

## Ethics of War in Islam and Just War in Theory: A Comparative and Analytical Study

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### Abstract:

A soldier standing in front of a rival in the war-torn area can cause suffering or protect people. This hypothetical situation highlights a crucial query: how should war be conducted to remain within the bounds of morality? Ethical considerations in war are not just guidelines or instructions by which they can shape the decisions of leaders and warriors, determining the destination of countries and the lives of natives (Wolfe and Portis 2021). History proves that wars have been guided by significant ethical principles and considerations that eventually aim to lessen the harm and suffering of war (Holzgreffe, L and O 2003). Paying heed to these formulated principles and ethics of wars ensures that even in the chaos, they strongly show a sense of justice and humanity to save the lives of individuals. This paper has shed light on the historical aspects of just war theory and Islamic ethics of war. Moreover, this research has deeply analyzed the key points of Islamic War Ethics and Just War theory. Similarly, to comprehend the thorough analysis a comparative study is conducted in which similarities and differences have been discussed. In the end criticism and challenges of both war's principles have also been underscored. Hence, the importance of ethics in warfare cannot be ignored at all and must be taken into account for consideration. So, this paper stated that without ethical standards, war could become open for all, where might is always considered right over the weak with little for justice or humanity on the battlefields.

**Key words:** Ethics, War Theory, morality, Wolfe and Portis 2021, justice and humanity.

### 1.1 Overview of Just War Theory:

#### A) Historical background

##### a) *Origins in Christian Theology*

The theory of just warfare depends on Christian theology, which requires ethical and moral bounds for appealing to war (Gomes 2015). The impression can be linked to the time of Augustine, the Advocate of Hippo (354–430 AD). Augustine, who was a significant character in the early Christian church, handled the ethical dilemmas obtainable by war. At a period when the empire of Rome was often challenged by barbaric attacks, Augustine tried to bring together Christian experiences that

encouraged compassion and agreement and the severe reality of defending the territory (Yoder 2009). He sustained this, although war is necessarily detrimental, it may be ethically satisfactory given particular circumstances. The requirements include having to fight assault, reestablish constancy, and support those who were innocent. Augustine making the beliefs formed the foundation of what originated to be the just fight Theory, emphasizing how the purpose fundamental to the battle has to be justice and harmony, rather than private profit or settlement.

Through the era of primitive times, the apostle Thomas Aquinas (1225-1274 AD) improved on the words of Augustine's opinions and established the principle of justice War Theory (Maduabuchi 2023). Aquinas, a Dominican priest who was one of the more well-known intellectuals and philosophers of the period, expanded on the arguments of Augustine's ideas in his major employ, "The Summa Theologica." Theologian Thomas A. established three crucial requirements for an actual war: the legal authority to state the war, there to be a satisfactory generation, and the conflict necessity to take residence with the right determination (Stefon and Matt 2020). The idea of legitimate legitimacy had significance since it demanded only legitimate governments or leaders could assert war, avoiding individual wars and impulsiveness. Aquinas' permits generated an additional organized and comprehensive ethical structure, affecting Christian philosophy and the overall Western society.

### ***b) Evolution Through Secular and Modern Interpretations***

When Europe advanced from the Middle Ages to the era of the Regeneration and the Enlightenment the Just War Theory advanced, integrating religious concepts and adapting to its ever-changing political environment (Ruse 2013). Throughout the whole of the Renaissance, the recovery of classic papers with the rise of humanism added original elements to the discussion over armed forces ethics. Intellectuals like Hugo Grotius, Jr. (1583-1645), extensively recognized as the founding father of worldwide regulation, were important in eliminating and establishing the thoughts of the Just War Theory. Grotius was' important effort "De Jure Belli ac Pacis" ("on the Legal Principles of War and Peaceful") attempted to establish a worldwide legal structure controlling the actions of conditions throughout the war, that depend on natural principles instead of the pearls of wisdom of religion. His ideas developed the context for modern humanitarian law worldwide and paid to develop the legal and moral standards that regulate modern fighting (Scharf and P 2022). The Age of Enlightenment advanced the adoration of the Just War Theory. Academics like Immanuel Kant, who existed (1724-1804) contributed to determining philosophical supposed by highlighting overall ethics and rights for everybody. the arguments of Kant's beliefs on continuous serenity and the ethical essentials that guide government conduct encouraged the formation of contemporary worldwide relations and war regulations. The focus converted from heavenly instructions to acceptable, broadly appropriate thoughts aimed at minimizing the harmful belongings of war and preserving the worth of individuals. In the 20th and 21st centuries, the Just War Theory sustained embellishment because of the extraordinary Scalability and advances in technology in modern conflict.

These horrifying experiences of both World Wars formed an entirely original focus on caring concerns and non-fighter security. Several Just War concepts were finally

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comprised in the rule of law by international agencies like the United Nations and arrangements like the Conventions of Geneva, that produce guidelines for war performance that prioritize the maintenance of humankind or falling the range of desolation. The modern theory of just war reports hard concerns such as defensive rises, relief efforts, and the ethical significance of innovations like whine and digital war. Investigators and philosophers struggle to debate and alter the theory in instruction to ensure it stays relevant when challenging the ethical contests presented by modern war (Jewett 2012). The main concepts of Just War Theory, which depend on the literature of Augustine for AQUINAS, continue to perform as a vital framework to evaluate the ethical consequences of war, highlighting the continuous need to assault balance the cruel authenticities of conflict with its essential of maintenance justice and consideration.

### **B. Key Principles**

The Theory of Just War is a moral framework that delivers standards to determine if the vision of war is justified (*jus per bellum*) as well as in what way war must be shown (*jus in bello*). These values effort to ensure that arguments are resolved for the right reasons and are approved suitably, having the impartiality of removing unnecessary discomfort and suffering (Orr 2016).

#### **Jus ad Bellum (Justice of War)**

##### *a) Just Cause*

By the principle of a reasonable cause, a nation can only go to war provided it can provide moral justification. Widely recognized legitimate reasons include defensive tactics over a violent assault, defence of other individuals from aggressive performance, protecting innocent individuals from severe injustice, or retribution of the government for significant wrong. For instance, the countries of the Allied Alliance defensible their participation in the Second World War by emphasizing Nazi Germany's vicious expansion and offenses, to stop conquering and defending apprehended communities (Steffen and Rees 2004).

##### *b) Legitimate Authority*

A legitimate government has to state war in command to be sure that it happens for the improvement of the overall population instead of for isolated gain. In the past, this influence was originally replaced by independent nations or their representatives, like royals or legislatures. In the present day, legitimate authority could be prolonged to worldwide organizations such as the League of Nations (Rosenau and Czempiel 1992). For example, the League of Nations Security Council had lawful usage of influence in the Korean War (1950-1953) to discourage North Korean aggression toward South Korean territory.

##### *c) Right Intention*

Although a dispute has impartial reasoning, it has to be approved according to suitable intentions—most particularly, to achieve a reasonable and strong settlement (Marceau and Gabrielle 2002). It involves avoiding objectives driven by retribution, territory gain, and financial objectives. In the Gulf War of 1991, the overall US-led alliance tried to free Kuwaiti under Iraqi supremacy, having the objective of regaining independence instead of annexing land or dominating resources.

