

# The Fanatical ISIS through the Lens of Islamic Law<sup>1</sup>

AHM ERSHAD UDDIN<sup>2</sup>

## ABSTRACT

*Series of attacks under the disguise of Islam; ISIS created an outrage throughout the world, bombings in a number of places, beheading innocent citizens, kidnapping women and children of different sects of Muslims for the cause of harassment and assault, also, burning non-Muslims alive and drowning, then upload those video clips of murder-in-action in the name of the so-called revival of Khilafah and post Quranic verses has raised questions like is conflict one of the principles of Islam? During and after the propagation of Islam did the prophet Muhammad (s.a.w.) ever behead a non-Muslim and present it to a ruler in order to accept Islam? Does Islam allow to amputate any human body who claims the prophet a liar or who talks against him? Furthermore, it is concluded that ISIS misinterprets the fundamentals of Islam and misrepresents them to the world either go against Islam or form the ideal of massacre. This paper intends to comprehend the fanaticism and radical terrorists' frequent murders of ISIS that is statistically increasing daily, its brutality and more importantly creating a phobia of Islam with their bestial activities, critically, if Islam allows it and how it objectifies this in the light of Islamic law. As well as to lay out a content of Islam as religion and where it stands today under shari'ah.*

*Keywords: extremism, fanaticism, ISIS, radicalism, shari'ah, terrorism*

The word terrorism has spread like a fatal plague throughout the 21<sup>st</sup> century of modern literature and technology. Unintentional involvement of innocent lives is a frequent fact in different parts of Muslim dwellings. It acts like a viral infection that has infected the Muslim part of the world. This ferocious movement of bloodshed has attacked the world again under a disguise. Anyhow, the fierce and violent series of actions witnessed but the world is undeniable because such exists in some part of world yet working within a shadow for which the *homosapiens* (human beings) are being withheld with severity and harshness of massacre. Their acts not only cause fear in adult men and women but infants and babies. Also, vandalizing of public and private properties disrupt the whole society of ethics. It was commonly known that an act of terror is caused by those minds containing of socialization and literature in other words ill-education and poverty; at this time, well-educated and established members are aligned to enhance such fanaticism with apocalyptic ideology and hostility which is an alarming threat to the global security. Occasionally, questions should arise about its ideology and the principle. But Islam is the religion to be known to the world connecting it to terrorism making people apprehend Islam meaning terrorism which is the opposite because Islam

---

<sup>1</sup> This article has been presented as working paper at the Conference of After the Uprisings: Political, Economic, and Social Transformations in the Middle East and North Africa on 31<sup>st</sup> May 2016 at the University of Edinburgh as well as the 46<sup>th</sup> Annual Conference of the International Society for the Comparative Study of Civilizations on 30<sup>th</sup> June 2016 at Monmouth University, New Jersey.

<sup>2</sup> **Ahm Ershad Uddin**, Ph.D. researcher at Department of Islamic Jurisprudence, Faculty of Theology, Marmara University, Mahir İz Caddesi Bağlarbaşı, 34662 Üsküdar, İSTANBUL, Turkey, email: ahmershad86@gmail.com.

forbids slaying human flesh and hurting innocent lives whereas ISIS believes in amputation in the false name of Islam. In comparison, al-Qaeda seems more moderate (democratic) than ISIS, in order to move about their actions, they join radical fanatic groups for the sake of jihad which upthrusts questions by many intellectuals and lay men of how the *Maqasid al-Shari'ah* (the intention of *shari'ah*) or Islamic law justifies such ruthlessness.

The main principle of *Maqasid al-Shari'ah* is to protect one's life, money, religion, logic and self-respect, however, ISIS raises doubts in the people's mind if the concept of Islam and fanatics of ISIS are similar to each other? If not, then how come the dress-codes and verses taken from the holy al-Quran to murder are any different from the Islamic Law?

Therefore, this research compiles a semi-scholar or anti-Islamic scheme as said in the holy al-Quran: "and kill them whenever you find them" (al-Quran 2: 291) also, according to theologians: "withhold your hands and perform the prayer" (al-Quran 4: 77). To state clarifications to the notion of such terrorist acts and the ground of Islam where it stands in such situations through analysis.

### **Objectives of the Study**

1. To prove the dissimilarity between the ghastly scene of terrorism by ISIS and Islam.
2. To eradicate the misconception of Islamic law in the eyes of the Western world because of the misinterpretation of methodology.
3. To exemplify religion as one and similar where terrorism has no place in any religion.

### **Methodology**

The Holy al-Quran, Hadith (Prophet's speech) and classical Islamic jurisprudence texts have been the basis of primary data. On the other hand, secondary data was collected through books, articles, newspapers, surfing websites and taking interviews of few members of pro-ISIS belief also.

### **Definition of Fanaticism and Terrorism**

Terrorism has featured itself in different aspects to provide with its comprehension: of various ways to attack upon common people. A brief definition of such actions are as follows:

It simply means "to violate the neutrality line" which in Arabic is known as '*tatarruf*'; it can also be referred as radicalism. Therefore, it literally means to move away from the modernity of its values i.e. humanity and strongly deny them or to commit an action against justice is called fanaticism (Cowan 1994). To implicate excessive enthusiasm to religious matters in the words of Oxford Dictionary as fanaticism. According to al-Qaradawi (1998) to divert ones' principles from the original methodology of Islam to extremism that it does not allow. Such inhuman and heinous actions whether performed in one's own country may it be an act of deconstructing public areas like demolition of buildings, bombings, vandalizing of public and private properties whether done by one member or a whole group of members are included in the characteristics of fanaticism (Shukri 1991). Prophet Muhammad prayed to God for the desolation or ruin of those who are involved in such activities (Muslim 1954: 2055) even he laid down awareness in order to not bargain over religion.

Although this phenomenon of terrorism is not new or unknown yet, its definition stands upon or is derived from time, place and circumstances. Academic legal consensus did not ascribe its definition to a static diction (Williamson 2009). Terrorists have asked upon in different forms and time. Meanwhile, till 1960 the use of such word was not found under the American Law (Walter 1978), during the reign of Bill Clinton (1993) the "Anti-terrorism" project was introduced. Before this

time, the American Law was familiar to terrorism as an act of federal crime (Smith 1994). However, sometime in 1977 few incidents were converted from domestic security to terrorism.

