



## A Study of the Islamic State of Iraq and The Levant (ISIL, Daesh)'S Crimes from The Point of View of Islamic Shariah Law and in The Light of International Criminal Law

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### ABSTRACT

*The occupation of Mosul by ISIL (Islamic State of Iraq and the Levant) on June 2014 shook the entire world and made many to think about the identity of ISIL and its origin.*

*"It was He who expelled the unbelievers among the People of the Book from their homes into the first exile. You did not think that they would go out, and they thought their fortresses would protect them from Allah. But Allah came upon them from where they did not expect, casting terror into their hearts that their homes were destroyed by their own hands as well as by the hands of the believers. Therefore, take heed you that have eyes" (Holy Quran, Chapter 59 Exile: 2).*

*The above quoted verse is recited in one of the issues of ISIL's official magazine, Dabiq, as the general description of the group: The Believers by the hands of whom God destroys the Unbelievers' abode. On the pretext of execution of Islamic Commandments, ISIL has committed dreadful crimes such as Sinjar massacre of the men of the minority group of Izadis, and enslaving their women and children by referring to some verses of the Quran. In this article, we will try to study the approach of Islamic Shariah law concerning the non-Muslim minorities, and its compatibility with the attitudes taken by ISIL.*

**Keywords:** ISIL; Crime; Shariah.

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### INTRODUCTION

In the early days of August 2014, ISIL forces occupied Sinjar Area in northern Iraq the majority of population of which is Izadis. Many of them fled to Sinjar Mountains, and ISIL forced the remaining Izadis to choose between death and the conversion to Islam.

The Islamic State is claiming that it is a progeny of Early Islamic Caliphs. The ISIL introduces itself as the bearer of the good tidings of the future of Islamic Belief: "ye Muslims of the world keep your chins up-for God's mercy you will have one state, and one caliph who will restore your dignity, power, authority, and leadership."

Abu Bakr al-Baghdadi has been declared the Caliph of entire Muslim Nation by ISIL. He describes the present situation of the world as follows: "You, Nation of Islam! Today the world has been divided into two fronts and there is no third one: The

front of Islam and Faith, and the front of Disbelief and hypocrisy. (Unknown, Khilafah, vol.1, 2014, pp.6-12)". The Islamic State denies the right to choose between Belief and Disbelief, Right and Wrong. There is just one rule, i.e. whoever joins the front of Disbelief must repent and return to the front of Faith, otherwise s/he will be punished with the unsheathed sword, "Among the harmful ideologies which have infected people across the world, is the idea that man can personally choose to follow either Right or wrong. This ideology claims that nobody, no matter who he/she is, has the right to impose on others to obey a religion, or a certain set of morals, even if the religion or a moral code is a fact that has been revealed by God". Based on the belief that whenever people have been granted the right to choose, they have lost the trek, ISIL claims that in the Islamic State people have no right to choose (Al Kinanl, Abu amr, It's either the Islamic state or the flood, Dabiq, vol.2, 2014, pp.5-11).

### Genocide from the Point of View of international Criminal Law

The composition of documents that form the basic motives of the system which is supporting the rights of the minority

groups has a particular cause and background. Following the emergence of modern notions of state and nation, some problems about the supportive system of the minorities inside the newly-born states aroused. According to Will Kymlicka, the concept of European Colonialism was based on assumptions of the hierarchy of individuals which were quite popular in the Western world until the World War II. But now, we are living in a world where the concept of human equality, at least from a legal point of view, seems to be undoubted. The emphasis on the phrase of "at least from a legal point of view" is an expression of the novelty of notion of the support for human rights and this in turn reveals the necessity of its constant development and evolution. (Kovacevic, 2007, 1-3).

The issue of minority rights was propounded for the first time in 1814 in a congress that was held in Vienna on the destiny of German Jews and particularly the Polish Jews who had been lately isolated. The Congress expressed hopes that Peru, Russia, and Austria would be inclined to show toleration and support for the minority group, whose rights have been neglected through a systematic discrimination.

In Versailles Peace Conference (convened in January 1919, Paris), the Supreme Council established the Committee of New States and the Protection of Minorities. All the new states should have signed the conventions on the protection of minority rights as a pre-requisite of their diplomatic recognition. These conventions gave minorities the right to ask the UN General Assembly for adjudication.