*d) Probability of Success*

The basic knowledge of the possibility for success proposes that an object must only engage in war when it has an attainable chance of attaining its objectives. It's intended to avoid unsuccessful wars that consequence in the unnecessary destruction of resides & currency. The Falklands conflict between the UK and Argentina illustrates the principle of the probability of success of this scenario (Bratton and Patrick 2011). Both countries fought on the probability of success. However, the superior military capability offers more chances of success in the UK.

*e) Last Resort*

Violence is best circumvented as an alternative if all other alternatives are explored. Before rotating to equipped movements, diplomacy might try nonaggressive methods like financial consequences. The worldwide community's elevated attempts to reach an arrangement with Iraq earlier in the Second Gulf War demonstrated this impression, with war being extremely considered once political attempts were unsuccessful to guarantee the Iraqi military parting from Kuwaiti (Gerd 2004).

*f) Proportionality*

Its predictable benefits related to war have to be equivalent to the expected disadvantages. The theory's purpose is to evade wars that cause better injury and pain than the damages they claim to talk about. For example, in choosing to get complicated in charitable crises, contends have to consider their chances for lifesaving procedures with the prospect of huge human expenses or continued disruption resulting from a military answer.

**Jus in Bello (Justice in War)**

*a) Discrimination*

The concept of prejudice enables soldiers to make distinctions amongst legitimate military goals and citizens who are not Civilians, healthcare wage-earners, and Convicts cannot be deliberately attacked. Modern war has become more arranged around this concept, especially given the cumulative prevalence of irregular warfare and terrorist activity, where militaries often combine into the civilian population (Stahn 2006). As an example, the utilization of accuracy-guided weapons in combat attempts to minimize civilian diseases by targeting specific opponent positions slightly than chance bombardment.

*b) Proportionality*

The idea of proportionality in jus during Bello demands the usage of force used throughout combat be suitable for the military. The obliteration of a target is lawful, the methods utilized for abolishing it are improbable to result in considerable unintentional injury. As a design, throughout NATO's participation in Kosovo in the year 1999, efforts were taken to raid Serbian military connections while sparing serious damage to citizens and public organizations; as of yet, the carrying out of this concept was not empty disagreement or criticism.

*c) The 2003 Iraq War*

Both 2003 Iraq War proposals are an intricate illustration of the request and challenges of Just War Theory opinions. Its US-led alliance authorized its attack by claiming that Iraq included arms of destructive weapons (WMDs), awarding a pending hazard (just cause). Yet, the reliability of the aim was widely requested, especially when weapons

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of figure obliteration went undetected, generating worries regarding the accurate purpose and genuine influence (Lecamwasam 2013). The conflict began without specific UN authorization, compromising the concept of legitimate authority. Talking *jus in Bello*, although alliance forces were annoyed to minimize wounded between civilians by focused arises, the war occasioned enormous deaths between civilians and destruction of infrastructure, encouragement questions regarding the suitability and prejudice of the techniques implemented. The prolonged instability and natural tragedies that occurred dyed the challenges involved in attaining the equitable delivery of consequences expected by the Just War Theory.

### **Contemporary Applications**

Just War Theory, which started in Christian theology and manufacturing throughout normal theology, is still extremely relevant to modern worldwide politics. presently its values have become fixed into contemporary international laws instructions and regulations, controlling specialists' actions under conflict circumstances (Clerk 2016). In addition, many examples illustrate the actual use of these thoughts in modern combat, emphasizing both activities and challenges.

### **Modern International Law and Conventions**

The principles of the Just War Theory have had a momentous effect on contemporary international law, particularly through the establishment of arrangements, conventions, and international organizations produced to control the behavior of war. The idea of the law of *jus ad bellum* is officially expressed in the UN Charter, which was moulded in 1945. It defines that nations that are members are prohibited from using aggressive force on any of the state's regional dominion or independence from politics, also in protection or with the United Nations Security Council's authorization. It carefully aligns with the principles of War Theory's standards for a principled purpose and legitimate authority. In addition, the Conventions of Geneva and extra protocols form the foundation of the rule of international humanitarian law (IHL), which efficiently addresses justice in *bello* notions. These international agreements, which were employed between 1864 and 1949 and are often modified, set regulations for reasonable treatment in disputes, emphasizing the security of non-combatants and those incapacitated as well as ensuring that conflict approaches observe proportion and impartiality. As an example, paragraph 48 of Protocol 1 particularly states that participants in a competition must differentiate between ordinary people and participants, in addition to civilian benefits and military objects.

The International Criminal Court (ICC) (ICC), recognized by the Statute of Rome in 1998, is a legal organization that examines individuals including acts of war, and crimes in contradiction of humanity as a complete and extermination (Phyllis 1998). An ICC's undertaking supports the fundamentals of the principle of just war by making people accountable for any crimes against international humanitarian law, resulting in encouraging dedication to the *jus in bello* obligation.

#### *a) The Gulf War*

The war in the Persian Gulf is an unresolved instance of the application of the Just War Theory in contemporary aggression. The international world associated the assault on Kuwait in August of that year, under the leadership of Saddam Hussein. The United Nations Security Council quickly adopted Resolution 660, which well-ordered Iraq's parting before it approved the application of the act through Resolution 678, in

combination with the requirements of legitimate control and moral reason. The association of soldiers, by the US, future to remove Iraqi forces from the nation of Kuwait, reinstate its individuality, and continue the security of the area, in line with the correct determination concept (Leon 2018). These significant political attempts and financial consequences completed before the armed participation indicated devotion to the preceding option requirement. Through the struggle, the alliance became an excellent search to minimize civilian deaths and injury to organizations, whereas there were a few inquiries about comparative and prejudices including the radical attack of population-critical structures.

*b) The Kosovo Intervention (1999)*

NATO's 1999 participation in the region of Kosovo, with the impartial of stopping Serbian soldiers' figure murder of Kosovar Albanians, illustrates the contests in carrying out the Just War Theory specifically the United Nations penalty. The humanitarian state in Kosovo offered a convincing argument for engagement. the NATO association kept that its activities were intended to circumvent additional crimes and stabilize the part, which is the correct aim.

Nevertheless, in the absence of UN Security Council permission, NATO declared legitimate authority over its essential to prevent widespread violations of human rights, this endures to be tested in the international court system. The change had been seen as the last option amid demanding diplomatic efforts and not successful discussions. Throughout the conflict, NATO strained to limit fatalities among civilians and wrong to infrastructure.

*c) The War on Terror (Post-2001)*

The projected "War of Terror," which started after the terrorist occurrences on September 11, 2001, provides continuing barriers to employing the Just War Theory. The United States intervention in Afghanistan to eradicate Al-Qaeda and the determination of the Taliban from office was understood by many as a combination of constitutional standards (Keating 2024). The Afghan Taliban's protection of terrorists accountable for the terrorist occurrences on September 11, 2001, generated a basis for legitimate authority lengthways with honourable intentions, in the impartial of declining attacks in the future. Later on, nevertheless, behaviours, particularly the war in Iraq in 2003, experienced considerable inspection according to the Just War Theory. The justifications for the Iraqi War, particularly uncertainties of weapons of harmfulness or influences to terrorist movement, were examined and eventually demonstrated to be unsupported, hitting into uncertainty the justification and appropriate purpose requirements. In accumulation, the establishment's constitutionality was placed into uncertainty since it had no obvious worldwide security assembly permission. The conflict's behaviour, particularly argumentative techniques like exaggerated interrogative and its consequence on Iraqi individuals, instigated significant uncertainties about obedience with the jus in bello principles.

