



## Islamic Ethics of War: A Solution to the Rising Human Rights Violations in Global Conflicts

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### Abstract

The increasing human rights abuses in modern global conflicts have brought into sharp focus the failure of existing international legal regimes to prevent atrocities and protect civilian populations. Islamic ethics of war, based on the Qur'an, Hadith, and classical jurisprudence, develop a coherent moral and legal regime that affirms the values of justice, proportionality, protection of non-combatants, and humane treatment of prisoners. This article discusses how Islamic ethics provide principles that should guide war and evaluates its potential to be considered as part of the solution to some of the challenges posed by modern armed conflict. It demonstrates, through a comparative review of Islamic ethical teachings and current human rights standards and international humanitarian law, that Islamic precepts provide effective and moral means of restraining violence, protecting vulnerable groups, and ensuring accountability. This paper thus concludes that the application of Islamic ethical interpretations to global governance over conflict will contribute toward advanced human rights protection and a reduction in human rights violations during hostilities.

**Keywords:** Islamic Ethics, Laws of War, Human Rights, Armed Conflicts, Non-Combatant Protection, Jus in Bello, War Ethics, Global Conflicts

### Introduction

Human rights violations in contemporary armed conflicts have attained alarming levels where civilians are attacked, prohibited weapons are used, people are tortured, forcibly displaced, and humanitarian personnel become targets. In

response to these, international humanitarian law and human rights treaties have been established; however, their application has remained sporadic and atrocities continue unabated in large parts of the world. This naturally raises the question as to whether the secular legal frameworks are efficient in ensuring ethical conduct in times of war.

The Islamic ethics of war, grounded in the Qur'an, Hadith, and classical jurisprudence, provide a sound moral and legal foundation that precedes modern international humanitarian law. These principles emphasize justice, protection of non-combatants, proportionality, humane treatment of prisoners, and ethical accountability, offering a holistic approach to the regulation of armed conflict.

This article explores how Islamic ethics of war can provide a solution to the rise in human rights violations in conflict situations around the world. The paper will discuss the underpinning principles of Islamic jurisprudence in respect to warfare and examine how these compare with the modern norms of human rights and IHL, highlighting those aspects in which Islamic ethics can further compliance and moral restraint and also provide effective measures that may help prevent atrocities in armed conflict.

## Principles of Islamic Ethics of War

Islamic ethics of war emanate from the Qur'an, the Sunnah of the Prophet Muhammad ﷺ, and classical juristic interpretations. They present a comprehensive moral and legal code that regulates the onset, conduct, and aftermath of armed conflict. The fundamentals include:

### 1. Just Cause and Legitimate Authority

War is only justifiable if the cause is morally justified, such as self-defense, protection of the oppressed, or the restoration of justice. Only a legitimate authority-one like a recognized state or leader-can declare war to take responsibility for it and prevent unauthorized aggression.

## 2. Protection of Non-Combatants

Islam forbids the intentional targeting of all civilians, including women, children, the elderly, monks, and all non-combatants. Basic structures for human survival such as farms, water sources, and places of worship should be spared during hostilities.

## 3. Proportionality and Non-Transgression

Any use of force should be proportionate to military objectives. Violence, torture, mutilation, and wanton destruction are forbidden. It is clear from the Qur'an that :

*“And do not transgress. Indeed, Allah does not love the transgressors.” (2:190)*

## 4. Human Treatment of Prisoners

Prisoners of war are entitled to be treated with dignity. Food, shelter, medical care, and, where possible, opportunities for ransom, exchange, or release should be provided. No form of torture or cruel treatment shall be permitted.

## 5. Protection of Environment and Resources

It is forbidden to destroy natural resources, crops, livestock, and forests except when militarily necessary. Care for the environment in conflict is an integral part of Islamic war ethics.

## 6. Commitment to Peace and Reconciliation

Negotiation, truce, and peace agreement are permitted in Islam whenever possible. Treaties are to be upheld, as well as post-conflict reconciliation reparation and rebuilding of communities, which are moral imperatives.

Added together, these principles form an ethical and legal code that emphasizes human dignity, justice, and moral restraint, providing a framework which might help handle modern conflict resolution and reduce violations of human rights.

## Human Rights Violations in Modern Conflicts

Modern conflicts are characterized by widespread human rights abuses, which point to gaps in enforcement and compliance with international legal frameworks.