One of the key objectives of the establishment of United Nations was the protection of minority rights that ensure the security and peace. The problems of the minority groups in the north-east Europe were among the main triggers for World War I. When the war was over, the world super powers' leaders decided to create an international community so as to protect the rights of the minority groups. Since the founders of United Nations believed that this will lead to the elimination of one the main causes of conflict and war, the plan for protection of minority rights evolved to universal programs of protection human rights initiated by UN and other international institutions. (Baldwin, Chapman, and Gray, 2007, pp. 4,5).

After World War II, individual rights were the main focus of attention for a long time until 1940 when the rights of the minority groups regained their importance. The rights of minority groups represent a legal framework designed to protect specific groups who are in a vulnerable condition or have been marginalized and they help them to achieve equality and be immunized against harassment and persecution. Convention on the Prevention and Punishment of the Crime of Genocide (1948) adopted by the General Assembly of the UN was the first international convention that was signed after World War II in the support of the minority groups against the risks of extinction. Special criminal courts in the former Yugoslavia and Rwanda were among the first courts which applied the contents of the convention.

International Covenant on Civil and Political Rights (1966) was the next document adopted by UN. The Article 27<sup>th</sup> of this covenant reads, "In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language". Then came the UN Declaration on the rights of the individuals belonging to national, racial, religious, and linguistic minority groups. The rights of the minority groups involve the support for the right to exist and immunity from discrimination, and persecution. The support for the group identity and participation in the political life belong to other rights being supported by the documents.

In 1992, the UN General Assembly issued a declaration in support of the rights of the minority group members including the right to exist, and the recognition of the national and ethnical groups.

On Sep.2, 1998, for the first time in the Special Criminal Court of Rwanda, the Convention on the Prevention and Punishment of the Crime of Genocide was enforced; Jean Paul Akayesu, former teacher, school inspector, and Republican Democratic Movement politician from Rwanda who served as mayor of Taba commune from April 1993 until June 1994, was convicted for committing the crime of genocide. Two days later, Jean Kambanda was the first Head of State convicted of committing the crime of genocide. Moreover, in the same year by the approval of the Statue of the International Criminal Court, the punishment of the committers of such crimes entered into a new phase.

### **Islamic State Ideology**

In the 7<sup>th</sup> issue of Dabiq - the official magazine of the ISIL- in an article entitled 'Islam is the religion of sword, not of peace' one reads: "God revealed Islam as the religion of sword. Its evidences are so clear that only an infidel can claim the contrary. Ali Ibn Abi Taleb states: "God's Apostle was sent with 4 swords: one sword for unbelievers (When the sacred months are over, slay the idolaters wherever you find them. Take them and confine them, then lie in ambush everywhere for them. If they repent and establish the prayer and pay the obligatory charity, let them go their way. Allah is Forgiving and the Most Merciful) (Holy Quran, Chapter 9 Repentance:5); One sword for the people of the book (Fight those who neither believe in Allah nor the Last Day, who do not forbid what Allah and His Messenger have forbidden, and do not embrace the religion of the truth, being among those who have been given the Book (Bible and the Torah), until they pay tribute out of hand and have been humiliated) (Ibid: 29); one sword for hypocrites (If two parties of believers fight, reform between them. If either of them is insolent against the other, fight the insolent one till they revert to the order of Allah. If they revert, reform between them with justice, and weigh with justice. Allah loves those who weigh with justice") (Holy Quran, Chapter 49 Al-Hujraat: 9) "Likewise the Messenger of God describes the sword as a

means for one's deliverance from evil and sedition, and also as the Key of Heaven. So why are the infidels stubbornly insisting that Islam is the religion of peace? One of the dubious matters that are preached by the apostates is the linguistic derivation of the word 'Islam'. They are claiming that Islam comes from Salam (peace), whereas it originates from words that mean obedience and purity. Their similar consonants (S, L, and M) constitute their roots".

To substantiate this notion of Islam, they quote Taymiyyah: "When his Lord said to him: 'Submit, ' he answered: 'I have submitted to the Lord of the Worlds' (Holy Quran, Chapter 2 Al-Baqara: 131). This verse has double meanings: its first meaning is obedience and subjection, and the latter one is devotion to God (Unknown, Islam is religion of sword not pacifism, Dabiq, vol.7, pp.20-24). The ISIL uses apocalyptic doctrine to invalidate the western values such as religious freedom. In second volume of Dabiq the freedom to choose between right and wrong is regarded as a harmful and polluted ideology which has been chosen and preached by those who have constantly betrayed Islam.