**II. Overview of Islamic Ethics of War**

Islamic morals of war are well established in the religion's basic texts and sources: The Quran, the Hadith (sayings of Prophet Muhammad), and Fiqh (Islamic statute). These sources altogether outline standards for when war is authentic and the way that

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it should be led, stressing equity, kindness, and the security of civilians.

### **A) Foundational Sources**

#### **a) *The Quran***

The Quran, Islam's heavenly book, fills in as the essential source of direction for Muslims in all parts of life, including the lead of war. A few sections address the conditions under which Muslims are allowed to take part in fighting. The Quran stresses that war should be a final hotel and must just be fought for sensible motivations. One of the most often referred to refrains is: "Battle in the method of Allah the people who battle you however don't violate. To be sure, Allah could do without offenders" (Quran 2:190). This refrain highlights the standards of self-protection and the restriction against dislike and offence, featuring that war shouldn't stretch out past what is important to restore agreement and equity. Another huge refrain states: "And if they slope to harmony, grade to it [also] and depend upon Allah. To be sure, He is the Discussion, the Knowing" (Quran 8:61). This verse needs Muslims to look for agreement and accept settlement proposals from their enemies, mirroring the consequence of compromise and the minimization of debate. Moreover, the Quran over and again highlights the security of civilians, including ladies, youngsters, and the old, and restricts the destruction of harvests, domesticated animals, and foundations, which lines up with present-day standards of proportionality and separation.

#### **b) *Hadith (Sayings of Prophet Muhammad)***

The Hadith, a collection of expressions and activities of Prophet Muhammad, further explains the moral lead of battle in Islam. These lessons give obvious models and down-to-earth uses of the overall standards shown in the Quran. For example, the Prophet Muhammad is accounted for to have said: "kill no old individual, any kid, or any lady" (Abu Dawud). This Hadith builds up the rule of separation, underscoring that civilians should not be hurt under pressure. Another Hadith states: "Don't destroy towns and cities, don't spoil the developed fields and gardens, and don't murder the dairy cattle" (Al-Muwatta). This command lines up with the standard of proportionality, training Muslims to keep away from pointless extinction and to restrict the effect of battle on the climate and regular citizen foundation. Additionally, the Prophet Muhammad's treatment of prisoners of war set a trend for kindly treatment, as he trained his followers to take care of and care for prisoners with similar food and arrangements they consumed. Fiqh (Islamic Law) Fiqh, or Islamic statute, speaks the understanding kind and employment of the Quran and Hadith in different parts of Muslim life, including the direction of war. Islamic law specialists have raised a complete genuine system of supervision fighting, known as the laws of jihad. These rules are planned to guarantee that war is directed decently and as per Islamic standards. One critical idea in Fiqh is the difference between hostile and cautious jihad. Cautious jihad is thought of as compulsory for all Muslims when their local area is enduring an assault, while hostile jihad, pointed toward spreading Islam or answering harassment, requires the approval of a genuine Islamic found or authority. This lines up with the Simply War Theory guideline of authentic power, underlining that unapproved or ill-conceived wars are not okay. Islamic law also addresses the treatment of civilians and prisoners of war.

This scenario can be considered with great examples like the Hanafi school of thought which major part of Sunni schools of Islamic law emphasizes that non-soldiers should be avoided in the process of selection and that prisoners must be handled with great care. Therefore, the Hanafi school of thought depicts the standards of separation and proportionality for the wars and soldiers' actions to perform on the battlefield. On the other hand, the Maliki school of Islami law comparably has pinned down the security of non-military peoples' lives and property and robustly forbids the demonstration of retaliation or abuse of power. A proven outline of Islamic morals and ethics of war is the direction of the early Muslim warriors at the time of the battle of Badr in 624 CE. Although dwarfed, the Muslim powers stuck to the standards of proportionality and separation, keeping away from damage to civilians and treating hostages with respect. Another model is the Conquest of Mecca in 630 CE, where Prophet Muhammad's military entered the city with insignificant killing and pronounced a general pardon, summarizing the standards of mercy and negotiation.

### **Conclusion**

The Islamic morals of war, derived from the Quran, Hadith, and Fiqh, give a thorough structure that stresses justice, kindness, and the insurance of civilians. These standards adjust closely with many parts of current global generous rule and deal a moral aid for Muslims among debate. The lessons from these basic sources do not just direct when and how war must be led yet in addition highlight the wider Islamic responsibility to harmony and justice.

### **B. Key Principles**

Islamic morals of war in case of rules direct both the defence for doing battle (jus promotion bellum) and the lead of war (jus in bello). These standards are derived from important Islamic texts and are planned to guarantee that fighting is led equally and kindly.

#### **1. Jus ad Bellum (Justice of War)**

##### **a) Just Cause**

Islamic lessons state that war must be genuine for a sensible motivation, essentially in the guard or the security of the abused. The Quran states, "Approval [to fight] has been given to the people who are being battled because they were violated" (Quran 22:39). This highlights that war is acceptable while protecting against aggression or supporting the individuals who are by and large unfairly treated. For instance, the early Muslims were allowed to protect themselves against the Quraysh clan's abuse in Mecca, explaining the rule of battling about one's local area.

##### **b) Legitimate Authority**

In Islamic practice, a genuine position to pronounce war regularly lives with the Caliph or a supposed Muslim ruler. This guarantees that war isn't started by people or crowds without appropriate administration. The idea is similar to the rule in the War Theory that expects the battle to be pronounced by a genuine independent power. During the early Islamic period, Prophet Muhammad, as the head of the Muslim people group, had the power to announce and lead military missions, for example, the Right Intention Battle in Islam should be battled with the right expectation, which is to lay out justice Encounter of Badr, ensuring that the argument struggled under genuine request. also, stay away from hurt. The Quran pressures, "And battle in the method of Allah the



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people who battle you yet don't violate. Without a doubt, Allah could do without violators" (Quran 2:190). This rule commands that the aim behind war must be complete and arranged around undertaking harmony and equity instead of individual addition or revenge. For example, when Muslims battled to guard Medina from the Quraysh at the Clash of Uhud, their important aim was to safeguard their local area and maintain equity.

### *c) Last Resort*

Islamic lessons underline that war should be a final hotel, especially after all quiet options have been useless. The Quran advocates for harmony and compromise, conveying, "And if they slope to harmony, grade to it [also] and depend upon Allah" (Quran 8:61). This rule guarantees that war is possibly involved when fundamental, and any remaining means, like talks and deals, have ended. For example, Prophet Muhammad made numerous breaks with different clans and rivals, like the Deal of Hudaibiyyah, before turning to struggle.

### *d) Proportionality*

The standard of proportionality in Islamic morals expects that the damage brought about by war should not beat the injury being tended to. The Quran alerts against unnecessary power, expressing, "And don't commit abuse on the earth, spreading disgrace" (Quran 2:205). This guideline is expected to restrict the degree and size of fighting to what is important to accomplish just goals. For example, during the Victory of Mecca, Prophet Muhammad educated his supporters to stay away from pointless cruelty and pronounced a general pardon, featuring the significance of proportionality and kindness in fighting.