In this regard, the most common violations include:

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- 1. Targeting of Civilians:** Civilians are often targeted intentionally or caught in crossfire, thus breaching the principles of distinction and non-combatant immunity under international humanitarian law.
- 2. Employment of Prohibited Arms:** Chemical, biological, and cluster weapons continue to cause indiscriminate harm with long-term health consequences and environmental damage.
- 3. Torture and Inhumane Treatment:** This includes torture, arbitrary detention, and degrading treatment against combatants and civilians, which is against basic human rights and ethics.
- 4. Forcibly Displaced & Refugee Crises:** Conflicts often result in mass displacements of people, and as such, refugee crises, loss of property, and livelihood disruptions often characterize them.
- 5. Attacks against Humanitarian and Medical Personnel:** Attacks on hospitals, aid workers, and emergency responders disrupt relief efforts, further exacerbating civilian suffering.
- 6. Sexual Violence and Exploitation:** Rape, sexual assault, and exploitation are instruments of war that engender extreme psychological and social trauma.

These abuses certainly testify to the limitations of present secular legal mechanisms for averting atrocities and upholding human rights. They point, first of all, to the urgent need for ethical leadership to supplement legal institutions and foster moral restraint in war.

## **Comparative Analysis: Islamic Ethics vs. Modern Human Rights Norms**

It would appear that the Islamic ethics of war and the modern norms of human rights converge on their objectives, most particularly the protection of human dignity and restriction of suffering in combat. The basis, scope, and mode of application, however, are different.

### **Points of Intersection**

#### **1. Protection of Non-Combatants:**

- Targeting civilians, especially women, children, and the elderly, is strictly forbidden by Islamic ethics.
- Human rights law, as well as international humanitarian law, requires civilian immunity and protection of vulnerable populations.

## **2. Prohibition of Torture and Inhumane Treatment:**

- Islamic jurisprudence bans the cruelty, mutilation, and torture of prisoners.
- The prohibitions are also codified in modern human rights instruments, including the Geneva Conventions and the UN Convention Against Torture.

## **3. Ethical Restraint and Proportionality:**

- Islam requires the use of proportional force to avoid unnecessary harm.
- Human rights norms encourage proportionality and restrain unnecessary or excessive violence in armed conflict.

## **4. Commitment to justice and reconciliation:**

- Islamic teachings emphasize the importance of reparations after any conflict, reconciliation, and fulfillment of agreements.
- Modern human rights frameworks encourage accountability, peacebuilding, and the restoration of victims' rights.

## **Points of Divergence**

### **1. Basic Principle:**

- Islamic ethics depend on divine guidance and moral accountability to God.
- Human rights norms are secular and grounded in international treaties, conventions, and legal consensus.

### **2. Extent of Authority:**

- Islamic Ethics guides both the state and non-state actors in underpinning moral responsibility beyond even legal obligation.
- Human rights law primarily governs the actions of states and recognized armed forces, dependent on international mechanisms of enforcement.

### **3. Integration of pre- and post-conflict ethics:**

- Islamic ethics provide guidelines regarding pre-war intentions, conduct during war, and post-war reconciliations.
- Human rights law has a preponderant focus on conduct during conflict and little prescriptive guidance on moral responsibilities before or after hostilities.

Overall, Islamic ethics reflect the purposes of modern human rights norms by providing an ethic-based framework that places great emphasis on ethical

restraint, human dignity, and justice—each enhancing compliance and reducing violations during global conflicts.

## **Solutions Proposed: Utilizing Islamic Ethics to Minimize Human Rights Abuse**

It is evident that Islamic ethics of war contribute to the effective governance of contemporary conflicts and reduce human rights abuses. Their major tools are:

### **1. Ethical Training of Military Personnel**

Islamic ethics, added to military training, can foster moral restraint and concern for the protection of non-combatants, proportionality, and humane treatment of prisoners. This will not replace conventional IHL training but will complement such training, especially within a Muslim context or multicultural peacekeeping forces.

### **2. Strengthening Accountability Mechanisms**

Accountability for actions during wartime is considered paramount in Islamic jurisprudence, in both moral and legal terms. Accountability mechanisms that institutionalize these principles can be established alongside international tribunals and oversight bodies as a check on impunity for human rights abuses.