### **Inception of ISIS and Its Fanatic Acts**

The rise of ISIS as sudden will be a misconception or al-Qaeda as the main root of ISIS prior to their nations, one has to go back to Islamic history in order to understand its origin. Theologians are in unison that the main principle of ISIS comes from “Khawarij” tribe. The word “Khawariji” is plural form of Khariji which means has gone out or has left out. In other words, it is also called as “seceders” meaning that those who have left the Muslim society are known as Khawarij or Haruri (Uthmani 2006) although, according to al-Zuhaili (1996) another name for Khawarij is “Bhagi” or rebellion. Those who campaign against legitimate rulers; after the murder of the third caliph Usman and under a new elected caliph Ali, a civil war among Muslims started as vengeance, known as battle of Siffin (Higgins 2004), later, few members leave out Muabiya and ali’s troops and join together to plot against them where, in the year 661 they killed Ali. Islamic jurists have illustrated some traits of such groups. In time, they will involve in extremism under the disguise of Muslim apparel or attire. According to al-Ya’qubi (2015), they will block themselves away from the Muslim mainstream (eschew) and festively kill Muslims under allegation of *Takfir* (excommunication). Their radical ideals specious religion argument make way for the Islamic sole agent to decide the bloody massacre of Muslims, Non-Muslims as Halal (allowed). The preceding and present Khawarij concept is to spread terrorism. al-Sharastani (1153H) in one of its famous books *al-Milal wal Nihal* (the book of sects and creed) says that those who have riots against Muslim government are Khawarij. Weather this revolts were against the caliphs of prophet’s companions or against those who followed them with excellence (tabiin) or Muslim rulers of every subsequent era. Hanafi scholar Ibn Nujaim (1553) explains that he Khawarijites are a folk possessing strength and zealotry, who revolt against the government due to a self-styled interpretation, they believe that government is upon falsehood, disbelief, or disobedience that necessitates it being fought against, and they declare lawful the blood and wealth of the Muslims, Imam al-Suyuti (1993) explained a hadith of prophet where he mentioned that these type of people are Khawarij and Prophet said that they seek to follow what is unclear thereof (Ibn Kathir 1401H).

### **Sign of Fanatic Groups in the *Shari’ah* Perspective**

However, it is surprisingly true that these fanatic radical groups follow the basic ethics of a Muslim in Islam like praying five times a day, fasting and reciting the holy al-Quran etc. Because of such practices the ordinary fellow Muslims fall in a circle of dilemma about Islam. Their existence blinked back in the period of Prophet Muhammad (peace be upon him) when some of them debated against prophet over religion. Later on, they campaigned against the legitimated government of Osman and Ali which lead to war of blood until the present day. A member of Bani Tamim claimed the prophet to be just in the distribution of wealth found in a war, then, the prophet replied that who dare be just if not I? Woe to you! (al-Bukhari 810 AD). One of his followers asked permission to bestowal him but after prophet in lieu, urged that he do no such act because he will only belittle his own ethics they shall pass through Islam as an arrow passes through a hunted game and whoever encounters them at war shall kill them as reward awaits them from God (al-Bukhari 1987:2539) while portraying this trait the prophet said that their will come a time when a young and foolish folk shall appear who will be best in words but shall pass through Islam just as an arrow passes through a hunted game and will be brainwashed (Muslim 1954: 746). They will wear pants up to their ankles (upon legs) also they

will have thick and rough beard (al-Bukhari 1987:1581) and they will be extreme religion more than required (Abu Ya'la 1984). Another characteristic which one is the strongest to identify is that they are extremely oppressed blood thirsty and violated (Abu Daud ND: 242). They will engage from the east (al-Bukhari 1987: 2748) and will declare it obligation to wage was against a corrupt government (al-Baghdadi 1977). They will declare that those who commit a major sin is a disbelief and they will indeed burn in the blazing fire of hell (al-Tirmidhi ND: 226). These brains washed and misguided youths spreading savagery along with, creating a doubt of teaching of Islam among the people. Their fanatic activities are totally based on hatred and violence which cause a wall against softness and mercy to the humanity. Prophet Muhammad (Peace be upon him) said that indeed, from the offspring of this man there shall emerge a folk whose tongues shall be moist from reciting God's book, but it shall not go past their throats (al-Bukhari 1987: 1581). Their another trait is to be showing their fasting whole day, keep praying whole night and collecting zakat according to Sunnah like a pure believer and people will be misguided through their deception (al-'Asqalani 1449), because, they will speak the words of the best of people, just to mislead the people (al-Bukhari 1987: 2539). Imam Hajar al-'Asqalani (1449) illustrated more about this hadith that their words imply that the Khariji will cite the al-Quran to validate their stance and the first phrase they used to justify their rebellion was "there is no judgement but for God and they drew this from the al-Quran and interpreted it in correctly. These fanatic groups will appear in every century to create a violated society within the religion shade, that is why prophet Muhammad's prophecy is true where he said that they shall continue to appear until the last of them appears with the anti-Christ (Dajjal) and they are the evilest of the creation (Ibn Hanbal 1998: 424). Their main concept of spreading Islam is slaughtering, killing and violating the society, Jundub remarked "do not be deceived by them today they are reciting the al-Quran, but tomorrow they will be fighting with weapons (Tabarani 1983: 166).