## **2. Jus in Bello (Justice in War)**

### *a) Discrimination*

Separation in Islamic morals of war expects that soldiers should recognize military targets and civilians. The insurance of civilians, including ladies, youngsters, and the old, is a key piece of advice. Prophet Muhammad educated his supporters, "Kill no old individual, any youngster, or any lady" (Abu Dawud). This standard is obvious in the lead of the early Muslim armed forces, which were told to try not to hurt civilians and to regard the purity of civilian's personal life.

### *b) Proportionality*

Proportionality in jus in bello commands the consumption of insignificant power important to undertake military targets, staying away from excessive damage. Islamic lessons stress that even in fighting, activities should be likely and limited. The Prophet Muhammad's command to his troopers not to destroy crops, animals, or frameworks except if vital mirrors this standard. For instance, during the attack of Ta'if, when the residents looked for shelter in their posts, Prophet Muhammad's powers were told to stay away from pointless destruction, zeroing in rather on clear-cut military goals to limit more general injury.

### *c) The Conquest of Mecca (630 CE)*

The Victory of Mecca is a typical sketch of the Islamic morals of battle. Following quite a while of domination and fights, Prophet Muhammad drove a calm and slightly brutal mission to recover Mecca. The activity was led with severe loyalty to the standards of jus promotion bellum and jus in Bello. The reason was simply, planning

to reestablish the Muslims' more right than wrong to their country and end the abuse by the Quraysh. It was driven by the real power of Prophet Muhammad, with the right expectation of laying out agreement and fairness. As the Muslim arranged force moved toward Mecca, the Prophet requested that no harm should come to civilians and that irrelevant power must be utilized. After entering the city, a general stay was marked, and the purity of Mecca was regarded, symbolizing the standards of separation and proportionality. This instance features the Islamic responsibility to equity, mercy, and the security of honest lives even during conflict.

Islamic morals of war, recognized in the Quran, Hadith, and Islamic law, give extensive moral structure to both the defence and lead of war. These standards stress equity, genuine power, right aim, final hotel, separation, and proportionality, guaranteeing that fighting is led in a sympathetic and just way. The case of the Success of Mecca represents these standards in real life, revealing the getting through the relevance of Islamic lessons in directing moral lead during the struggle.

### **C. Contemporary Interpretations and Debates**

The moral system managing battle in Islam based on the Quran, Hadith, and Islamic law (Fiqh), continue to be refined by scholars today as they adapt these precepts to fit contemporary contexts. Scholarly repartee and historical evaluation of ongoing disputes highlight the significant Islamic conflict morals and their application to the current era (Halstead 2007).

#### **1. Modern Scholars' Perspectives**

Contemporary Islamic scholars engage in comprehensive understanding and application of unwavering standards in addressing fighting current struggles. One prominent problem is the concept of jihad, which is frequently misunderstood. Great Islamic researchers such as Tariq Ramadan and Khaled Abou El Fadl underscore that jihad, in its purest form, is a grave struggle for justice and morality and should not be strictly associated with psychological warfare or unfair hostility. Furthermore, they claim that jihad must be restrained and adhere to the moral guidelines outlined in Islamic teachings, ultimately ensuring that it is carried out for honourable reasons and motivations, by true experts, with the right goals, and if all else fails (Alomari and Fawaz Alomari, Jamal Fawaz). One huge conversation includes the use of the standards of separation and proportionality in current fighting, where the lines between soldiers and non-warriors are frequently hidden. Researchers, for example, Mohammad Hashim Kamali stress the significance of keeping up with these standards notwithstanding the intricacies of contemporary struggles. They feature those mechanical headways, for example, drone fighting, present moral provokes that require cautious thought to keep away from regular citizen losses and guarantee corresponding reactions. Furthermore, current researchers frequently banter about the job of worldwide regulation and its similarity with Islamic standards. Many of them contend that global helpful regulation (IHL) and the moral rules of Islam shared views, especially concerning the security of regular folks and the other's conscious treatment of detainees of war. Researchers like Mufti Taqi Usmani and others advocate for an authentic translation that coordinates Islamic morals with modern genuine structures, advancing a worldwide rule for moral direction in war (Usmani., 2015).

## **2. Case Studies and Examples**

### **a) *The War on Terror***

The Worldwide Struggle on Fear, especially the arguments in Afghanistan and Iraq, has provoked broad discussion among Islamic researchers about the morals of modern fighting. The U.S.-driven interference in Afghanistan in 2001, following the September 11 attacks, was at first seen by some as a genuine protective reaction. Anyhow, the delayed clash and the huge regular citizen setbacks raised serious moral worries. Islamic researchers sentenced the random idea of robot strikes and the treatment of captives at Guantanamo Straight, resisting that these activities disregarded both Islamic standards and global regulation. The 2003 Iraq War additionally scrambled these discussions. The authenticity of the interruption, given charges of weapons of mass destruction, was generally challenged. Researchers like Seyyed Hossein Nasr censured the conflict as lacking noble motivation and genuine power, featuring the huge nonmilitary people cost and the weakening that followed. These arguments highlighted the need to obey moral rules and started requiring a re-assessment of modern military techniques to adjust them all the more intimately with both Islamic and worldwide moral principles.

### **b) *The Syrian Civil War***

The Syrian Nationwide conflict, which started in 2011, gives another basic contextual analysis. The tricky idea of the disagreement, including numerous groups with differing belief systems, has tested conventional thoughts of genuine power and admirable motivation. Islamic researchers have been isolated in their reactions, with some supporting the uprising against a severe system, while others stress the requirement for quiet goal and wariness against outer military mediations that compound the helpful emergency. In light of the Syrian clash, researchers like Yusuf al-Qaradawi have given fatwas supporting the right of Syrians to guard themselves against oppression, lining up with the guideline of worthy motivation. In any case, they additionally stress the significance of staying away from harm to regular people and keeping up with proportionality, encouraging restriction and adherence to moral rules even despite serious misuse.

The modern translations and discussions about Islamic morals of war mirror the continuous actions of researchers to apply conventional standards to current disagreements. By drawing on the details of modern fighting, researchers plan to guarantee that the moral rules obtained from the Quran, Hadith, and Fiqh stay valid and are maintained in the present worldwide setting. Contextual analyses like the Clash of Fear and the Syrian Nationwide conflict feature the difficulties and the basic significance of keeping up with moral guidelines in fighting, advancing equity, and safeguarding innocent lives.

## **III. Comparative Analysis**

### **A. Historical Case Studies**

#### **1. Islamic Conquests and Just War Theory Applications**

The earlier Islamic conquests, that occurred during the number seven to the seventeenth generations, were several armed missions undertaken by various Muslim kings to spread Islam and expand their territories.

The conquests have significant impacts on the application of the theory of just warfare principles, raising questions about the morality of warfare in Islamic history.

**a) *Just Cause:***

The Islamic rule for the conquests intricates a complex case study as compared to the Just War theory. Although Muslim leaders frequently demonstrate their military operations as defensive measures against aggression or attempts to shield oppressed Muslim communities, historical records indicate that the main goals of their campaigns were also the spread of Islam and territory expansion. Critics contend that conquests might not always satisfy the requirements of a just cause as outlined by the Just War Theory, particularly when military actions were undertaken for expansionist purposes rather than purely defensive reasons.