To keep the religion healthy and pure, the use of force is necessary. This dichotomy between right and wrong is characteristic of religious extremism. One of the authors of the second volume of Dabiq uses the example of Noah to justify this black and white mindset. The writer explains Noah's decision as regards choosing between making the arc (and so remaining faithful to Lord) and the deviation from truth which leads to punishment (getting drowned in the storm, and facing the fire of Hell on the Day of Judgment). He continues, "If the advocates of freedom to choose consider all these, they will find out that the storm was a clear evidence of the falsehood of choosing as such; the storm has been a consequence and by-product of disobeying the Truth..." Then, he continues to argue that the ISIL is similar to Noah's Arc: the Path of Salvation. The latter conclusion describes the title of the article "ISIL or Storm". Therefore, disobeying the Islamic State is the same as committing crimes against Islam and Muslims. The ISIL members believe themselves to be the only true Muslims. So, they have a very narrow view of being a Muslim. By defending ISIL, you will defend the true image of Islam and if you turn against it you have disobeyed Lord and Islam, and you are an infidel who deserves to be slaughtered. This way of thinking justifies the massacre of Sunnite Muslims by ISIL which is strongly prohibited by the Quran and Tradition.

In the fourth volume of Dabiq Islamic State mingles its takfiri ideology with a prophetic outlook to justify enslaving Izadis. According to the interpretation delineated in Dabiq, ISIL has clearly defined the foundations which may be used by the opponents (Dana Hadra, 2015, PP.95-99).

"Following the occupation of Sinjar Area in Nineva State, ISIL encountered a group of Izadis, a community of apostates who have been in Iraq and Levant Areas for a long time. Their uninterrupted presence in the region up to now is a subject that Muslims shall be asked about it on the Day of Judgment.

The reason is that the verse of Sword has been revealed 1400 years ago (When the sacred months are over, slay the idolaters wherever you find them. Take them and confine them, then lie in ambush everywhere for them. If they repent and establish the prayer and pay the obligatory charity, let them go their way. Allah is Forgiving and the Most Merciful) (Holy Quran, Chapter 9 Repentance:5).

"Before the conquest of Sinjar, the scholars of Islamic Shariah Law were ordered by the Islamic State to study the history of Izadis in Iraq. They were supposed to find out whether Izadis were apostates from the origin or they were Muslims who became infidels later. The scholars announced that this group dates back to the pre-Islamic era, but they have been Islamized by the Muslim community though they never converted to Islam or accepted to submit to Islam. The statement by the scholars became a framework for the ISIL to declare that Izadis are guilty of apostasy. In an article released by ISIL, it is claimed that Izadis should be treated in the way stated by the majority of jurists.

The writer continues in the following words "Contrary to Jews and Christians, paying tribute by Izadis is totally pointless. Their women can be enslaved unlike the apostate women who, according to the majority of jurists, cannot be enslaved; but rather, they are given an opportunity to repent; otherwise, the death by sword will be their punishment."

Then, the author explains ISIL's decision regarding enslaving Izadis along with a summary of the rules governing the good conduct of treating the slaves. For example, a mother should not be separated from her child; and, those who convert to Islam should be welcomed by Muslim community (unknown, The Revival of Slavery before the Hour, vol.4, pp. 14-17).

## B- Islam on the Use of Force

Islamic State recites some verses of Quran as well as a number of Prophetic Traditions as a means for justifying its acts. For example, it uses the fifth verse of Chapter 9 of Holy Quran to justify the killing of what it calls the apostate group. They put Izadis in the same group. In this part, we will try to assay those verses of Holy Quran that are concerned with the use of force as well as the Early Islamic era's events.

In 9 Hijra two independent injunctions were revealed about apostates and the people of the Book (Jews, Christians, and, Saeabis). It was said that fight and kill the apostates; but, if they converted to Islam, let them live. The above quoted fifth verse of chapter 9 of Holy Quran supports the theory of fighting against apostates.

When the sacred months are over, slay the idolaters wherever you find them. Take them and confine them, then lie in ambush everywhere for them. If they repent and establish the prayer and pay the obligatory charity, let them go their way. Allah is Forgiving and the Most Merciful.

The people of the Book were fought and slayed, but if they paid the ransom, they were granted safe conduct after their submission. The 29<sup>th</sup> verse of Chapter 9 of Holy Quran has been revealed in support of the fight against the people of the Book:

Fight those who neither believe in Allah nor the Last Day, who do not forbid what Allah and His Messenger have forbidden, and do not embrace the religion of the truth, being among those who have been given the Book (Bible and the Torah), until they pay tribute out of hand and have been humiliated.