### **Fanatic Acts of ISIS Around the World**

The new version of Khawariji known as ISIS who have re-instilled their hardly actions of fanaticism and is propagating throughout the country that is increasingly growing in terrorism. In the process of the so called *shari'ah* implementation in countries like Iraq and Syria etc. are actually practicing mass killings on Muslims and non-Muslims both. Not only this but in violation of the rights of the people over their own wealth, apprehension of their property, rape and an outrageous attempt to allow sexual slavery (al-Arabiya 2015), besides, their attacks are also known to be undercover and defending their actions they post verses from the holy al-Quran which they choose without its real context then, display to the world. It is as if playing ad meddling with the religion "Islam". The new form of Khawarij called ISIS in 2003 after the American invasion in Iraq; towards 2004, al-Qaeda member Abu Musa al-Zarqawi was appointed as the head to fight against the west, however, in 2006, in an airstrike by American soldier al-Zarqawi as said to be assassinated but his notorious group remained. Likewise, it is to be pointed that the main factor of the emergence of such a fanatic group is because of the mistaken American policies (The Independent 2015). This group have become more fatal after 2013. Countless numbers of Syrians, Iraqis, Lebanese soldiers, American British journalist, 30 Ethiopian Christians (Eliot 2015) 21 Egyptians Coptic Christian (Jared Malsin 2015) slaughtered in Libya proving their cruelty to the world. In August 2014, the 27 and 28 in where almost 250 Syrian soldiers (Reuters 2014), the 22<sup>nd</sup> may 2015, the throat slaughter of 280 Syrian army in front of the Palmyra public square (the Times of India). And it is a very pathetic news that 150 women were fired by ISIS militant for refusing to marry them (The Independent 2014). A Jordanian pilot was burned to death and its video made viral on YouTube that stuck the world (Walid 2015). A record of 2400 historical years were broken by them, Mosul museum, public library and books dated to the ottoman

empire were burned (The Guardian 2015). It has to be noted here that because of such bestial acts of ISIS the definition of human rights is lost. Taliban and al-Qaeda seem more democratic and humane than this fanatic group of ISIS. Many American journalists even women reporters reached home safely after interviewing some al-Qaeda leaders in Afghanistan while ISIS brutally killed emissaries. Imam Ahmad in his *Musnad* narrated a Hadith of Prophet Muhammad (peace be upon him) that the Sunnah continues that emissaries are never killed (Ibn Hanbal 1998: 306).

### ISIS- An International Portrait

Their works are not limited to Syria and Iraq, also they have extended globally like a fatal plague. They have joined ties with those who are alike in this ideological belief. Claiming under the notion of this so called "Jihadism". Therefore, they are able to attack in many different countries like a disguised form under course.

Now, the question is if they are a real representative of Islam, then according to the Islamic law and legal maxims, do they allow attacking people? Based on which verse of the holy al-Quran does it permit hurting innocent people. Many countries or their governments are against stablishing an Islamic constitution as their administration, then why should ISIS eject their brutality upon the governments through massacres and blood-shed of tourists, school going children and innocent pedestrians. In 2014, a radical group named *Ansar Beit al Muqaddas* in Sinai mountain declared themselves as branch of IS in Egypt (Karim 2014) and they brought a brutally attack in northern Cairo where 30 civilians were injured critically (Laura 2015). In Yamen, *Ansar-e-Shariah* separated them from "al-Qaeda Arabian Peninsula" and vowed to Baghdadi (al-Arabiya 2014) and IS spokesman al-Adnani affirmed the "Boko Haram" as their crony in west Africa to operate notorious acts (The Guardian 2015). After beheading a French tourist named Harve Gourdel, *Jund al Khilafa* came on limelight to be a buddy of IS in Algeria province in 2014 (Moore 2015). To be honest, IS already has taken a few cities in Libya where they controlled the regime strictly and their heinous activities are run successfully (Schmitt 2015). Besides this, IS drew a new sketch of their existing in Caucasus zone and southeast Asia is controlled by its representative like Abu Sayyaf (Ressa Maria 2014).

### A Critical Study of ISIS's Crime in the Lens of Shari'ah:

Firstly, it is to be noted that this sort of terrorism was given birth or reproduced mainly from illiteracy and emotion-less sentiments. But illiteracy does not practically mean not being educated etc. It indicates the concept of knowing better than the best like an intelligent student of engineering department learns few medical terms and claims to be able to comment highly qualified doctors which is senseless. For instance, a working for a period of time in a pharmacy claims that some of the medical scholars have been misguidedly wronged in researches. According to the rules of Usul al-Fiqh (Islamic Law) "*Istishaab*" (presumption of continuity), such claim will not be acceptable unless it is not proven to be coming from an expert. Hence, it is a requirement of the society or nation to severe punishment under criminal law and order of the nation if such inexpert claims are made for exploitation. Also, it is said in the holy al-Quran to gain knowledge before commenting on anything (al-Quran 96: 1) because the ratio between the one who knows and who does not know is never equal (al-Quran 39: 9) and it is highly recommended in the holy al-Quran to learn about what one does not know by interrogating the experts (al-Quran 16: 43). It is ideal and a must for a believing Muslim to have faith in the means of the holy al-Quran not just part of them but the whole book containing all the verses. God has strictly made clear about it (al-Quran 2: 85). The works and actions of ISIS are



completely in contradiction to the Islamic Law because as per the *Shari'ah* law it has a rule named *Fiqhul Waqiyya* or practical jurisprudence. That means a jurist must keep in mind one's custom and tradition while delivering on edicts (Fatwa). As it is that time, place, circumstances and tradition change brings a difference in religious edicts too, this is called *Shari'ah* law. It is seen that the actions of ISIS are not in any close relation to Islamic *Shari'ah* law. That is why Prophet Muhammad (peace be upon him) said that soon there will raise a conflict among the ummah (nation) and among them will be one group that will have beautiful words but heinous actions and they are the evilest of the creation. Islam does not allow slavery system at all. Islam was established to remove such concept from the society and bring people close to God. Among them are to eliminate slavery and give equality these are the main objectives of *shari'ah* or Islamic law. Prophet Muhammad (peace be upon) freed those men and women who were bound to him (Ibn Kathir 1373H) and in the speech of his last pilgrimage he had talked about equality and asked the people to abide.