**b) *Right Intention:***

The Just War Theory demands right intent and argues that war must be fought to uphold justice and promote peace rather than for personal gain. Throughout the Islamic conquests, Muslim kings' seeks were different. Although many genuinely desired to teach Islam while establishing just management, other individuals may have been driven and inspired by political ambitions or an ambition for territorial growth. It creates ethical questions regarding the genuineness of the underlying reasons motivating particular military operations, in addition to how they are consistent with Just War Theory principles (Peters 2009).

**c) *Proportion and prestige***

The Theory of Just War additionally highlights the values of proportion and prejudice, which require that combat operations be proportional to the danger at present as well as that combatants differentiate among legitimate military objectives and those who are not fighting. Throughout Islamic conquests, Muslim soldiers perpetrated acts in violence towards civilians, as well as executions in large numbers and forcible conversion. These actions present moral issues about the use of proportion and prejudice in war. In general, although certain aspects of Islamic victories may be in line with the theory of just warfare concepts, like protecting marginalized individuals, other aspects pose questions about the moral conduct of war or the reasons behind military operations. The historical context of the victories, particularly the political context of the day and the mystical enthusiasm of Muslim rulers & combatants, complicate the implementation of the theory of just war concepts in this historical investigation (Lewis 2004.).

***Example***

The conquest of Jerusalem in 637 CE by Caliph Umar was conducted with a treaty that guaranteed protection for Christian inhabitants and their property, reflecting principles of proportionality and discrimination.

**2. Crusade and Contrast Perceptions**

The Crusades, which were an array of pious confrontations authorized by the Roman Catholic Church all through the Middle Ages, offer an alternative viewpoint on Islamic conquest and emphasize moral questions about war on both Christian and Muslim sides.

***Just Cause:***

Christian authorities at that time established the events of the Crusades primarily as protective actions against Muslim expansion in the region known as the Holy Land and as a potential danger to Christian pilgrims and Byzantium land. It is also in line

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with the idea of a noble reason that underlies Good War Theory because allows for war to occur when waged for protection or the protection of another. Opponents declare the events of the Crusades included hidden reasons, including expanding Christian control and recovering areas gained from Muslim assaults (Jonathan 2005).

### ***Right Intention:***

Comparably the Crusades continue to pose issues about the proper motivation of Armed operations. While Christian leaders defined the Wars of the Crusades as sacred fights for Christian interests throughout the East, historical scholars believe that political and economic worries, in addition to spiritual enthusiasm, affected Crusade targets. It poses questions about the idea of pure intent considering all of the rules of the Just War Theory.

### ***proportionality and discrimination:***

The conduct of the Crusaders presents issues of ethics regarding proportion and prejudices. Although many Crusaders observed standards of conduct that prohibited harming people who were not fighting some perpetrated violent acts against Muslim and Jewish people, involving murders and plundering. These acts go against the principles of proportion and discrimination under the Just War Theory, creating questions regarding the Crusaders' ethical behaviour in the context of their religious dedication.

### ***Example***

The recapture of Jerusalem by Saladin in 1187 is notable for his fair treatment of Christian inhabitants, contrasting sharply with the earlier Christian massacre during the First Crusade.

### ***Contrast perception:***

From a Muslim perspective, the times of the Crusades constituted an era of violence and conquest by European Christian forces over Muslim regions. Muslim historians frequently describe the followers of the Crusaders as intruders who desired to take over and conquer Muslim regions, inflicting enormous hardship and cost of existence throughout Muslim communities. This view doubts the validity of the Crusade and highlights the ethical importance of defending oneself from foreign invasion.

Contrary to this, European Christian stories frequently portray the events of the Crusades as just disputes tackling to save sacred sites and protect Christian interests in Asia. This standpoint stresses the fervour and dedication of Crusaders to their belief role in defending Christianity from outside hazards. Nevertheless, modern historians and academics were becoming more conscious of the moral challenges and uncertainties underlying the time of the Crusades, emphasizing the significance of thorough examination and sophisticated comprehension of this era in history.

The main points of Islamic conquest and Crusades provide historical case studies that call into question the moral conduct of war and the applicability of ethical frameworks such as the Just War Theory. Although both types of military operations had been justified by their respective leaders according to religious ideology or political facts, they additionally included acts like violence and aggression that violated the requirements of proportionality, discrimination, and right aim. The examples provided emphasize the significance of closely considering the ethical consequences of war in various periods in history, in addition to the difficulties of applying general principles

of ethics to different religious and cultural perspectives (Lyons 1984).

## **B. Modern Case Studies**

### **1. Iraq Conflict (2003) - Analysis from Both Perceptions**

The main points Iraq Conflict, initiated by the US and its partners in the coalition in the year 2003, is a present-day case that elicits divergent opinions on its moral and ethical basis and conduct.

#### *a) Proponents' Perspective:*

Opponents of the war in Iraq defended the military involvement for an array of reasons. The main justification put forward by the United States & other allies was that it was necessary to rid Iraq of weaponry of weapons of mass destruction (WMDs) and remove the rule of Saddam Hussein's system, which was seen as an imminent threat to the security of the region. The administration of George W. Bush claimed that the government of Saddam Hussein had violated international legislation and United Nations resolutions, supporting the war force as the last resort to guarantee conformity and protect international concerns. Additionally, supporters of the conflict claimed that rescuing Iraq under dictatorial rule would bring about democratic systems, rights for individuals, and prosperity to the region at large. It portrayed their intervention as a humanitarian effort that would free the Iraqi people from captivity while simultaneously encouraging freedom and democracy, by the principles of fairness and appropriate motivation in Just War Theories (Fisher 2012).

#### *b) The Opponents' Perspectives:*

Nevertheless, the Iraq War received broad condemnation both locally and abroad. Opponents claimed that the justifications for the war, especially that regarding Iraq's ownership of weapons of mass destruction, were founded on faulty information and exaggerated hazards. The failure of investigators to find significant proof of weapons of mass destruction after the assault harmed the conflict's legitimacy and put into question the honesty of the process of decision-making.

Also, advocates of the war stated the US invasion of Iraq contradicted the Geneva Conventions as well as the principles of equal sovereignty and non-interference with state internal matters. The absence of any particular authorization for military intervention from the Security Council of the United Nations caused problems regarding the intervention's legitimacy under international law, calling into question the concept of legitimate power in the Just War Principle. The Iraq War's consequences, like as global instability, deaths among civilians, and the development of religious conflict and rebellion, caused condemnation regarding the war's moral conduct. Opponents claimed that the overforce, population expenses, and failure to properly prepare for rebuilding after the war undercut the moral standards of proportion and discrimination.

### **2. Syrian War Conflict:**

#### *a) Concerns about Ethics and Response:*

The Syrian Civil War a huge level of uprising against the totalitarian form of government of Bashar al-Assad which eventually grew into a protracted conflict that challenged ethical issues and responses from other nations.

#### *b) Ethical Considerations:*

A variety of ethical concerns are raised by the Syrian Civil War, chief among them are

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the safety of people, abstaining from dreadful violence, and holding war criminals accountable and fairly. Syria Assad's regime used chemical weapons and indiscriminate bombing of civilian neighbourhoods, resulting in grave violations of human rights and justified suffering. The heinous attacks on civilian areas including hospitals, schools, and humanitarian assistance workers contributed to the humanitarian crisis and called into question the government's adherence to the fairness and proportionality principles of the Just War Theory. Numerous rebellions and jihadists were accused of misconduct, notably excessive paying of areas of housing and the employment of civilians as shields.