Literal interpretation of these verses shows that Chapter 9: 5 obliges the Muslims to either force the apostates to convert to Islam or slay them that leads to genocide. Likewise, Chapter 9: 29 states that the Muslims are obliged to tame the people of the Book.

To begin with, we will study Chapter 9: 5, and 29 in their historical and Quranic contexts:

The verses 1-29 of Part 9 of Holy Quran were revealed in 9 Hijra (in October, AD 630) before the expedition to Tabuk. The Part 9<sup>th</sup> of Holy Quran speaks of what should be done if the enemy defeats the Faith due to betrayal. Part 9 does not lead to new regulations to use force. Part 9 describes three kinds of people: Apostates, people of the Book, and the Hypocrites (these who pretend to be Muslims, but they are not Muslims in heart). There were four kinds of apostates in Medina in 630. The first group was those who signed Hudaibiyyah Peace Treaty with the Prophet Muhammad in March 628, i.e. the Quraysh. One of the articles of the Treaty obliged the parties not to attack each other or their allies. The treaty allowed other tribes to join either parties of the treaty. The tribe of Bani Bakr joined the Quraysh while the tribe of Bani Qazaq joined the Muslims. By attacking Bani Qazaq, Bani Bakr violated the treaty; then, by giving assistance to its ally, Quraysh violated the **contents** of the treaty. Since the treaty was annulled, the Messenger of God left Medina for Mecca in 629 and conquered the city without any resistance. The second group of the apostates was those who signed a peace treaty with the Prophet for a definite period of time and did not violate the treaty, e.g. Bani Zamareh and Bani Medlaj. The third group was those who signed long term peace treaties with the Apostle. The first three verses address the first and second groups who had been granted 4 months of safe conduct (Ibid).

An acquittal from Allah and His Messenger to the idolaters with whom you have made agreements (Holy Quran, Chapter 9: 1).

For four months you shall journey freely in the land. But know that you shall not render Allah incapable, and that Allah will humiliate the unbelievers (Ibid: 2).

A proclamation from Allah and His Messenger, to the people on the day of the Grand Pilgrimage; 'Allah rejects, and His Messenger (rejects) the idolaters. So if you repent, that will be better for you; but if you turn your backs, know that you

cannot frustrate Allah. And give glad tidings to the unbelievers of a painful punishment (Ibid: 3).

The 4<sup>th</sup> verse of this chapter addresses Bani Zamareh and Bani Medlaj: except those idolaters who have fully honored their treaties with you and aided none against you. With these fulfill your covenant till their term. Surely, Allah loves the righteous.

The 7<sup>th</sup> verse addresses Bani Hazeh and Bani Kina who kept their agreement until their terms ended: "How can the idolaters have any treaty with Allah and His Messenger, except those with whom you have made treaties by the Sacred Mosque? So long as they are straight with you, so be straight with them. Allah loves the righteous."

The 5<sup>th</sup> verse addresses Quraysh who violated the Hudaibiyyah Treaty: "When the sacred months are over, slay the idolaters wherever you find them. Take them and confine them, then lie in ambush everywhere for them. If they repent and establish the prayer and pay the obligatory charity, let them go their way. Allah is Forgiving and the Most Merciful."

The 29<sup>th</sup> verse was revealed to address the people of the Book: "Fight those who neither believe in Allah nor the Last Day, who do not forbid what Allah and His Messenger have forbidden, and do not embrace the religion of the truth, being among those who have been given the Book (Bible and the Torah), until they pay tribute out of hand and have been humiliated."

The occasion of revelation of the verse 29 was a rumor forged by the Byzantines (Romans; People of the Book), who were planning to attack Saudi Arabia. After the revelation of this verse the Prophet gathered an army of 30000 soldiers and mobilized them towards Syria. They camped in Tabuk which was located on the borders of Byzance and waited for the Byzantines. The Byzantines attack did not occur but the Prophet signed some agreements with a number of Christian and Jewish tribes near the Gulf of Aqaba. The verses 30-129 were revealed after Tabuk Expedition, and addressed the Hypocrites who did not join Moslem Army, and other issues like the participation in true wars.