ISIS has created a hilarious position of Islam by their so-called implementation of *shari'ah* which are in the contrast to *fiqhul waqiyya* (practical jurisdiction). Despite the Muhammad (peace be upon him) was a prophet even he was not given right to force people into accepting Islam. God has said "you are not a task master over them (al-Quran 44: 22), and in another verse, it is said that accepting religion must not be forced (al-Quran 2: 56). A hadith is to be noted that in Islam no soul to be in violent terms with another and nor be a victim of such action (Ibn Majah 2340). The prophet used to pick the easiest among the two (Muslim 1954: 1546). Over a million people were homeless after Arab revolution because extremists attacked on innocent people and they suffered drought and famine. Prevailed that people had to eat leaves for salvation which was made aware world as Syrian case. And millions of people took refuge in many countries. Meanwhile, in areas undertaken by ISIS in the name of *shari'ah*, they are implementing punishment (hudud) rule over the poor people by cutting hands. However, in all jurisprudence schools said that the condition, circumstance and clear proof is one's weakness or vulnerability. It takes poverty and all sort of situation into consideration as in the time of second caliph Omar banned the amputation of hands for the crime of theft during the period of drought (al-Jawziyyah 2008). As for the law, *Masaleh al Mursalah* (consideration of people interest) applies not only for any particular person or tribe but for the whole humankind and their welfare (Khallad). According to the ISIS policies to attack various western countries and to torture non-Muslims as an act of revenge also, to act in violence to those who are not in favor of ISIS and their beliefs such as beheading, killing and amputation which are strictly against Islamic legal maxims.

The theory of Islamic legal thought that in order to eradicate one corrupt factor by another corrupt factor is not relatively necessary, "Ad Darura yuzalu bi darari" which illustrates 'haram is not eliminated by another haram', if eradication of any corruption requires endangering lives of innocent people or Muslims then the Islamic law suggests that "Yutahammal ad Darar al Khas li daf al darar al am" or a specific harm tolerated in order to prevent a more general one" removal of any harmful act, Islamic law has prioritized a boundary in all aspects and it does not allow to cross that limit, Islamic maxim states that "Ad darura yudafu bi qadril imkan" (Zarqa 2004), therefore, Allah has revealed a verse upon limitations and capabilities of human beings "Allah has not given any obligation beyond one's capabilities" (al-Quran; 2: 286). it is to be noted that Islam does not permit any act that is against the welfare of the human beings. A question must come across our minds that if Muslims believe that any other religion than Islam is not acceptable to Allah in that respect can they abuse other religions like Christianity, Jews, (the people of the book)? Well the actions and works of ISIS illustrate they use of force by their so called Khilafah theory where they have demolished churches, massacre of Yazidi bloodline and many of their hostile rules in the name of *shari'ah* they continue till now. However, it is stated in one of the Islamic law chapters called "blocking the means" (Sadd al-Zara'i) that one

cannot abuse another religion because then you open opportunities for them to abuse your religion (al-Quran 6: 108) and God (al-Quran 6: 188). that is why Islam forbids such acts of extremism. The Iyajidi sect lives in Iraq for many centuries but ISIS never left them but killed and used them for slavery and named with a *Takfir* definition which is that, since all the Muslims are an agent of the western world then they can kill. But, the fact is that it falls under the forbidden and inviolable Islamic law. It is described in history that at the time of our prophet Muhammad, when a hypocrite was known among the fellow people then one of his companions suggested to kill the hypocrite but prophet Muhammad prescribed this under “blocking the means” by saying that destruction will come forth to those who have killed among themselves i.e. human beings (al-Shatibi 790H). This kind of heinous acts only lead to corruption. It is the jurisdiction of the law that any terrorist group like ISIS must be brought into the criminal law and punished severely for their horrific actions by making their own rules and theologies such as, life threatening, situations, property vandalization along with other crimes. All the school of Fiqh jurisprudence has known such rebellion as “*Hirabah*” (al-Quran 5: 33-34) and agree to execute all the rebels for their criminal act. In fact, it is proud to pass an edict by the imams for those who have clear proofs an associating with such rebellion acts and encouraging such behavior (al-Jawziya 2008). It is the obligation of the state to bring forth who commits, misinterpret religion and apply their own means of extremism must be punished. Our prophet Mohammad has said that whoever hurts human beings in this world will be punished by Allah, indeed, Allah will inflict this torment upon those who torture people in the life of this world (Muslim 1954: 2018).

### Misconception of Jihad

In many years’ variety of terrorist groups have misrepresented jihad, they have created a phobia through their actions in the name of jihad. As per the school of Hanafi, Maliki and Hambali, Jihad is neither aggressive nor offensive in any way (Zuhaili 2000). Instead, it is procured as a defensive measure to protect oneself at the time of war, Jihad was the way of keeping safe from the opposing party. It is limited to war only and not in use for showing enmity. To fight legally in the sense of Islam it called Jihad (Esposito 1955). Under the discussion of imam Qasani; within the prescribed law of Islam, to struggle in the path of Allah with physical strength is known as jihad; may it be life, implementation, property or any other gadget. Jihad is mainly of two types; (1) the *greatest jihad (al jihad al akbar)*, any individual who abstains oneself from any sort of temptation and overcome carnal needs is known as such jihad. There is an incident in the hadith at the war a person reached to prophet Muhammad seeking permission to go to the war then, the prophet asked him if his parents were alive, he said, yes, the prophet replied that to serve parents is also a jihad so choose this over war (al-Bukhari 1987: 3004). And little/lesser jihad is to oppress enemies for self-protection our prophet used to say after coming back from war that they have returned from lesser jihad to a greatest jihad (Baihaqi 1994: 165). The main objective of jihad is to establish the principle of peace, equality, and freedom. If a war is waged between two parties, then Islam had laid down rules to abide for the Muslims like waging war without severing not being treacherous also not to kill women and children (Muslim 1954: 1713; Tirmidhi ND: 1408). It is checked back from history that our prophet took part in 29 battles where more than 10 thousand were held captives and have once killed any of them besides he was mostly very convenient with them (Qurtubi 1372: 1964).

## **The Real Characteristic of Islam**

The word Islam has been derived from “Salam” which means peace and love compassion. Our prophet was sent to the world with message of peace in the words of al-Quran “you were sent with a message for the peace of the world (al-Quran 21: 107) so that the people will make a model out of our prophet’s ideal way of living in the world, he had said “I was sent down to educate you an ideal way of sustainability (al-Bukhari 1987: 273). Islam has called people to invite to the way of God through wisdom (al-Quran 16: 125), it is said that one should present initiations towards Islam by following wisdom and debate with a best way. In the process, if an illiterate should wise questioning one then, it must be answered with peace (al-Quran 25: 63), if a debate does develop then, it is advised for the Muslims to reply in the most benefit way possible (al-Quran 16: 125).

