

Perceptions of “Self” versus “the Other” as a Religious Precept in Islamic *Sharia*

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Alan Dershowitz and other legal scholars so astutely noted that the longstanding Palestinian and Hizbollah *modus operandi* manifests their three most consistent war crimes: 1) deliberate fire from civilian Palestinian areas; 2) premeditated fire on Israeli civilian territory; 3) use of children as human shields and for terrorist activities.

The problematic aspects enveloped in the challenge of waging warfare in densely populated areas have never been raised before and it is highly doubtful whether they will ever be raised in any Muslim Arab country living under the rule of the Islamic *sharia*. This is because from the Islamic perspective, this topic is both irrelevant and a non-issue. The reason for this is twofold: One is religious and cultural, while the other involves the perception of “self” in Islam. From the religious-cultural aspect, the issue of a just war as it is perceived in the West and the moral dilemmas that it raises simply do not exist in Islam. To Muslims, it is beyond doubt that Islam is correct, just, and ethical in every respect and always exemplifies supreme and absolute virtue.

Majid Khadduri¹ analyzed and explained this phenomenon brilliantly: Islam does not believe in “conquering” foreign territories; instead, there is only *futuht* – introducing the world to the light of Islam and delivering the infidels from the darkness in which they live. This is why the Muslim regimes have never expressed any remorse, or apologized for their past conquests or for their present violence, because this is a positive phenomenon designed to bring the light and give joy to the heretics. The Islamic Empire established following the imperialistic conquest of the area that stretched from East India to Spanish Andalusia was the outcome of

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the Arabization and Islamization of the indigenous natives. This is how the Middle East was mainly Pharaonic; Phoenician; Babilonian; Ugarit; Chaldean; Jewish, and Berber in North-Africa came under Islamic rule. Iran was Sassanid; Turkey, Afghanistan and Pakistan were Buddhist. Most of these peoples have perished, or come to extinction, like the Christians.

Furthermore, unlike the cultural and scientific approach in the West, which advocates skepticism, self-criticism, and even self-blame, these attitudes simply do not exist in the Islamic religious system. The faithful always avoid evil and always pursue absolute good.² Consequently, there is no room for moral or conscientious considerations in reference to heretics and there is no reason to feel empathy towards them.³ By its innate essence, Islam is globally superior. It therefore does not engage in self-criticism over the actions or behavior of a faithful Muslim, as it is the epitome of perfection.

By virtue of being absolute axioms, these Islamic notions are beyond proof. Islamic epistemology is clear and decisive: Good and evil do not exist in and of themselves; they are as Allah proclaimed them. Allah does not decree or prohibit certain behaviors or actions because they are good or evil; but the actions are good or evil because Allah defined them as such. This is the most supreme and exclusive value in Islam and it is the behavioral guideline of the faithful to follow.

The second explanation involves Islam's view of the "self" versus "the other." The Islamic view is absolutely clear and totally ethnocentric. Everything is perceived in unqualified terms of black and white. Islam divides the world in two: *Dar al-Islm* against *Dar al-Harb*, the good and just society versus the evil and impure society; absolute righteousness compare to ultimate evil; Heaven and Hell.

The operative expression of this juxtaposition becomes evident in the centrality of the *al-Walla' wal-Bara'* approach: the supreme and unqualified loyalty and love for Islam versus the absolute rejection, enmity, and hatred of the infidels. Senior Muslim clerics have ruled that this is the most important manifestation of the Islamic faith, second only to the belief in the unity of Allah (*tawhid*). Many verses in the Qur'an in this vein are in fact mandatory religious commandments for the believer.⁴ To be a loyal Muslim means to demonstrate absolute submissiveness and devotion to Allah⁵ that leads to a life of happiness and joy in this life and in the world

to come.⁶ To be an infidel means to lead a life of depravity, corruption, and misery in this world and be condemned to Hellfire in the world beyond.⁷

This is the source of the unconditional willingness to kill and die for Allah. The verses in the Qur'an assert that:

Anyone fighting for Allah, whether he dies or is victorious,
we will give him great rewards.⁸

They fight for the sake of Allah; they slay and are slain.⁹

Moreover, two verses in the Qur'an affirm that, beyond the luxurious life that the *shuhada'* will enjoy in paradise and the virgins that await them there, they shall enjoy eternal life on Allah's side:

Do not say to those who are killed for the sake of Allah are dead. Indeed, they are alive but you do not perceive it.¹⁰

Do not think that those who are killed for the sake of Allah are dead. No, they are alive alongside their Lord and have their provision by Him.¹¹

This is the basis for the win-win situation that is so profoundly characteristic of Islam. The Muslims justifiably defeat the infidels, as this is their destiny, and this emanates from the natural and proper world order. Therein lies the basis for the diametrically opposed attitude toward death in Islam as against the Western idea. In contrast with the Jewish or Christian faiths,¹² in Islam not only is man not made in God's image, but this very perception in fact constitutes *bida'h* – a pure and unadulterated heresy. Life is consequently not sacrosanct. This is why Muslim leaders, from Osama Bin Laden to Ayman al-Zawahiri and all others assert: We will defeat you and rule the world because you love and sanctify life, whereas we venerate death. The theological basis for this Islamic view can be found in the superlative descriptions of the luxurious life in Heaven in both the Qur'an and the *Hadith*.

This approach underlies Muslim fighters' motivation according to the *Hadith*:

Umar sent the Muslims to fight the infidels and said to them, "Wherever you go, tell the infidels: 'Our prophet commanded us to fight you until you accept Allah alone or pay us the *Jizyah* [poll tax Muslims levy of non-Muslims]. And our prophet told us that any one of us who dies in the war is a *Shahd* who will

go straight to paradise and live a life of happiness and fame, and those of us who survive will be your masters."¹³

That is why all acts of violence and terrorism require the authorization of a religious ruling (*fatwah*) to clear the way to paradise for the believers. Meanwhile, as they carry out these acts, the faithful must recite: "*Allahu Akbar*" (Allah is the greatest). This is the ultimate manifest proof that according to Islam, every such act is positively just and ethical, requiring no checks, doubts, and criticism, because its religious foundation can be found in the Qur'an and/or the *Hadith*.

Further validation can be found in the writings of the historian al-Tabari (838-923), one of the most reliable and august sources and an authoritative interpreter of the Qur'an:

The Arabs are the noblest people of all, with the finest pedigree. They are the most progressive and prominent people, and matchless in their actions. We fight others until everyone believes in Allah. He who believes in Allah and his messenger protect his life and secure his possessions from our wrath. As for the infidels, we will forever wage war on them for the sake of Allah. The killing of infidels is a trivial matter for us.¹⁴

Ibn Khaldoun (1332-1406), from the Maliki School, asserted that:

In the perception of the Muslim community, Jihad is a religious duty because of the universal nature of the mission of Islam and the obligation to convert everyone to Islam, whether through persuasion or by force. Islam is religiously obligated to attain sovereignty over all the nations.¹⁵

Ibn Taimiya (1263-1328), from the Hanbali School, defined this in similar terms in his commentary on verse 9:5, *Surat al-Tauba*:

Because warfare against the infidels is legal and legitimate, and because it is in essence jihad for the sake of Allah; because its goal is to demonstrate that Allah's destiny is to rule the world; and because Allah's word is of necessity categorically supreme, therefore all the Islamic Schools of Jurisprudence agree that it is an obligation to fight and kill those who stand in the way of Muslims operating to attain these goals.¹⁶

Ibn Kathir (1301-1373), one of the most authoritative and admired interpreters of the Qur'an, along with the al-Jalalayn interpretation, wrote this about verse 9:29:

It is therefore an obligation to call on all the nations of the world to accept Islam as the only legitimate religion. Regarding those who refuse to do so, or refuse to pay the *Jizya*, it is decreed that they should be fought and killed.

A prime expression of Muslim thinking can be found in the words of the famed Saudi preacher, Bassam 'Alim:

As a follower of the only true religion in the world, I have the most legitimate right to invade others' territories in order to force the *sharia* upon them. History clearly shows that the Islamic *sharia* is the supreme and most just for all civilizations. This is the true meaning of jihad. We conduct *jihad* in order to free people from the darkest enslavement in which they live, and we strive to bring them into the light of Islam.