The revelation of verses 1-29 shows that they were supposed to turn to some specific groups, and to closely examine the backgrounds of their relationship with the Muslims at that time. These verses were not to establish new regulations for the use of force by replacing the previous verses. Whether the previous agreements were violated or not, the dissolution of an agreement meant that one side of the relationship in the agreement had been abolished, so a new relationship started, which was not agreed on. This did not mean that a new set of divine regulations have been set forth regarding the use of force or the former regulations are annulled.

One might argue that the verse 29 is not about the expansion of Islam via obligatory Jihad nor about annihilation of the people of the Book who have not converted to Islam, rather it is about paying tribute, a sign of political supremacy and sovereignty.

The verse addresses the Muslims of the Arab society in the 14<sup>th</sup> century. The verse does not address the Muslims in the 21<sup>st</sup> century. It asks them to go to the people of the Book while holding the Quran in one hand, and the sword in the other one to slay them if they refused the Quran (i.e. convert to Islam), or pay tribute. The verse 5 is about fighting the apostates - Quraysh- who violated their agreement with the Muslims. The verse does not directly address the modern Muslims (Shah, Niaz A, 2013, *The use of Force under Islamic Law, The European Journal of International Law*, vol.24, no.1, pp. 343-365).

The founding fathers of the theory of Initial Jihad are Sayyid Abul Ala Mawdudi and Sayyid Qutb, who have shaped the discourse on Jihad in the 20<sup>th</sup> century, and inspired many extremist Islamist groups like the Islamic State of Iraq and the Levant.

Mawdudi claims that Muslims have been chosen to serve humanity as a whole and the best way to do this service is to inform people of the necessity of doing good, and to prevent from doing evils. The good and the evil are based on his understanding of the instructions of True Islam. Mawdudi believes that "In fact Islam is neither a religion, nor the Muslims are a nation in the conventional sense of these terms. Islam, instead, is a revolutionary concept and ideology which seeks to change and revolutionize the world social order and reshape it according to its own concept and ideals" (Mawdudi, 1939, p. 5).

The defensive Jihad is to protect the Muslims and their power. He claims that one day Islam will prevail and be powerful enough. From that day on, the Muslims should fight to annihilate the evil from the earth, and to settle the Lord's governance. This may happen peacefully, or in case of need by the sword. This definition of Jihad is very primitive. In his view, Quran allows the Muslims to use sword for both objectives : ( to protect the Muslims and their power, 2) to use their force to annihilate evil from the earth, and to maintain Allah's governance.

According to Qutb, Jihad refers to the attempts to change people by using oral defense. However, one is also allowed to use military options to terminate a cruel system, and to execute the Islamic Justice. Islam is not substituting the vindictive actors of Allah by the missionaries. The mission of Islam is to annihilate -in case of need, by using force- the cruelty, the ethical chaos, the social disorder, and the exploitation...and to substitute the Evil by the Good. The attempts for expanding Islam may face some obstacles that have to be tackled (Shah, Niaz, A, 2013, *The use of Force under Islamic Law, The European Journal of International Law*, vol.29, no.1, pp.343-365).

Both Mawdudi and Qutb rely on the following verses to support their idea of aggressive jihad: "You are the best nation ever to be brought forth for people. You order honor and forbid dishonor, and you believe in Allah. Had the People of the Book

believed, it would have surely been better for them. Some of them are believers, but most of them are evildoers" (Holy Quran, Chapter 3: 110).

"Let there be one nation of you that shall call to righteousness, ordering honor, and forbidding dishonor. Those are the prosperous" (Chapter 3: 104).

"Those who, if We established them in the land, will establish the prayers and pay the obligatory charity, order with honor and forbid dishonor, and to Allah is the end of all affairs." (Chapter 22: 41).

Undoubtedly, Quran declares that Islam is a religion for all humanity. On the other hand, there is no doubt too that Quran orders its followers to preach the message of Islam to the entire world. However, the theory of initial Jihad and forcing the apostates either to convert to Islam or to face death- according to Mawdudi and Qutb- is not intelligible due to the following three reasons. Firstly, the contextual interpretation of the verses referred to by Mawdudi and Qutb, gives them a different meaning. The verses do not support the initial Jihad. Secondly, Islam has clear rules for its expansion, which do not involve the use of force. Thirdly, their interpretations are in contradiction with Quranic teachings of the armed confrontations based on the principle of neutrality.