Because, the verbal conversation and behavior are the almost teachings of prophet Muhammad which should be followed by the Muslim in every aspect of their lives (al-Quran 33: 21). In the 13 year of Makkah period, Islam propagation was under a lot of torture, it faced problems and our prophet went through a very difficult time along with his companions. Islam witnessed its first martyr, a woman named Sumayya who was tortured brutally with her family by the idolaters during the birth of Islam in Makkah. During the process of Quraish torture Summaya’s family, our prophet made no counter attacks but told them “have patience family of Yasir because your destination is Jannah (Tawsi 1373H). In 8<sup>th</sup> Hijri/migration after the conquest of Makkah, instead of vengeance, forgiveness was accepted by all. It is found in history that the person with most of the hypocrite in Madina is a person with the name Abdullah ibn Sahul, who was the head of all hypocrites, after his dead, his son comes forward asks the prophet’s cloths for burial garment. Then, he was asked to lead the funeral prayer and prophet accepted the invitation to lead the funeral prayer, instantly, Omar, the second Caliph of Islam, tried pulling him out of congregation but the prophet replied that if there were 70 different possibilities of asking pardon for him I would do all (al-Quran 63: 6). Allah has revealed to the believer about living with non- Muslims that those who do not kill you, living with them does not deprive of one of his/her identity, live with them in peace as they will see the beauty of Islam in this and Allah is closest who live equally (al-Quran 9: 6).

At the time of Omar, the Christians of Hira who were apprehended during his period were told about that those who are old in age, weak, ill and poor after being sick will not pay tax or Jizya and it is the state or governing authority who will take their responsibility in every means (Majid 1955), but terrorists and criminal minds have taken verses revealed at the time of harshness and use it for their concept purposes which created a phobia of Islam through the world. It is said in the holy al-Quran that when it is commanded on them to not spread harm in the land, they reply that they are only reformers, truly it is they who spread corruption but they perceive it not (al-Quran 2: 11-12). Islam does not treat good and bad deeds evenly or equally. It always suggested be answered with a good one (al-Quran 41: 34). However, ISIS took the privilege of conquering Muslims lands and abusing Muslims and Non-Muslims notoriously which does not fall in the same chapter of the real Islam according to Hamidullah, there are 19 articles that Islam strongly forbids among them is the abuse and ill-treatment of prisoners and hostages (Hamidullah 1977). The minorities living in the Christian countries currently fail in meeting opportunities than the one who were living at times of Muslim authorities where the non-Muslims lived under Muslim government as captives but enjoyed their rights in every form (A.E. Mayer 1995), an example, the ottoman empire who had reign over 500 years, non-Muslims living under their roof but were following their own religion freely. such an empire that was successful in keeping an orderly fashion for various minorities to follow their own religion without any difficulties (Laponee 1960). This huge empire gave way for authority years after years. Even in reference to clearance said that ottoman empire protected a degree of autonomous



government including an exercise of civil and criminal jurisdiction over other co-nationals (Evans 1997). Allah does not burden his creation with things out of their capabilities as it will be very difficult for the people to practice religion (al-Quran 78: 98) and that is why Allah always seeks convenience after a difficulty (al-Quran 2: 185). It is known from Anas that our prophet said in respect to other religions that one should make everything easy in life not hard and instead of fear deliver prosperousness to the people (al-Bukhari 1987: 69 & Muslim 1954: 1734). Islam says in sight of every heinous acts like murder and corruption that whoever, kills a person as a punishment for murder or disorder in the land, has killed all of humanity (al-Quran 5: 32). As Islam functions as a mediator in every respect medium, God said that you are made a just community that you will be witnesses over the people and the messenger will be a witness over you (al-Quran 2: 143).

### **The Cave Chapter: A Proper Methodology of Understanding Islam**

The chapter Cave (Kahf) is the utmost clear verses of all, Christianity was brought upon prophet Jesu Christ (Esa, Peace be upon him), this chapter is mainly focus on a few youngsters' story who fled their own land and hide into a cave for 309 years to protect their lives from the powerful ruler of that time who ordered confiscating them due to embracing God's new religion Christianity. This chapter "cave" studied intensely then its applications can be understood, its four event are highlighted which is an immense source of methodology for researches they are:

1. The story of those youngsters in the cave
2. Story of two friends (Muslim and Non-Muslim)
3. The event of Dhul Qarnain and
4. The incident of Khidir with Prophet Musa.

The first three incidents relate to the teachings that are not in favor of each other and how they are to be handed whereas the fourth point relatively highlights upon the patience of the two parties prosecuted as a lesson. The contents of a truthful person with traits of honesty and humble, a proper statement or teaching and the way to face an autocracy are the main lessons of this chapter of The al-Quran.

*Kahf/Cave:* some privileged youngsters who accepted Christianity at its maturity at that period, the autocratic ruler would face people out of their religion otherwise will be killed, hence, the youngsters in salvation take refuge in a cave because fighting will not solve anything which Allah has recommended them (al-Quran 18: 19-20). As per necessities, the Islamic maxim allows the permission of the forbidden into halal (Zarqa 2004). It is therefore found that prophet Yusuf took the financial responsibility under Ferawun that was in favor of the people though the government was not a favor to God's law but prophet accepted the position due to necessities (al-Quran 12: 1-111). All the most difficult time of Makkah during "the call for Islam" prophet asked his a few companions to migrate in Ethiopia under the Christian ruler Najjashi who was known as a mercy and just ruler to the people.

*In the case of two friends:* though both of them had dissimilarity in practicing religion but were strong and same position in terms of wealth, strength and power, and Allah orders Muslims not to conflict with each other but negotiation and dialogue to keep maintaining peace in their disagreement (al-Quran 18: 34-37). The political stability and reformatting of a nation does not require the disapproval of two parties dialogue, which is reflected from the story of the two friends in the chapter. The historical Hodaybiya contract can be produced as milestone which is known as

Fathun Mubin (the great conquer) in the holy al-Quran (al-Quran 48: 1). And it commands the communication of through dialogue formation rather than a debate or a war.