Only after one understands Islam's cosmic view can one begin to deal with the question of the status of civilians during wartime. Islam's four Schools of Jurisprudence (*Maliki, Shafi'i, Hanbali, and Hanifi*) explicitly aver that there is no hindrance to killing men, combatants, or civilians from among the heretics: all of them deserve to die. The precedent for this can be found in the Qur'an, which states that Prophet Muhammad never took men captive but would always slaughter them, in accordance with *Surat al-Anfal*:¹⁷ "It does not behoove the prophet that he should take captives, until he fights and conquers the territory."

As for women and children, there are two *Ahadith* that lend to understanding that Muhammad prohibited the killing of women and children.¹⁸ At the same time, those very sources also carry the following stipulation: "A believer asked Muhammad about the infidels whose community was attacked at night and the women and children were killed. The prophet replied: 'They were part of them.'"¹⁹ The phrase "they were part of them," implies that there is no difference between adults and children, and that it is permissible to kill them in the battleground. That is why Andalusian cleric and philosopher Ibn Hazm (994-1064), stated categorically: "It is incumbent upon Muslims to hate all infidels and not leave even one of them alive."²⁰

Hadith Tirmidh explains why it is not really necessary to kill women and children: It is in the Islamic interest to take them captive and convert them to Islam in order to enlarge the pool of fighters. To justify his view, Tirmidhi cites Muhammad's words: "There is no community of people in the world from which you cannot bring me Muslims. Best of all, I love that you bring me their wives and children and that you kill all the men."²¹

Ibn Rushd (1126-1198), a philosopher, legal expert, and physician from Cordoba, offered the following commentary on this quote:

As regards women and children, there is a consensus that they must not be killed, but this holds true only if they are not in any way part of the infidels' war machine, and if, by keeping them alive, the intent is to bring them into Islam's fold. However, it is permissible to devastate a besieged city even if this implies killing its women and children. One is allowed to cut down the enemies' trees and raze their homes. All the legal schools of Islam share this view.²²

Ibn Rushd condensed the opinions of the four Schools of Jurisprudence regarding 9:29 in *Surat al-Taubah* into the following viewpoint: "Muslims are obligated to fight against infidels until they convert them to Islam or until they come under Islam's rule and coerced to pay the *jizya* through humiliation. If the infidels turn down both of these options, the Muslims must wage jihad against them."²³ This verse (9:29) constitutes the basis for the famous *Hadith*:

Muhammad said: "When you meet your enemies among the infidels, offer them three options, and whichever one they choose, make peace with them: Call on them to accept Islam. If they agree, make peace with them. If they refuse, call on them to come under the rule of Islam and pay the *jizya*. If they agree, make peace with them. If they refuse, wage a war of jihad on them and kill them for the sake of Allah."²⁴

According to Ibn Rushd, the Maliki School forbids the killing of women and children, but notes that in the absence of any other alternative, one must kill all of them. The Hanbali School stipulates that women and children are invaluable property for Islam and better therefore be taken captive and Islamized so as to broaden the reservoir of Muslims fighters and Islamic society. The Hanifi School prohibits only the killing of the elderly, arguing that Islam must spread and expand its pool of fighters,

which includes women and children. The Shafi'i school, observed in Egypt, Syria, and among the Palestinians, takes the most radical view of the laws of warfare, asserting that Muslims must fight against all the infidels and kill them, citing the Qur'an verses 2:193, 4:89, and 9:5.²⁵

This is the *sharia* general approach: It is permissible to kill men at all costs and from every aspect, regardless of whether they are civilians or soldiers – unless they convert to Islam. As for the ban on killing women and children, this depends on: 1) the interests of Islam and the situation on the battlefield; 2) whether the enemy society is indeed fighting against Islam; 3) the terms and circumstances as determined by the leaders of Islam. In his writings, in which he analyzed all aspects of the populations conquered by Islam, al-Mawardi (1058) summed up this matter succinctly.²⁶

The above thus explains the attitude towards the Jews and Israel. Islam was the first entity to raise anti-Semitism to the level of a methodical systematic science, both from the religious and racial aspect as well from the operational level (genocide and ethnic cleansing). Some 700 verses in the Islamic Scriptures make direct reference to the Jews: in Mecca – 1 percent (a positive tone); in Medina – 17 percent (a negative attitude); in the *Hadith* – 9 percent; in the *Sirah* – 12 percent. All in all it comprises 9 percent of the *sharia*.

So why must the Jews be condemned to annihilation?

