

Repulsing aggression in Islamic jurisprudence comparative study

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Abstract

The aim of this thesis is to clarify the provisions related to the term of repulsing aggression in its comprehensive concept, and to explain how from a jurisprudential perspective, where the adopted methodology would be a comparative study, and the thesis came in five chapters:

Chapter one dealt with the concept of repulsing aggression in terms of language and terminology, and then the evidence of the legitimacy of this repulse, as well as the types of aggression and the means of repulsing it, and the parties on which this aggression may occur.

The second chapter studied how to repulse aggression against the sanctities of religion and rituals. This aggression, is either internal, through committing obscenities and abominable and manifesting them, or apostasy and deviant ideas, or, it might be external by the enemies of the nation, through impinge what is sacred and dear, such as insulting the Prophet Muhammad, or insulting Islam.

The third chapter studied the divisions of the world according to the Jurisprudents, where it is concluded that the world is divided into three parts: Dar al-Islam, Dar-al-Harb, Dar-al-A'hd, also the chapter explained the characteristics of each Dar, and how that characteristic changed, also it studied how to confront any aggression or occupation of Dar al-Islam or any part thereof, and the legitimacy of repulsing aggression against the allies of Dar al-Islam.

The fourth chapter studied how to repulse aggression against souls or honor of Muslims in Dar al-Islam, whether it is external aggression, or internal aggression. It also studied how to repulse aggression against Muslims living outside Dar al-Islam as minorities, in addition to studying how to repulse aggression against non-Muslim nationals of the state, who are dhimmis and those who need protection.

As for the fifth and final chapter, it studied how to repulse aggression on the private and public funds of Muslims, whether this aggression is external or internal. It also studied the repulse of aggression on private funds of non-Muslim nationals.

The study has been completed with a series of results, the most important of which are:

The concept of aggression is broad, as it includes (aggression against the sanctities of religion and rituals, aggression against the earth and its resources, or aggression against souls, or honor, or funds). In addition to the necessity of maintaining the home front in the state of Islam, and protecting it from the spread of abominations and obscenities and manifesting them, as well as addressing apostasy and deviant ideas, the immunity of the home front and its cohesion in this aspect, putting an end to the enemies of the nation, and also that the nation must protect Dar al-Islam and repulsing any aggression that might be faced in case any part of Dar al-Islam is occupied or partially occupied. The inhabitants of the occupied part must repulse the aggression with what is available, and the rest of the nation should help them according to proximity. As for

those who remain in the occupied part of the nation they must resist occupation and not to migrate as far as the rituals of Islam or most of them are held. The study has also come up with a set of recommendations, the most important of which are: do more research on contemporary calamities/catastrophes, and topics similar to the topic of this thesis since they are very important, where they have to do with the concerns of the nation directly. One of them is that the jurisprudents play their real and vital role in staying and highlighting the duties of whole nation (rulers and citizens), especially those that have to do with the important and central issues that our nation suffers from.