### c) **Example:**

The lack of found WMDs and the subsequent humanitarian crisis highlighted the ethical and legal controversies of the war.

### d) **International opinions:**

The international community's response to the current Syrian Civil War was afflicted with difficulties and disagreements. The United Nations Security Council's attempts to deal with the problem were impeded by regional rivalry and its permanent member's veto authority, preventing successful attempts to halt violence and discipline criminals responsible.

Non-governmental organizations have been struggling to offer protection and assistance to people despite continuing fighting and access constraints implemented by the Assad government and other fighting groups. The production and distribution of biological and chemical weapons, such as the sarin fire and chlorine as well, caused around the world outrage & demands for fairness; but, attempts to bring the Assad management responsible via systems that incorporate the United Nations International Criminal Court have repeatedly been prevented and institutional obstacles to entry (Elshtain 2008).

Lastly, the war in Iraq and the Syrian Civil War offers current instances, emphasizing the challenges and dilemmas of ethics present with modern conflicts. These disputes cast questions on the proper implementation of the theory of just war rules such as fairness, legitimate power, proportion, and prejudice, and emphasize the challenges of managing battling goals and desires in pursuing the goals of justice, peace, and protection for humanity

## **IV. Case Studies:**

### **A. Historical Case Studies**

#### ***1. Islamic Conquests and Just War Theory Applications***

The earlier Islamic conquests, which took place between the seventh the seventeenth centuries, were a series of military expeditions carried out by different Muslim rulers to broaden Islam and increase their territorial realms at multiple spheres. The conquests raised significant issues about warfare throughout Islamic history, and morality has major consequences for the implementation of the theory of just warfare principles.

#### a) **Just Cause:**

Just war theory always seeks a strong cause that inspires the nations to take the harsh decision of war. This cause is not found in the history of Islamic battles, but Muslims claim the foremost cause is to spread Islam. Just war theory takes the Muslim wars as

an action to expand the territories of the Islamic world. On the other hand, Muslim leaders argue that they took all the steps in response to defend themselves.

*b) Right Intention:*

Right intent is also an essential component of the Just War theory that Claus demands that indulgence in the war by the military should aim to save the lives of the people. Throughout the Islamic conquests, Muslim kings' seeks were different. Although many genuinely desired to teach Islam while establishing just management, other individuals may have been driven and inspired by political ambitions or an ambition for territorial growth. It creates ethical questions regarding the genuineness of the underlying reasons motivating particular military operations, in addition to how they are consistent with Just War Theory principles (Peters 2009).

*c) Proportion and Prejudice*

The Theory of Just War additionally highlights the values of proportion and prejudice, which require that combat operations be proportional to the danger at present as well as that combatants differentiate among legitimate military objectives and those who are not fighting. Throughout Islamic conquests, Muslim soldiers perpetrated acts in violence towards civilians, as well as executions in large numbers and forcible conversion. These actions present moral issues about the use of proportion and prejudice in war. In general, although certain aspects of Islamic victories may be in line with the theory of just warfare concepts, like protecting marginalized individuals, other aspects pose questions about the moral conduct of war or the reasons behind military operations. The historical context of the victories, particularly the political context of the day and the mystical enthusiasm of Muslim rulers & combatants, complicate the implementation of the theory of just war concepts in this historical investigation (Lewis 2004.).

*d) Example*

The conquest of Jerusalem in 637 CE by Caliph Umar was conducted with a treaty that guaranteed protection for Christian inhabitants and their property, reflecting principles of proportionality and discrimination.

## **2. Crusade and Contrast Perceptions**

The Crusades, which were an array of pious confrontations authorized by the Roman Catholic Church all through the Middle Ages, offer an alternative viewpoint on Islamic conquest and emphasize moral questions about the war on both Christian and Muslim sides.

*a) Just Cause:*

Christian authorities at that time established the events of the Crusades primarily as protective actions against Muslim expansion in the region known as the Holy Land and as a potential danger to Christian pilgrims and Byzantium land. It is also in line with the idea of a noble reason that underlies Good War Theory because allows for war to occur when waged for protection or the protection of another. Opponents declare the events of the Crusades included hidden reasons, including expanding Christian control and recovering areas gained from Muslim assaults (Jonathan 2005).

*b) Right Intention:*

Comparably the Crusades continue to pose issues about the proper motivation of Armed operations. While Christian leaders defined the Wars of the Crusades as sacred



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fighters for Christian interests throughout the East, historical scholars believe that political and economic worries, in addition to spiritual enthusiasm, affected Crusade targets. It poses questions about the idea of pure intent considering all of the rules of the Just War Theory.

### c) *proportionality and discrimination:*

The conduct of the Crusaders presents issues of ethics regarding proportion and prejudices. Although many Crusaders observed standards of conduct that prohibited harming people who were not fighting some perpetrated violent acts against Muslim and Jewish people, involving murders and plundering. These acts go against the principles of proportion and discrimination under the Just War Theory, creating questions regarding the Crusaders' ethical behaviour in the context of their religious dedication.

### d) *Example*

The recapture of Jerusalem by Saladin in 1187 is notable for his fair treatment of Christian inhabitants, contrasting sharply with the earlier Christian massacre during the First Crusade.

### e) *Contrast perception:*

Muslim scholars pinned down that the Crusades constituted an era of violence and conquest by European Christians to expand land and to make their religion more expanded which caused suffering at a great level and a high living expense Muslim population. Hence, Crusade lacks the authenticity. Christian narratives stated that they just fought for the cause to save holy places and protect Christianity in Asia. The view justifies Christians' actions in defending Christianity from external threats or spreading it in Asia. Nevertheless, modern historians and academics were becoming more conscious of the moral challenges and uncertainties underlying the time of the Crusades, emphasizing the significance of thorough examination and sophisticated comprehension of this era in history.

The main points of Islamic conquest and Crusades provide historical case studies that call into question the moral conduct of war and the applicability of ethical frameworks such as the Just War Theory. Although both types of military operations had been justified by their respective leaders according to religious ideology or political facts, they additionally included acts like violence and aggression that violated the requirements of proportionality, discrimination, and right aim. The examples provided emphasize the significance of closely considering the ethical consequences of war in various periods in history, in addition to the difficulties of applying general principles of ethics to different religious and cultural perspectives (Lyons 1984).

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remove the rule of Saddam Hussein's system, which was seen as an imminent threat to the security of the region. The administration of George W. Bush claimed that the government of Saddam Hussein had violated international legislation and United Nations resolutions, supporting the war force as the last resort to guarantee conformity and protect international concerns. Additionally, supporters of the conflict claimed that rescuing Iraq under dictatorial rule would bring about democratic systems, rights for individuals, and prosperity to the region at large. It portrayed their intervention as a humanitarian effort that would free the Iraqi people from captivity while simultaneously encouraging freedom and democracy, by the principles of fairness and appropriate motivation in Just War Theories (Fisher 2012).