- a. The Jews spurned Muhammad as the last of the prophets and chief among them. They therefore merit all of Allah's punishments and they should be condemned to Hellfire.²⁷
- b. The Jews are sinners and transgressors and have therefore forfeited their status as the chosen people,²⁸ and were punished twice with the destruction of their Temple.²⁹
- c. The Jews forged the Holy Scriptures. They do not believe in Allah's miracles and omens. They are evil incarnate, in particular since they have killed all the prophets.³⁰
- d. Because they desecrate the Sabbath and deny the miracles in the Tablets of the Covenant, they have turned into monkeys and pigs destined to suffer in Hellfire.³¹
- e. They are more wicked and despicable than all the wild beasts.³² Mice are a mutant transformation of the Jews.³³ In his book on animals, al-Jahith, dealt extensively with the Jews as wild beasts: He believes that the ants, mice, and lizards were all originally Jews.³⁴

- f. Allah's curse on the Jews is eternal because they are Islam's worst enemies and must therefore be eradicated.³⁵

In a well-planned process grounded in the religious commandment on genocide and ethnic cleansing, and true to his word, Muhammad indeed banished and wiped out all the Jewish tribes (Banu al-Nadheer, Banu Qaynuqa', and Banu Quraytha) from the Arabian Peninsula, capturing the women and children and forcing them to embrace Islam. The eradication of the Jews in Khaybar in the year 628 and the pilfering of their possessions was a seminal event that bred the anti-Israel Palestinian song: "Khaybar, Khaybar, oh Jews; the army (or sword) of Muhammad shall yet return."

Several authentic *Ahadith* clarify this phenomenon:

When we were in the mosque, our prophet came to us and said: "Come, let us attack the Jews." He told them: "If you embrace Islam, you will be safe. You must realize that the entire planet belongs to Allah and His prophet, and I want to expel you from this land."³⁶

In his last moment of life, Allah's prophet said: "Allah will curse the Jews and Christians because they built their houses of prayer on the graves of their prophets."³⁷ Accordingly, Umar Bin al-Khatib heard Allah's prophet say: "I will expel the Jews and the Christians from this land and leave no one here but the Muslims."³⁸

From the religious perspective, this attitude toward the Jews has been exacerbated since the establishment of the State of Israel in 1948. The ideological-political assertion that the Jews are the most sordid, repulsive members of the human race; that they are the scum of the earth and destroyers of the universe; that the Jews are the mice of the world, leeches, snakes, and scorpions – all of this is part of the preaching and sermons delivered by the most high-ranking religious Islamic imams. This has been systematically reiterated by the Palestinian religious and political leadership in statements and cartoons published in the media, and it also appears in the official Palestinian schoolbooks.³⁹

Most of all, these comments repeat and stress that the Jews are descendants of monkeys and pigs. As they deliver the sermons in the mosques, the clerics quote this *Hadith* :

The Day of Judgment will not come, until the Muslims shall fight the Jews and kill them; and when the Jews will hide behind a tree or a rock, the tree and the rock will call out: "Oh

Muslims, oh, servants of Allah! A Jew is hiding behind me.
Come and kill him."⁴⁰

This is the religious foundation that justifies the cause of the total eradication of Israel and inflicting harm to its entire people without distinction. The Palestinians' goal is to demonize and dehumanize both Israel as a state and the Jews as a nation. They realize that they cannot win the war of annihilation and that even terrorism can at the most erode the Israeli nation's morale and eat away at its spirit. The goal is therefore to eliminate Israel by means of isolation and an international boycott through demonization and dehumanization. The Palestinians' model for this is South Africa, and hence their persistent invocation of the term "apartheid." It is imperative to emphasize the following point over and over again: The most central and critical phenomenon among the Palestinians is the fact that they rear generations on hatred and incitement toward Israel and the Jews. No change will be possible and no peace can be made as long as they continue to bring up the younger generations on sheer hatred and enmity toward Israel.