*Dhul Qarnain's story* is also a notable incident to stand against all sort of terrorism activities, when the people got very ill of the disastrous torture of two injustice rulers named *Yajuj and Majuj* then, Dhul Qarnain took steps to protect people rights against the prejudice rulers and asked for help from Allah is a source of a teaching in the surah/chapter (al-Quran 18: 84-95).

Through the episodes, it is to be assured that Islam does not allow any kind of attack and hidden torture which enlightened in the holy al-Quran like our prophet said that whereas amongst one witnesses an evil then reform it with hands, if he/she is unable the verbally, yet it remains then in his heart (Muslim 1954: 69 & Tirmidi ND: 469). The holy al-Quran presented another beautiful example of exchanging gifts between prophet Suleiman and his counterpart Queen Balqis through their ambassador and she waited to see what response comes from prophet Suleiman due to sending a gift to him (al-Quran 27: 23-44), accepting a present from Balqis can be highlighted here as a sign of beauty of Islam and peace rather than killing emissaries.

### **Legal Stability of Islamic Schools of Thought on Terrorism**

Islam, since its inception has never supported terrorism in the name of faith or any such rebellious acts on any soul. It is given in the Holy Qur'an and hadith as given below are some evidence of the statements of Islamic scholarly ancestors. According to Abu Hanifa, it is said that, one should not be involved with the rebellion; whereby to despise the rebels and not the disbelief. However, if the majority mainstream group is rebellious then migrate to another as the creator has created the world so vast for worship and there must be some righteous people who will assist in the reformation (Kawthari 2004). Whereas, Imam Malik stated in his book *Mudawanah*, the rebels are to be brought before the people and asked if they repent against their dreadful acts if they do then they can be given a chance to live as a lay man but if they resist and insist on rebellion then they should be fought and killed (Sahnoon 1324H).

One of the most prominent schools of thought is Imam al-Shafi'i who said that if a group of rebels are fighting and stealing from either populated or wastelands they are to be charged equally as robbery and if they split up then the populated crime is higher to be punished. When confronting the rebels if they refuse to put down their arms then they should be fought till death, and if they do not show any aggression then they cannot be fought (al-Shafi'i 1993). Also, according to Imam Hanbal, although he had been tortured himself at the time of Mu'tazila yet when asked about tribulation he said that he is against it as he preferred to be patients rather than stealing, disrespecting honor and shedding blood (Khalal 1989: 132). Statements of contemporary scholars against terrorism; despite the fact that their notions have traces of extremism. One of them is Sheikh Nasir al-Din al-Bani, in the Islamic history people have revolted against their rulers an act of faith but not on disbelief but on oppression, injustice and corruption (al-Bani 1985: 1085).

However, some fractions of the Muslim youth think to repeat the history but they have acquired little knowledge not at all acknowledgeable and demand on acting without the consent of the knowing about the words of God from authentic counsel. In his statement, he said that the terrorists are the Kharijite of this era. Another who is known as Sheikh ibn Baz who had declared the disbelievers are to be the sign of Kharijite. When asked about certain groups of rebels who believe to adopt and call other Muslim youths to do the same in order to effect change and bring peace. He replied that they are at fault for understanding such a notion firstly because they comprehend the Sunnah not a bit, their ignorance to effect change has blinded them to look into Shari'ah, however the love of truth in the youth functions as a patsy to work as rebels without any knowledge of Islam or

Qur'an just like the Kharijite who had accounted the Muslims of disbelief as disobedience due to their failure to differentiate between honor and rebellion (Ibn Baz 2010).

To conclude, the current uprising of hostility and fanatic groups that initiated from country to country should not be objecting Islam but making efforts to take out the root cause of such a reform. Because as ISIS or other radical groups do not oblige to stand as the representative of 1.6 billion Muslims across the globe, God has defined Himself as the most merciful of the merciful and it stated in the holy al-Quran "He would have made mankind one community, but they continue to differ, except those on whom your lord has mercy and that is why He created them" some way efforts should be made on finding out the factors affecting the status of Islam that made it a misrepresentation through misinterpretation. Some of the features have been laid down:

1. The countries falling victims under the attacks of America and its allies, when seek revenge the fanatic groups take this vulnerability as their recruitment criteria.
2. The root cause of such fanaticism can be taken into account is Salafism creed.
3. Those with less knowledge of Islam considering joining the groups.
4. The process of joining the fanatic groups is also an act of escapism for those who are alone, poor, drought, unhappy with family and mentally corrupted.
5. Those countries where democracy is not laid properly, absence of freedom in speaking, anarchy and when victims are tortured unjustly, these acts as stimuli for them to seek terrorism.
6. Youngsters who had no clear idea of Islam and seek their own formation of *shari'ah* who remain unclear about it and enhance such groups in every part of world.
7. In the Muslim countries, theologians whose inability to make clear in their speeches specially in Friday sermon and not focusing on the present issues in the light of *shari'ah* pointing out ways to resolve them lead youngsters towards extremism.
8. Another simulation of terrorism at a fast pace in due to the dual faced media empowerment.
9. Victims being tortured in jails like in Abu Garib prison, Guantanamo etc. when they freed and seek vengeance as a form of religion revenge.
10. The impression of Islamic scholars based in *shari'ah* against extremism is very rare.

As it is evident that since the birth of Islam, it has never supported terrorism either in the name of faith or as a means of corruption. Throughout the time, it is present as recorded facts in the Holy al-Quran, Hadith, and scholarly books by the schools of Jurisprudence etc. have always shared their idea of being against the idea of terrorism. It is to be noted that this idea of violence has come from western influence either in the name of al-Qaeda, ISIS or Boku Haram, PKK & YPG in Syria-Turkish border etc. If this is not stopped it will interfere in the peace and security of all nations not only on Muslims but also bearing different beliefs.