***b) The Opponents' Perspectives:***

Nevertheless, the Iraq War received broad condemnation both locally and abroad. Opponents claimed that the justifications for the war, especially that regarding Iraq's ownership of weapons of mass destruction, were founded on faulty information and exaggerated hazards. The failure of investigators to find significant proof of weapons of mass destruction after the assault harmed the conflict's legitimacy and put into question the honesty of the process of decision-making.

Also, advocates of the war stated the US invasion of Iraq contradicted the Geneva Conventions as well as the principles of equal sovereignty and non-interference with state internal matters. The absence of any particular authorization for military intervention from the Security Council of the United Nations caused problems regarding the intervention's legitimacy under international law, calling into question the concept of legitimate power in the Just War Principle. The Iraq War's consequences, like as global instability, deaths among civilians, and the development of religious conflict and rebellion, caused condemnation regarding the war's moral conduct. Opponents claimed that the overforce, population expenses, and failure to properly prepare for rebuilding after the war undercut the moral standards of proportion and discrimination.

**2. Syrian War Conflict:**

The Syrian Civil War has reported multiple violations of the ethics of war that are undermining its viability, top of the list is the safety of civilians, and the demand high level of accountability and fairness of the rulers. Syria Assad's regime's employed chemical weapons and targeted civilian neighborhoods, led to serious breaches of human rights. Therefore, many rebellions and jihadist companies were charged with wrongdoing, notably excessive paying of areas of housing and the employment of civilians as shields.

***Example:***

The lack of found WMDs and the subsequent humanitarian crisis highlighted the ethical and legal controversies of the war.

***International opinions:***

The international community's response to the current Syrian Civil War was afflicted with difficulties and disagreements. The United Nations Security Council's attempts to deal with the problem were impeded by regional rivalry and its permanent member's veto authority, preventing successful attempts to halt violence and discipline criminals

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responsible.

Non-governmental organizations have been struggling to offer protection and assistance to people despite continuing fighting and access constraints implemented by the Assad government and other fighting groups. The production and distribution of biological and chemical weapons, such as the sarin fire and chlorine as well, caused around the world outrage & demands for fairness; but, attempts to bring the Assad management responsible via systems that incorporate the United Nations International Criminal Court have repeatedly been prevented and institutional obstacles to entry (Elshtain 2008).

Lastly, the war in Iraq and the Syrian Civil War offers current instances, emphasizing the challenges and dilemmas of ethics present with modern conflicts. These disputes cast questions on the proper implementation of the theory of just war rules such as fairness, legitimate power, proportion, and prejudice, and emphasize the challenges of managing battling goals and desires in pursuing the goals of justice, peace, and protection for humanity

## **V. Criticisms and Challenges**

### **A. Criticisms of Just War Theory**

Just War Theory has earned much criticism regarding its applications, and efficacy to uphold the complexities of modern frictions. Two main points of criticism are challenges ensuring "just cause" and the difficulties of guaranteeing proportionality and discrimination for war in the current era.

#### ***a) Subjectivity of "Just Cause":***

The fundamental principle of the Just War Theory is the essential requirement for a "just cause" highly attributing and subjective to start a war. It can be understood that the Ukraine-Russian War is significantly demanding the exact and solid reason for the attack by Russia (Steinhoff 2014). All the world is demanding proper disarmament in both countries but still, the war has been conducted since previous years and more and more destruction in Ukraine especially the lives of people disturbed. Another example can be taken the Israel invasion of Palestine upon which they named Israel a country. Palestinians are being killed for heinous crimes. These viewpoints increase the authenticity of the Just War Theory. Furthermore, the historical background and power dynamics between rivalries may inspired the government of Just Cause, with powerful states portraying their military interventions as noble initiatives to make the public not aggressive and against them. However, discounting similar actions by weaker states as unjustified aggression as they do not initiate fighting in such a way.

Moreover, the study also pinned down that Just Cause is further aggravated by the development of warfare and the rapid rise of non-state actors. The role of non-state actors can be observed in the form of the rise of terrorism and asymmetric warfare which has eventually blurred the lines between combatants and non-combatants, making it challenging to apply conventional criteria for just cause. Similarly, this subjectivity in defining just cause undermines the universality and objectivity of Just War Theory, raising concerns about the ethics of war in the modern era.

#### ***b) Challenges in Proportionality and Discrimination:***

Another criticism of the Just War Theory is highly related to difficulties in upholding proportionality and discrimination in the proper execution of war (Childress 1978).

The reason for this is that proportionality warfare necessitates huge power and force in war to be proportional to the drastic threat confronted and goals pursued. This research proposes that discrimination demands proper differentiating between combatants and non-combatants. On the other hand, the main challenges pinned down by this research are enhancing the proportionality and discrimination at a great level.

The haze of war, the unpredictability of conflict dynamics, and the complexities of modern warfare propose a common outcome like unintended but large levels of civilian casualties and repercussions damage. As military tactics like aerial bombardment, artillery shelling, and drone strikes on the people in Gaza are leading to deaths infrastructure destruction, and political instability, even when employed to minimize harm.

Furthermore, the asymmetrical character of numerous modern conflicts, where non-state actors work to influence civilians, creates many difficulties in discrimination and proportionality. For example, insurgent groups often use guerrilla tactics and do not reveal their identities as they hide among civilians, making it challenging for conventional military forces to target combatants without running the risk of native casualties. The ambiguity between combatants and non-combatants robustly declines core concepts of discrimination and complicates struggles to maintain proportionality in warfare in the modern world.

### **B. Criticisms of Islamic Ethics of War**

Islamic ethics of war are highly rooted in religious contexts and interpreted according to Islamic jurisprudence and have faced criticism by multi-faceted interpretations within Islamic legal and political traditions. Similarly, the political misuse of religious principles and rules to justify violence and aggression for justifying the war.

#### *a) Diverse Interpretations within Islamic Jurisprudence:*

The criticism of the diverse interpretations within Islamic Jurisprudence is earned by the Muslim scholars and schools of war including due to having different perspectives on war law. It can be understood by the example like at the time of the crusade war some Muslim scholars supported defending Muslims' land while some were in favour of prohibition against injuring non-combatants. This diversity of interpretations can make smooth ways to conflict regarding rulings and ethical guidelines, creating uncertainty regarding the ethical conduct of war even in the modern era. It is because some scholars deeply stress the defensive nature of jihad and the importance of protecting civilians. Similarly, many others may adopt more militant interpretations allowing to take aggressive steps and the use of violence against perceived enemies of Islam.

#### **Political Misuse of Religious Principles:**

They also evaluated that Muslim rulers are greatly criticized for their misuse of politics under the shadow of Islamic rules and justified multiple interests by relating them with ethics and principles of Muslim law (CHAPRA 2008).. This can be understood by considering some significant examples such as

#### *a) Umayyad dynasty (661-750 CE)*

The Umayyad dynasty is recorded with a great level of grab of political power to broaden the Muslim lands. They invited criticism for their rich lifestyles and implemented egalitarian type of standards of early Islam. They employed religious

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justification for claiming the divine right to lead the Muslim community and govern the Muslim territories.

*b) Ottoman Empire (1914)*

Moreover, at the period of World War I, the Ottoman Sultan Mehmed V declared jihad against the Allies and jumped to fight without any reason. It is considered researchers to unify Muslim support under the Ottoman banner, despite the secular nature of the conflict (Butler 2007). However, the conflict was threatening the sovereignty of the Ottoman Empire which is not frequently analyzed by scholars.