Ahmad Jabari, the terrorist who was killed at the onset of the campaign in Gaza in 2012, announced on a number of occasions that "the Jews who came to Palestine were invaders, murderers, thieves, and conquerors. It is therefore our obligation to kill each and every one of them."⁴¹ "We must sacrifice our souls for Allah until the Jewish mice scurry back to their holes. We must liberate all of Palestine... and its residents and this is a legitimate target."⁴²

Sheikh Hamid al- Bitawi, former mufti of Jerusalem and Palestine, noted that homicide bombings are anchored in several Islamic principles and are therefore lawful and just. Sheikh Akrima Sabri, the Grand Mufti of Jerusalem, has often said that homicide bombings are the ultimate sacrifice for Allah. Hizbollah leader Hassan Nasrallah has often cited the Qur'an in reference to the question of the Jews as a religion and a race, and declares: Jews are the descendants of monkeys and pigs; they are the killers of prophets and the most detestable and lewd people among all of humankind.

There is still another dimension to the analysis of this issue. Islamic *sharia* explicitly states that any land conquered by Islam is *waqf*. Islamic endowment and its irreversibly becomes consecrated property of Islam to the end of days that cannot ever be bargained over or returned. The

territories of Israel, conquered in 634, or Spain, conquered in 711, or India, conquered in stages from 712 on, are therefore all *waqf* land. Their liberation is an obligation incumbent upon all Muslims (*fard qifayah*) in order to facilitate the killing of all the infidels.

This is the basis for paragraph 11 of Hamas's charter, which says:

The Islamic Resistance Movement (Hamas) believes that the land of Palestine has been an Islamic *waqf* throughout the generations and will be such until the Day of Resurrection.... This is the status [of the land] in Islamic *sharia*, and it is similar to all lands conquered by Islam by force, and made thereby *waqf* lands upon their conquest for all generations of Muslims until the Day of Resurrection.

Only the sovereignty of the rule of Islam is legitimate. This is manifested in two articles of the Hamas charter:

Article 6: The Islamic Resistance Movement is a distinct Palestinian movement, which owes its loyalty to Allah, derives its way of life from Islam, and strives to raise the banner of Allah over every inch of Palestine. Only under the shadow of Islam could the members of all religions coexist in safety and security for their lives, properties, and rights.

Article 31: Under the shadow of Islam, it is possible for the members of the three religions, Islam, Christianity and Judaism, to coexist in safety and security.

A similar attitude was expressed by Ayat Allah Kamal, the Palestinian woman who attempted to carry out a homicide bombing in Israel. In response to a question by the British journalist, she said:⁴³

I sincerely believe and wish that the entire world would become Muslim; a world in which all of us – all human beings, the animals, the flowers, the plants, and the rocks – will live in peace, happiness, and harmony. Islam will bring peace to the flora and fauna, to the grass, and to the rocks. You could be able to remain a Jew, it does not matter at all – but only in a world that is entirely Muslim.

Indeed, the central focus of the Qur'an is on the absolute and burning hatred toward the infidels (*kuffar* or *Kafirun*). It is important to bear in mind that the Quran does not mention "non-believers" or "disbelievers," but only

infidels. In fact, 64 percent of the Qur'an, 81 percent of the *Sirah*, and 37 percent of the *Hadth* deal with them. All told, 60 percent of the *sharia* is devoted to the infidels: They are infected liars and accursed sinners who manifest evil;⁴⁴ the infidels are animals and beasts in league with Satan. It is therefore a believer's duty to chop off the heads of infidels,⁴⁵ inflict terror and violence upon them,⁴⁶ annihilate them,⁴⁷ burn them in the fires of Hell,⁴⁸ and crucify them.⁴⁹ Allah's curse be upon all infidels forever. There is no going back on this.⁵⁰

Hence also the centrality of the Islamic notion of *al-Wala' wal-Bara'*, which is expressed in the Islamic *Tawhd*, or the declaration of faith: "There is no God but Allah⁵¹ and Muhammad is his apostle."⁵² In other words, all other Gods are spurned and disdained, as they are the manifestation of heresy, which is punishable by death. Many verses in the Qur'an make it clear that no other Gods can be associated with Allah.⁵³ Obviously, then, the Muslim Allah cannot be the Judeo-Christian God.

In addition, the Islamic prayer of *Surat al-Fatihah* (1:5-7), which Muslims recite five times a day during their prayer, includes the following evocation: "Guide us to the straight path – the path of those upon whom You have bestowed favor, not of those who have evoked [Your] anger or of those who are gone astray." Qur'an commentator and renowned historian al-Tabari, and subsequently other Qur'an commentators, including the authoritative Ibn Kathir, assert that the reference to "those who have evoked [Your] anger" alludes to the Jews,⁵⁴ while the phrase "those who are gone astray [from the true path]" refers to the Christians.⁵⁵ In other words, in all of their five daily prayers, the Muslims dissociate themselves from the Jews and Christians, and assert that they are sinners.