To sum up in a few words that Islam has no link to fanaticism. Terrorism has no religion and all religion are free from fanatic acts that are taken place from country to country in the name of religion. To stop them, the above-mentioned points are to be solved and make sure democracy is implemented properly irrespective of race, religion, color and ethnic. And mostly, break down the funding and patronizing them and monitoring their activities online applying terrorist act in every country.

## References

*Al-Qur'an.*

- Abu Ya'la, Ahmad Ibn al-Tamimi. 1984. *al-Musnad*. Vol.1. Dimashq: Dar al-Mamun Li al-Turath Publication.
- al-Jawziyyah, Mohammad ibn Abu Bakar Ibn Qayyim. 1991. *Al-'Ilam al-Muwaki'in*. Beirut: Dar al-Kutub al-'Ilmiyah.
- al-Nawawi, Muhyi al-Din Yahya ibn Sharaf. 1995. *Kitab al-Majmu`*. Cairo: Dar Ihya' al-Turath.
- al-Arabiya*. 2014. <http://english.alarabiya.net/en/News/middle-east/2014/08/13/Yemeni-al-Qaeda-leader-hails-ISIS-gains-in-Iraq.html> (Retrieved:13 August 2014).
- al-Arabiya*. 2015. <http://english.alarabiya.net/en/News/middle-east/2015/04/15/Yazidi-girls-speak-of-systematic-rape-under-ISIS> (Retrieved: 15 April 2015)
- al-'Asqalani, Ibn Hajar Ahmad bin Ali. *Fath al-Bari*. Beirut Lebanon. Dar al-Maarifa Publication.
- al-Baghdadi, Abd al Qahir. 1988. *al-Farq bayn al-Firaq*. Al-Qahirah. Maktabah Ibn Sina.
- Al-Bani, Mohammad Nasiruddin. 1985. *Silsilah al-Ahadith al-Sahihah*. Beirut: Maktabatul Islam Publication.
- al-Bayhaqi, Ahmad ibn al-Husain. 1994. *al-Sunanul Kubra*. Makkah: Maktabatu Dar al-Baaz Publication.
- Bin Baz, Abdul Aziz. 2010. [www.binbaz.org.sa/mat1934](http://www.binbaz.org.sa/mat1934).
- al-Bukhari, Abu Abdillah Mohammad ibn Ismail ibn Ibrahim ibn Mugira. 1987. *Al-Jami' al-Sahih* Beirut. Lebanon. Dar Ibn Kathir Publication.
- Cowan, J.M. 1994. eds. Arabic-English dictionary: The Hans Wehr. *Dictionary of Modern Written Arabic*. Ithaca: Spoken Language Service. Inc.
- Eliott, C. Mcloughlin. 2015. <http://edition.cnn.com/2015/04/19/africa/libya-isis-executions-ethiopian-christians/index.html> (Retrieved: 20 April 2015).
- Esposito, John L. 1955. *The Oxford Encyclopedia of The Modern Islamic World*. New York USA: Oxford University Press.
- Evans, MD. 1997. *Religious liberty and International Law in Europe*. USA: Cambridge University press.
- Higgins, Annie C. 2004. Khawarijites, Khawarij. Martin, Richard C. *Encyclopedia of Islam and the Muslim World*. Macmillan Reference. USA: NP
- Ibn al-Khalal, Abu Bakr. 1989. *Kitab al-Sunnah*. Riyadh KSA. Dar Er-Rayah Publication.
- Ibn Hanbal, Ahmad. 1998. *Musnad Ahmad bin Hanbal*. 6 Juz. Beirut: 'Alim al-Kitab.
- Nasai, Abu Abd al-Rahman. 1986. *Sunan al-Nasa'i*. Beirut Lebanon. Dar al-Kutub Ilmiyya Publication.
- Ibn Khathir, Abu al-Fida Ismail bin Omar. 1401H. *Tafsir al-Quran al-Azim*. Beirut. Lebanon: Dar al-Fikr.
- Ibn Taymiya, Ahmad ibn Abdul Halim. 1995. *Majmu' al-Fatwa*. Vol.28. P.311. Saudi Arabiya. Maktabah ibn Taimiya Publication.
- Ibn Nujaim, Zain al-din. *Al-Bahr al-Raiq Sharh Kanz al-Daqa'iq*. Beirut: NP.
- Independent*. 17 December. 2014. <http://www.independent.co.uk/news/world/middle-east/isis-execute-150-women-for-refusing-to-marry-militants-and-bury-them-in-mass-graves-9930766.html> (Retrieved:17 December. 2014).
- Jared Malsin. Time. 2015. <http://time.com/3718470/isis-copts-egypt/>. (Retrieved: 23 February 2015).
- Karim, Ammar & al-Atrush. Samer. 2014. *Businessinsider-AFP*. <https://www.theguardian.com/world/2015/feb/26/isis-fighters-destroy-ancient-artefacts-mosul-museum-iraq>. (Retrieved: 10 November 2014).
- al-Kawthari, Mohammad Zahid. 2004. *Majmu al-'Aqida wa 'Ilm al-Kalam*. Beirut: Dar al-Kutub al-'Ilmiyah.