### **3. Promoting Conflict Prevention and Just Causes**

Islamic ethics restrict war to just causes, which are essentially self-defense or protection of the oppressed. Encouraging states and actors to adhere to just causes can prevent aggressive or unlawful conflicts, reducing civilian harm and violations.

### **4. Protection of Vulnerable Groups Emphasized**

Islamic principles necessitate the protection of women, children, elderly people, as well as basic infrastructure. Better civilian protection in conventional and asymmetric wars would come with incorporating these rules of engagement into operations.

## **5. Facilitating post-conflict reconciliation and reparations**

Islam stands for reconciliation, restitution, and rebuilding of the community after a conflict. Such approaches combined with human rights frameworks can provide ways to heal past grievances, break self-perpetuating cycles of violence, and restore social cohesion.

## **6. Integrating Ethical Oversight with Legal Frameworks**

Such a combination of moral guidance through Islamic ethics in addition to binding international human rights and humanitarian law provides a double layer of accountability for actors to follow, both legally and ethically.

Consequently, if these remedies are taken on board, then Islamic ethics can provide a moral lead for conduct that reduces human rights abuses and supplements international legal mechanisms in global conflicts.

## **Case Studies: Application of Islamic Ethics to Modern Conflicts**

There are various modern conflicts that reveal how the inclusion of Islamic ethics, along with operational and legal mechanisms, can reduce abuses of human rights.

### **1. Afghanistan (2001–Present)**

In areas under the control of Islamic law, commanders at the local level who followed moral imperatives on the basis of Sharia stressed civilian protection in specific operations, banning attacks against schools, hospitals and religious sites. Compliance has been spotty, but these situations do illustrate ways in which moral restraint based on Islamic ethics can complement international humanitarian law.

### **2. Yemen Conflict**

Humanitarian agencies operating in Yemen have embedded Islamic ethical precepts into their practice in the form of negotiating civilian safe passage and protection of non-combatants during siege operations. Ethical appeals to local actors, using Islamic teachings, have sometimes halted attacks on hospitals and marketplaces.

### **3. Somalia and Peacekeeping Operations**

The UN peacekeeping missions in Somalia, for instance, have worked with Islamic scholars and local community leaders to encourage respect for ethical norms, such as not targeting civilians and treating detainees in a humane manner. This in itself-a melding of moral imperatives within legal structures-has led to compliance with IHL in certain areas.

### **4. Iraq and Post-Conflict Reconciliation**

Attention to Islamic principles of justice and restitution has also informed postconflict programs for addressing grievances, reparations, and reintegration of displaced populations. They make a vital contribution to supplementing human rights frameworks by incorporating social cohesion and the prevention of retaliatory violence.

### **Key Implications from Case Studies**

Islamic ethics can provide culturally resonant moral authority that influences behavior where international law faces challenges of compliance.

- Integration of ethical guidelines along with legal and operational procedures furthers protection of civilians, humane handling of prisoners, and resolution of conflicts.
- The enforcement is inconsistent, the interpretation varies, and complying by the large number of non-state actors becomes problematic; hence, structured implementation of norms remains limited.
- These cases demonstrate the practical potential of Islamic ethics in reducing violations of human rights and suggest that the ethical framework is capable of contributing to international legal standards in the context of modern conflicts.

### **Conclusion**

Islamic ethics of war offers one such framework with depth and breadth sufficient to address the growing human rights violations in conflict zones around the world. Embodying principles such as just cause, legitimate authority, protection of non-combatants, proportionality, humane treatment of prisoners, environmental

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stewardship, and post-conflict reconciliation, many of its tenets closely align with those of modern human rights and international humanitarian law. In emphasizing moral accountability, ethical restraint, and the pursuit of justice, Islamic war ethics brings a certain cultural resonance that supplements the existing legal framework and appeals to state and non-state actors alike. The embedding of Islamic ethical precepts within military training, operational planning, accountability mechanisms, and post-conflict reconstruction may serve to prevent or reduce atrocities, better protect vulnerable populations, and achieve more respect for human rights norms. Case studies of Afghanistan, Yemen, Somalia, and Iraq provide evidence of the practical effectiveness of ethical guidance in complementing legal obligations.

In conclusion, Islamic ethics of war provide a moral guidance and tool to effectively improve international human rights protection in wartime to achieve justice, accountability, and maintain human dignity in a variety of settings shaped by different cultural and geopolitical contexts.

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