Finally, this phenomenon is expressed in the Muslim perception of superiority over all infidels, evincing a manifest racist attitude:

- a. Muslims are the most sublime and preeminent exemplars of all the nations of the world. They represent the ideal society, the *ummah*, and are the model for the rest of humankind. Allah has elevated them to the highest level above all other peoples, to bestow upon them the luxurious life of paradise.⁵⁶
- b. Islam is an impeccable religious system, above and beyond all other faiths, because it includes the total and absolute wisdom of Allah, from the dawn of history to the end of time.⁵⁷ It is forbidden to question its perfection and superiority; it is forbidden to use logic to establish

its veracity; and it is forbidden to judge it by human values.⁵⁸ This is why Islam precludes freedom of choice and absolutely prohibits any internal criticism.⁵⁹

- c. It is Islam's destiny to subjugate the world until it becomes the sole legitimate regnant religion.⁶⁰ This is the natural world order. Heaven and earth would have collapsed if they were not controlled by Allah.⁶¹
- d. Muslims are therefore obligated to obliterate anyone who changes as much as a single letter in the Qur'an, because the words of Allah are the eternal perfection.⁶² Those who do not have absolute faith in Muhammad and his mission over all else deserve death, because Muhammad exemplified perfection and was the ultimate model for all humankind.⁶³

Taking part in jihad is thus the utmost recommended action for the Muslim believer:

Muhammad said: "No one who died and found virtue by Allah's side would want to come back to this world, even if he is promised the entire world and everything in it, except for the *shahid*, who, upon seeing the superiority of jihad, would want to come back to this world to be killed again and die as a *shahid* in the name of Allah."⁶⁴

Not one of those who entered paradise wants to return to the world, even if he receives all that this world has to offer, other than the *shahid*, who wants to come back to the world and become a *shahid* 10 more times for the sake of the honor that would be bestowed upon him.⁶⁵

Muhammad said: "Without a doubt, I would want to fight for Allah and be a *shahid*, to come back to life and be a *shahid* again and again and again."⁶⁶

This is the best phenomenon that can befall humanity, and it will come about thanks to Islam. It is therefore in humanity's best interests to rush to embrace Islam of its own free volition. Hence also the statement by King Abdullah of Saudi Arabia:⁶⁷

We have no need for democracy; we have no need for political parties; we do not need the West's human rights, and we do not need the West's freedom of expression. What we do absolutely need is the Qur'an. It governs our life perfectly. It is

the best legislation in the history of humankind. It expresses Allah's sublime words of and the absolute and eternal values.

In summary: The Islamic attitude toward "the other" stems from its perception of its own "self" as the manifestation of the absolute supremacy of Islam and the Muslims over the apostates, who are the epitome of evil. Everything is designed to promote Islam in a bid to reign over the world for the sake of Allah. This is the meaning and operation of Islam's just war.