- Laponee, J. A. 1960. *The Protection of Minorities*. P.84-85. USA: University of California press.
- Mayer, A.E. 1995. *Islam And Human Rights: Tradition and Politics* 2nd ed. New York: Westview Press.
- Laura, King. 2015. <http://www.latimes.com/world/middleeast/la-fg-saudi-arabia-bombing-20150522-story.html> (Retrieved: 20 August 2015).
- M. Hamidullah. 1977. *Muslim conduct of state*. Lahore. Pakistan.
- Majid Khaduri. 1955. *War and Peace in the Law of Islam*. USA: John Hopkins Press.
- Moore, Jack. 2015. <http://www.ibtimes.co.uk/algeria-discovers-body-french-hostage-herve-gourdel-beheaded-by-isis-linked-jund-al-khilafah-1483562> (Retrieved:15 January 2015).
- Muslim, Ibnul Hajjaj al-Nisaburi. 1424H. *al-Jami' al-Sahih*. ed. Mohammad Fuad al-Baqi. Beirut: Dar al-Ihya al-Turath al-Arabi Publication.
- Nasa'i, Ahmad ibn Shuaib. 1995. *Al-Sunan*. Beirut: Dar al-Kutub al-'Ilmiyah Publication.
- Nawabi, Muhyiddin ibn Ihya ibn Saraf. 1492H. *Sharh al-Nawawi ala Sharh al-Muslim*. Beirut: Dar al-Ihya At-Turath al-Arabi Publication.
- al-Qaradawi, Yusuf. 1998. *Al-Sahwatul Islamiya bayn al-Jumud wat Tatarruf (Islamic Awakening)*. 6th edition. Beirut: Al-Risala Publication.
- al-Qurtubi, Abu Abdullah Mohammad ibn Ahmad. 1372H. *Al-Jami' li Ahkam al-Quran*. Cairo: Dar al-Sahab Publication.
- al-Qurtubi, Abu Omar Yusuf. *Al-Istiyab fi Marifatil Ashaab*. Vol-2. P.812 Beirut-Lebanon. Dar al-Jail Publication & al-Qurtubi. 1964. *El-Jameu Li-Ahkamul al-Quran*. Vol-19. P.129. Cairo Egypt. Dar al-Kutub al-Misriyah Publication.
- Ressa, A. 2014. senior Abu Sayyaf leader swears oath to ISIS. <http://www.rappler.com/nation/65199-abu-sayyaf-leader-oath-isis> (Retrieved:4 August 2014).
- Reuters. 2014. Video shows Islamic state executes scores of Syrian soldiers. <http://www.reuters.com/article/us-syria-crisis-idUSKBN0GS10020140828> (Retrieved: 28 August 2014).
- Sahnun, Abd al-Salam ibn Sayid al-Tanakhi. 1324H. *Mudawanat al-Kubra*. Riyadh: KSA Religious Ministry.
- Schmitt, Eric and Kirkpatrick. David. 2015. Islamic State Sprouting Limbs Beyond Its Base. *The New York Times*. (Retrieved:14 February 2015).
- al-Shafi'i, Muhammad ibn Idris. 1993. *Kitab al-Umm*. Beirut: Dar al-Maarif Publication.
- al-Sharastani, Muhammad ibn Abd al-Karim. 2001. *Milal wal Nihal (the book of sects and creed)*. Beirut. Lebanon. Dar al-Maarifa Publication.
- al-Shatibi, Ebu Isa Ibrahim Ibn Musa. *al-Muwafaqat Fi Usul al-Shari'ah (the reconciliation of the fundamentals of the Islamic law)*. Cairo. Egypt. Maktabatut Tijariya al-Kubra Publication.
- Shukri, Md. Aziz. 1991. *Al-Irhab al-Dawli al-Dirasah Qanuniya Naqida*. Beirut: Dar al- 'Ilm li al-Malayin Publication.
- Smith, B.L.1994. *Terrorism in America*. New York: State University of New York Press.
- Suyuti, Jalal al-Din. 1993. *Al-Durrul Manthur fi al-Tafsir al-Ma'thur*. Beirut: Dar al-Fikr Publication.
- al-Tabrani, Sulaiman bin Ahmad. 1983. *Mujam Kabir wa al-Tarhib*. Iraq: Maktabatul Uloom Wa al-Hikam Publication.
- al-Tawsi, Abu Zafar Md. ibn Hasan ibn Ali. 1373H. *Rijal al-Tawsi*. Iran: Muassatun Nashar al-Islami Publication.
- The Guardian*. 2015. ISIS fighters destroy ancient artefacts at Mosul Museum <https://www.theguardian.com/world/2015/feb/26/isis-fighters-destroy-ancient-artefacts-mosul-museum-iraq> (Retrieved: 26 February 2015).



- The Independent*. 2015. <http://www.independent.co.uk/news/world/middle-east/president-obama-claims-rise-of-isis-is-unintended-consequence-of-george-w-bush-s-invasion-in-iraq-10115243.html> (Retrieved: 18 March 2015).
- The Times of India*. 2015. <http://timesofindia.indiatimes.com/world/middle-east/ISIS-purges-Syrias-Palmyra-of-Assad-loyalists/articleshow/47397855.cms> (Retrieved: 23 May 2014).
- Tirmidhi, Abu Isa Muhammad ibn Isa. *Kitab al-Tafsir al-Quran*. Beirut: Dar al-Ihya Wa al-Turath al-Arabi Publication.
- Uthmani, Shabbir Ahmad. 2006. *Fath al-Mulhim bi Sharh Sahih al-Muslim*. Beirut. Lebanon. Dar al-Kalam.
- Walid Shoebat. 2015. <http://shoebat.com/2015/02/15/watch-video-isis-savages-beheading-twenty-one-coptic-christians-saw-martyrs-beheaded-name-jesus-fulfilled/>. (Retrieved: 15 February 2015).
- Walter, Laqueur. 1978. *The terrorism Reader*. Philadelphia: Temple University Press.
- William littlee, H.W. Fowler and Jessie Coulson. *The Shorter Oxford English Dictionary on Historical Principles*. United Kingdom: Clarendon Press-Oxford.
- Williamson, Myra. 2009. *Terrorism, War And International Law: The Legality Of The Use Of Force Against Afghanistan In 2001*. United Kingdom: Ashagate Publication.
- al-Ya'qubi, Muhammad. 2015. *Refuting ISIS: A Rebuttal of Its Religious and Ideological Foundations Sacred Knowledge*. USA. Sacred Knowledge Publisher.
- al-Zarqa, Mustafa Ahmad. 2004. *Al-Madkhal al-Fiqh al-Am (introduction to Islamic general jurisprudence)*. Syria: Dar al-Kalam Publication.
- al-Zuhaili, Mustafa Wahabah. 2000. *Ahkamul Harb fi Islam (the rules of war in Islam)*. Dimashq: Dar Al-Maktabi Publication.
- al-Zuhaili, Wahabah. 1996. *Fiqh al-Islami Wa Adillatuh*. Beirut. Lebanon. Dar al-Fikr publication.
- al-Zuhaili, Wahabah. 1996. *Qadhaya al-Fiqh wal-Fikr al-Muasara (the contemporary Jurisprudence)*. Syria: Dar al-Fikr Dimashq.