The verses 104 and 110 of chapter 3 were revealed to compare Muslims with the People of Book who had forgotten their faith, and engaged in wars and conflicts. These verses actually refer to an ideal Muslim community: "You are the best nation ever to be brought forth for people. You order honor and forbid dishonor, and you believe in Allah. Had the People of the Book believed, it would have surely been better for them. Some of them are believers, but most of them are evildoers" (Chapter 3: 110).

The following two verses clarify the real meaning and context of this verse, especially the concept of enjoining good, and forbidding the evil.

"The believers, both men and women, are guides to each other. They order what is just and forbid what is evil; they establish their prayers and pay the obligatory charity and obey Allah and His Messenger. On these Allah will have mercy. He is Mighty, Wise" (Chapter 9: 71).

"Those who repent, those who worship Allah and praise (Him); those who journey, those who bow, those who prostrate themselves; those who order righteousness and forbid evil, and those who observe the limits of Allah give glad tidings to the believers" (Ibid:112).

The maxim of enjoining good, and forbidding evil is for the Muslims in relation to other Muslims in an Islamic society to avoid the situation of the people of the Book, which was referred to by Holy Quran, Chapter 3 :110. For example, as to

the People of Book, Quran reads: They did not forbid one another from the wrongdoing they were committing. Evil is what they were doing (Chapter 5: 79). Mawdudi and Qutb apply this principle to non-Muslims; also, it means that the Islamic regulations of good and evil involve the non-Muslims. However, one of the norms in Islamic Shariah Law is that Islamic regulations are only applied for the Muslims. For example, in Pakistan the Order (of performing Measures) of 1979 prohibits drinking alcohols for the Muslims, not for the non-Muslims.

By the same token, Quran supports the freedom to choose religion; and presents some regulations for the expansion of Islam and its process. Quran has established a general rule on the lack of the use of force in choosing the religion. "Call to the Path of your Lord with wisdom and fine admonition. Dispute with them in the best manner. Your Lord is well aware of those who have gone astray from His Path and He is well aware of those who are guided"(Chapter 16: 125). Quran proceeds on and establishes some instructions for the preaching missionaries of Islam. After preaching the message of Lord in the best manner, Allah addresses the Prophet in the following words "Say: 'This is the truth from your Lord. Let whosoever will, believe, and whosoever will, disbelieve it.' For the harmdoers, We have prepared a Fire, the pavilion of which encompasses them. When they cry out for relief, they shall be showered with water as hot as molten copper, which will scald their faces; how evil a drink, and how evil a restingplace!" (Chapter 18: 29). Therefore, the Quran has acutely explained the different steps of the religious invitation: a) There is no grudge in the religion, b) the call has to be done wisely and in the best way, c) after the invitation the people are free to decide-to choose they are believers or not (Shah, Niaz A, 2013, The use of Force Under Islamic Law, The European Journal of International Law, Vol.24, no.1, pp.343-365).

### CONCLUSION

Today, many groups resort to Islamic Doctrines to justify their activities, and declare themselves the executors of these doctrines in modern times. This is why one reads in Quran that by reading the Holy Book some are guided, and some go astray. According to Rumi, the Quran is like a rope by which one can either enter a will, or exit it:

For many have been led astray by the Quran: by (clinging to that rope a multitude has fallen into the well. / There is no fault in the rope, O perverse man, inasmuch as you had no desire for (reaching) the top (Spiritual Couplets, Book Three: 4210-4211).

The thing that is of paramount importance here is providing a correct interpretation of Quran, and clarification of actions of Early Muslims. As we have seen, e.g. ISIL uses Chapter 9: 5 to justify its cruel actions against Izadis while by studying the verse in its historical context, we realize that the verse is not

about issuing a general rule, and it addresses a specific group in a specific time.

However, the story does not end here. It cannot be claimed that Islamic Dogmas are in full compliance with the modern law. For example, we believe that enslaving people by ISIL is in contradiction with Islam, because we believe that Islam has not issued an order of initial war against apostates. However, on the case of a war against apostates, where the war is legitimate according to the Islamic law of war, enslaving the enemy is regarded as legitimate. Here, the role of the Islamic scholars becomes important. They should use the authority Islam has bestowed on them. Almost all the extremist Islamic groups have followed the instructions by their Islamic scholars. For example, Islamic State is inspired by Ayatollah Mawdudi who believes that war for the expansion of Islam is legitimate. On such subjects, the Islamic Shariah Law has given the Muslims some authorities to act according to the requirements of the time; and, it seems that this requires the best attentions of the Islamic scholars, prior to that the name of Islam becomes identical with wars and massacres.

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