Notes

- 1 Majid Khadduri, *War and Peace in the Law of Islam* (Baltimore: Johns Hopkins University Press, 1979).
- 2 3:110, 114, 132; 9:71, 112.
- 3 2:62; 41:30; 48:29.
- 4 2:257; 3:28; 3:31-2; 4:76; 4:89; 5:51; 5:54; 9:71; 24:2; 60:4.
- 5 4:59; 5:3; 22:77.
- 6 9:72; 48:17; 61:12.
- 7 See David Bukay, "Islam's Hatred of the Non-Muslim," *Middle East Quarterly* 20, no. 3 (2013): 11-20.
- 8 4:74.
- 9 9:111.
- 10 2:154.
- 11 3:169.
- 12 Genesis, 1:27.
- 13 *Sahih Muslim*, 19:4294.
- 14 Al-Tabari, *Ta'rikh al-Rusûl Wal-Muluk*, vol. 9 (Beirut: Dar al-Fikr, 1998), p. 69.
- 15 Ibn Khaldoun, *The Muqaddimah*, p. 183. Ahmad ibn Naqib al-Misri, *The Reliance of the Traveler* (Beltsville, Maryland: Amana, 1994), p. 602.
- 16 Muhammad Ibn Taimiya, *Majmu' al-Fatawa*, vol 28 (Jeddah: Kashul Shububat Production, 2005), 32.
- 17 8:67.
- 18 *Sahih Bukhari*, 4:52:257, 258; *Sahih Muslim*, 19: 4320; *Sunnan Abu Dawud*, 8: 2663.
- 19 *Sahih Bukhari*, 4:52:256; *Sahih Muslim*, 19:4321-4323.
- 20 sunnahonline.com/ilm/contemporary/0017.
- 21 *Hadith Tirmuhi*, vol. 7, p. 36.
- 22 Ibn Rushd, *Distinguished Jurist's Primer*, vol. 1 (Beirut: Dar al-Fikr, 1960), pp. 458, 460-61, 464, 604.
- 23 Ibid.
- 24 *Sahih Bukhari*, vol. 2, nos. 291-301.
- 25 Ibn Rushd, *Distinguished Jurist's Primer*, vol. 1, 458-59; al-Misri, *The Reliance of the Traveler*, o9.10, p. 603; o9.13, p. 604; o9.14, p. 604. On the Maliki School, see *al-Muwatta: The First Formulation of Islamic Law* (London: Kegan Paul,

- 1989), Book 21, *Ahdith* 8-10. Imam Nawawi: <http://hadith.al-islam.com/Display/Display.asp?Doc=1&Rec=4215>.
- 26 The *Laws of Islamic Governance* (London: Ta-Ha Publishers, 1996), pp. 143-45.
- 27 2:91, 108, 170; 4:46-7; 50, 153; 6:124; 17:90-3; 33:40; 61:6.
- 28 3:19; 45:17; 61:5.
- 29 17:2-8.
- 30 2:61, 75, 87-91, 100; 3:21, 112, 181; 4:46, 155; 5:62, 70; 6:146; 8:55-6; 43:48; 58:14; 61:5.
- 31 2:65; 4:47; 5:13, 60, 112, 115; 7:166; 62:65.
- 32 2:61; 3:112; 4:60; 98:6.
- 33 *Sahih Bukhari*, book 54, no. 524.
- 34 Al-Jahiz, *Kitab al-Hayawan* (Beirut: Dar al-Fikr, 1992).
- 35 4:52, 56; 5:60, 78, 80, 82; 22:17-19; 62:6-8.
- 36 *Sahih Bukhari*, 4:53:392.
- 37 *Sahih Bukhari*, 1:8:427, 2:23:472.
- 38 *Sahih Muslim*, 19:4366.
- 39 See the systematic dated coverage by Palestinian Media Watch at <http://palwatch.org>.
- 40 *Sahih Bukhari*, 4:56:791; 4:52:177; *Sahih Muslim*, 41:6981; 6982; 6983; 6984; 6985.
- 41 *Al-Jazeera*, July 3, 2006.
- 42 Hamas website, January 1, 2006.
- 43 *The Guardian*, February 7, 2005.
- 44 3:82; 4:48; 6:39; 9:28, 32, 69; 11:14; 14:4, 30; 18:57; 25:21; 35:8; 36:8-9; 39:23; 40:63; 45:23.
- 45 8:12; 47:4.
- 46 3:151; 8:12; 8:60; 33:26; 59:2.
- 47 2:191, 193; 4:91; 8:39; 9:5, 36, 111, 123; 66:9.
- 48 3:10, 131; 4:56, 91, 143; 152; 7:144; 9:17; 13:15, 33; 14:30; 16:28-9; 18:106; 21:98; 22:19-22; 33:64; 48:13; 61:11; 66:6; 98:6.
- 49 5:33.
- 50 9:30; 48:28.
- 51 3:62; 5:73; 20:8, 14, 97; 59:22.
- 52 Repeated in dozens of Qur'an verses.
- 53 2:22; 4:48; 4:116; 5:72; 6:19; 7:33; 7:173; 7:190; 13:33; 14:30; 16:3; 16:54; 30:33; 30:40; 31:13; 39:8.
- 54 2:61; 5:60.
- 55 4:44; 5:77.
- 56 3:110, 114, 132; 4:141; 5:3; 7:158; 9:71-2; 48:17; 61:12.
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