-First and last name, 10/21/2015

* Ibin Rushd, The Book of Jihad
* Never mind This

**Who is preferred to go to Jihad and who isn’t?**

According to Ibin Rushd the hokum of Jihad is very clear to people since prophet Mohammed (peace be upon him) has showed it to all Muslims in details.

**Will Muslims be asked on Judgment day why they didn’t fight who hasn’t paid jiziyah or converted to Islam according to sourat Altoubah?**

The verse on sourat Altoubah was a timely hukam for Muslim to fight the Greek and Jewis in Medina who were fighting them and it wasn’t a general statement for all times.

* **The Elements of Arkan of War**
* The first element is to identify the hokum of the problem and the person it concerns.
* The second is about identifying who should be fought and who shouldn’t.
* The third element is about identifying the person who are allowed to harm and who aren’t allowed to be harmed.
* The fourth element is about identifying to lawful condition of war.
* The fifth element is about identifying the number of opponent who Muslim can’t retreat from.
* The sixth element is about identifying if truce can be done or not
* The seventh element is about identifying the reason for the war.
* **Identification of the hokum of this activity**
* It is agreed that it is a collective not a universal obligation
* Some say it is a voluntarily obligation.
* It is obligatory for men who are:
* Free from slavery
* Attained puberty
* Healthy
* There are disagreements about men who have their parent alive
* There are disagreement about men who have debts
* **Identification of the person who to be fought**
* It is agreed that person to be fought are mushriks
* **Identification of the person who are permitted to be harmed**
* Harm can be done for life, property or personal liberty
* Harm can’t be done to monks
* There are disagreement about safe conduct to salves and women
* There are disagreement about execution after captivity
* There are disagreement about hermit older people and women
* **Identifying the condition of Declaration of war**
* Sending a message of invitation to Islam
* **Identification of the number of the enemy who retreating against is permitted**
* Double the number of Muslim fighters
* Have better training or weapons or strength
* **The permission for truce**
* Some say it is to what the imam says
* Others say if it is a necessity
* Duration of truce is not to exceed one year
* **The reason for war**
* Converting enemy to Islam
* Paying the Jiziyah

Islam have categorized war with different elements and showed the reasons for it and what to do in war. Islam has identified seven different element of war. The first element is concerned about identifying the hokum of a specific activity and whom it may relate to. The second element is trying to identify the person that can be fought form the person that cannot be fought by showing verses of Quran and prophet Mohammed’s (peace be upon him) saying that can differentiate them. The third element is about showing in times of war, who can Muslim hurt and try to kill and who can’t be killed. The fourth element is deciding the condition of declaration of war. The fifth element is identifying the number of opponent who Muslim can’t retreat from. The sixth element is identifying the possibility of a truce and it’s duration. The seventh is showing the reason of engaging in a war.

Identifying the hokum of a certain activity has different sets of rules. The first ruled that the jurists agreed on is that it a collective not a universal obligation to engage in war. However, Abd Allah Ibin AlHasan think that engaging in war is voluntary. In addition, it’s thought to be a communal obligation, meaning that if some did it the rest are not obligated to do it. It is obligated for men who are free and attainted puberty and who are able to do it by being healthy and not ill and not having any chronic diseases.

Identifying who should Muslim fight is very simple. It is agreed that Muslim should fight Mushriks. However, there is some exceptions according to prophet Mohammed’s (peace be upon him) saying to leave the Ethiopians and the Turks alone unless they start a war against you.

To identify whom Muslim can harm and Muslim cannot harm undergo a lot of rules that some Muslims debates on. Muslims are permitted to harm an enemy’s life, property or personal liberty, which is enslavement and ownership. Enslavement can be done to men and women but not monks, and some say monks are to be left alone without capturing them because of the saying of the messenger of Allah (peace be upon him) to leave them to whom they devoted themselves for, and it is also because of what the companion Abo Bakar did. There is disagreement of what Muslims should do of the captured men and whether they should kill them or not.

Sending a massage before engaging in war is condition of declaration of war. Muslims are not permitted to start a war before sending a letter asking the enemy to convert to Islam.

To identify if Muslim can retreat against the enemy, Muslims have to be fighting against double the number of Muslim fighters or the enemy must have a better training or weapons or any kind of strength.

Muslim have disagreements about when can they ask for a truce. Some say whatever the imam decides but some other says Muslim can’t ask for a truce unless it is necessity. On the other hand, it is agreed that the duration of a truce must not be more than a year.

 The reason for fighting People of the Book is converting them to Islam or paying the jiziyah