1988).

<sup>23</sup> Quran 49:9. ABDULLAH YUSEF ALI, THE MEANING OF THE HOLY QU'RAN, New ed., trans., Amana Corporation 1989).

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- <sup>24</sup> Quran 2:216. IMAM SAYED MUSTAFA AL-QAZWINI (trans.).
- <sup>25</sup> Quran 2:191. IMAM SAYED MUSTAFA AL-QAZWINI (trans.).
- <sup>26</sup> 13 MUHAMMAD HUSAYN AT-TABATABAI, AL-MIZAN, AN EXEGESIS OF THE QURAN 91.
- <sup>27</sup> BRIAN Hehir, Conversation with Roy Mottahedeh at American Academy of Arts and Sciences, Cambridge, Massachusetts (Dec. 10, 2001).
- <sup>28</sup> Under normalcy a society is able to live within moral and ethical order.
- <sup>29</sup> AYATOLLAH IMAM MOHAMMED SHIRAZI, WAR, PEACE & NON-VIOLENCE, AN ISLAMIC PERSPECTICE 109 (Fountain Books 2002).
- <sup>30</sup> AYATOLLAH IMAM MOHAMMED SHIRAZI, WAR, PEACE & NON-VIOLENCE, AN ISLAMIC PERSPECTICE 109 (Fountain Books 2002).
- <sup>31</sup> Quran 22:39. ABDULLAH YUSEF ALI, THE MEANING OF THE HOLY QU'RAN, New ed., trans., Amana Corporation 1989).
- <sup>32</sup> Quran 2:190. IMAM SAYED MUSTAFA AL-QAZWINI (trans.).
- <sup>33</sup> One of the symbols of God is goodness thus anything that opposes goodness is considered evil. 'Fighting for the cause of God' signifies the battlement of good verses evil.
- <sup>34</sup> AYATOLLAH IMAM MOHAMMED SHIRAZI, WAR, PEACE & NON-VIOLENCE, AN ISLAMIC PERSPECTICE 111 (Fountain Books 2002).
- <sup>35</sup> The forbidden Islamic months are: Rajab, Dhul-Qa`dah, Dhul-Hijjah, and Muharram.
- <sup>36</sup> "Holy war" was first coined in Europe during the Crusades against the Muslims.
- <sup>37</sup> AYATOLLAH IMAN MOHAMMED SHIRAZI, WAR, PEACE & NON-VIOLENCE, AN ISLAMIC PERSPECTICE 123 (Fountain Books 2002).
- <sup>38</sup> Quran 3:104. IMAM SAYED MUSTAFA AL-QAZWINI (trans.).
- <sup>39</sup> Soroush Press (1984).
- <sup>40</sup> Quran 2:193. IMAM SAYED MUSTAFA AL-QAZWINI (trans.).
- <sup>41</sup> Quran 8:61. IMAM SAYED MUSTAFA AL-QAZWINI (trans.).
- <sup>42</sup> Soroush Press (1984).