*c) Iran-Iraq War (1980-1988)*

It is also evaluated that Both countries including Iran and Iraq claimed to justify the war by associating religious perspectives with each other. On the one side, Iranian leader Ayatollah Khomeini argued that the dispute was a struggle against the impious Iraqi regime, while Saddam Hussein employed similar tactics to incite Sunni Muslims even though it was a territorial matter and political dilemma.

*d) Al-Qaeda and ISIS*

Further, the research also identified the serious cases where the Muslim war rules are openly misused by the jihadi groups who propose the concept of jihad to legitimize their actions and hire their preachers to accomplish their war-torn targets in the form of terrorism as religiously sanctioned (Horn 2018). Therefore, their interpretations distort traditional Islamic principles and serve their political and ideological agendas instead of following them in the true essence of laws.

**Criticisms and Common Challenges**

**1. Implementation in Modern Conflicts**

The paper has depicted that both Just War Theory and Islamic war ethics have earned much criticism applying their precepts into practice to the ongoing disputes. The reason for this is that the 21<sup>st</sup> century has a significant shift in the type as well as the scope of warfare due to advancements in technology, the emergence of non-state actors, and the growing complexity of geopolitical factors all altering logic and landscape conflict.

*a) Complexity of Modern Conflicts:*

The current conflicts often provide standard classifications and provide novel ethical quandaries that are difficult for established ethical frameworks to adequately address. These conflicts challenged the conventional tactics of the wars (Broussard, Rubenstein and Robinson 2019). The spread of unconventional warfare, where established military forces meet non-state entities operating within civilian communities, blurs the lines between combatants and non-combatants and brings together established military forces with non-state actors operating within civilian communities, creating difficulties in sticking to concepts of proportionality and discrimination.

In addition, the widespread use of innovative technology especially cyber warfare, autonomous weapon systems, and drones causes more complications to ethical decision-making in conflict of the modern era that continuously demands more and more innovations and new types of weapons to keep pace with other countries. The drone strikes raise harsh questions about accountability and the possibility of civilian harm and unpredicted harsh and negative effects.

*b) Challenges of Humanitarian Intervention:*

Both Just War Theory and Islamic ethics of war have practical obstacles in modern conflicts due to the political systems and opposing goals at the ground level that eventually ignore the perfection of human safety. On the other hand, indeed, the Humanitarian intervention to avert mass crimes is heartedly accepted at the global level. Still, the implementation of ethical standards for intervention to save the rights of people remains quite challenging.

A country like Syria faced grave conflict that invited incitement among the different nations which eventually resulted in more severe disputes where universal attempts to stop the killing have been thwarted by geopolitical rivalry and diplomatic roadblocks, exemplifying the challenges of converting ethical ideas into practical action on the ground (C and Simon 2013). The inability to prevent civilian suffering and prosecute exposes the limitations of war ethical war structures and laws in dealing with the complexity of modern conflicts, true and pure intentions, and reasonable behaviour.

**2. Reconciling Traditional Principles with Contemporary Warfare**

Another common approach between the Just War Theory and Islamic ethics of war needs to balance traditional values with the realities of contemporary warfare. Both ethical theories are now becoming ineffective in different traditional contexts to some extent, which were developed to meet the difficulties and circumstances of their period in the past centuries.

*a) Adaptation to Changing Contexts:*

Just War Theory might have trouble adapting to the different cultural, religious, and political circumstances of current wars as in the past the disputes were mostly in on these landscapes. The reliance on the sovereignty of states and legitimate power may fail to combat the issues of the current world as remote attacks, non-state actors, and global threats (Schmitt and N 2016).

In addition, Islamic war ethics may also struggle to reconcile conventions with modern laws and practices new and innovative warfare have been reported in the modern world. It is because reinterpreting Islamic teaching to address severe and heinous challenges such as terrorist attacks, rebellions, and human rights violations demands forces to drive religious contexts and legal frameworks in light of innovating and developing.

*b) Promoting Dialogue and Collaboration:*

Resolving these difficulties necessitates dedication to fostering debate and cooperation among scholars, politicians, leaders of religion, and civil society players from many backgrounds. By fostering constructive discourse and expressing ideas, stakeholders can collaborate to create ethical frameworks that are inclusive, culturally applicable, and responsive to the challenges of modern conflicts (Paffenholz 2006). Furthermore, efforts to reduce the gap between traditional ideals and current fighting should stress human rights preservation, peacebuilding, and conflict resolution processes. and empowering local communities, to participate in life-changing decision-making procedures.

**Implications for Future Warfare:**

Ethical frameworks of both war laws bring essential implications for the future of disputes which paint a different picture than previous conflicts. In the current technical

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world along with, asymmetric disputes, and geopolitical complexities, the relevancy of ethical challenges is paramount to be overstated. Moreover, the paper also noted that the proliferation of non-state actors, the use of new military technologies, and the impact on civilian populations highly demand reframing the principles of wars that will be compatible with the modern conflicts. Similarly, all the international issues mainly terrorism, cyber warfare, and environmental degradation underscore the need to encourage moral behaviour in combat is made more pressing by the emergence of international threats. Failure to adhere to ethical principles not only risks exacerbating human suffering and destabilizing breaking ethical principles but also compromises international norms and values eroding trust and cooperation among people.

### **VI. Conclusion:**

In the conclusion is it evaluated that a comparison of the Islamic ethics and Just War theory share common as well as different values and principles. All the conversion and diversion are highly designed by their respective religious, cultural, and philosophical foundations (Bratton and Patrick 2011). Understanding these identified scenarios can be crucial for grappling with the current war ethics and ensuring the ethical conduct of military wars.

Just War Theory, originating from Christian theology, and Islamic Ethics of War, rooted in Islamic jurisprudence and religious texts, emphasizes the importance of justice, legitimate authority, proportionality, and discrimination in the conduct of war. Both frameworks recognize the principle of just cause and advocate for the protection of non-combatants. However, they differ in their sources of authority, interpretations, and applications, with Just War Theory evolving into a largely secular framework embedded in international law, while Islamic Ethics of War remains deeply intertwined with religious beliefs and practices.

In conclusion, integrating ethical frameworks such as the Just War Theory and Islamic Ethics of War becomes essential to guarantee the moral conduct of war in the future. the paper has examined that both sides' ethics and principles provide valuable insights and perspectives that were suitable to the previous era. Hence, these case studies justified that the Islamic ethic of war as well as the Just War theory have no principles that will be productive tactics to combat the current dimension of wars as the modern war challenges are different from those in the past such as asymmetry challenges.

Furthermore, there is a dire need to encourage discussion and collaboration among scholars, legal policymakers, civilians and religious authorities is essential to advancing an ethically accountable and responsible culture in combat. By engaging in constructive dialogue and exchanging perspectives, stakeholders can work towards developing inclusive and appropriate ethical frameworks and policies. However, the policy and frame worker must adhere to human rights, enhancing peace while resolving the issue with collaboration rather than indulging in wars. Similarly, it is impossible to undermine how crucial is to integrate moral principles in modern warfare. By sustaining the values of fairness, empathy, and reverence for humanity's worth, stakeholders can strive towards a world without military actions, where peace and security prevail (Aquino 2022). It is through a collective commitment to ethical conduct that strive to create a more equitable and peaceful future for future generations.

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