



Protection Towards Cultural Heritage in Armed Conflict: A Comparative Study of Islam and Christianity

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Abstract

Research Objective: This study aims to provide a comprehensive examination of challenges in articulating ethical approaches to heritage preservation within Islamic and Christian contexts, exploring how religious teachings inform cultural protection frameworks. **Research Method:** The research employed a doctrinal methodology, analyzing Islamic jurisprudential sources and Christian ecumenical council doctrines to understand each tradition's perspective on cultural heritage protection and preservation ethics. **Results:** The investigation reveals that neither the Qur'an nor the Bible explicitly mandates cultural heritage protection. However, Islamic teachings, particularly through the traditions of the Prophet Muhammad, emphasize respect for and conservation of cultural heritage. Christian denominations adhering to ecumenical councils adopt more liberal approaches, viewing heritage protection as the preservation of liturgical truth, divine concepts, and sacred icons. **Findings and Implications:** The study identifies two key challenges: Islam faces difficulties in comprehensively capturing the full scope of heritage preservation phenomena and contends with existing biases in related scholarship, while Christianity exhibits more flexible interpretations that connect heritage protection to spiritual preservation. These findings suggest that both religions provide implicit ethical foundations for cultural heritage protection. **Conclusion:** While cultural heritage protection is recognized as customary international law and its violation constitutes a war crime under the Rome Statute, Islamic and Christian perspectives offer distinct yet complementary ethical frameworks that can strengthen preservation efforts, contributing valuable religious dimensions to the international protection discourse. **Contribution:** This research advances comparative theological analysis within heritage studies by bridging religious ethics with international cultural protection frameworks and addressing gaps in religion-based preservation

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approaches in contemporary scholarship. **Limitations:** The study focuses exclusively on two major religions and relies solely on doctrinal methodology, potentially overlooking practical implementations and contemporary challenges in heritage protection. **Suggestions:** Future research should include additional religious perspectives, incorporate empirical methodologies to examine practical applications, and develop comprehensive frameworks that address identified biases while exploring concrete case studies of religious principles in cultural heritage protection.

Introduction

At certain points between their inception and the attainment of widespread influence, religions came to be perceived as largely disengaged from the status quo and political affairs. This perception led some scholars to argue that, in the evolution of secular economic theories, religions would eventually become irrelevant. However, they could not have foreseen the remarkable resurgence of religion's social role in contemporary society.¹ Between 1975 and 2015, data on armed conflicts between governments and rebel groups indicate a persistent tendency for people to wage war in defense of what they regard as divine.²

Table 1. Different Types of Religions Claim, cr. Svensson and Nilsson Religion and Armed Conflict (RELAC) Data

Type of Religious Insurgency Claims	Examples of Groups
Islamist	
Separatist Islamist	Hamas (Israel–Palestine), MILF (the Philippines)
Revolutionary Islamist	GIA (Egypt), AIS (Algeria)
Transnational Islamist	Al-Qaida, IS
Secularist	
Separatist secularist	LTTE (Sri Lanka), KIO (Myanmar)
Revolutionary secularist	CPN-M (Nepal), MEK (Iran)
Evangelist	
Separatist evangelist	NLFT (India), BDK (DRC)
Revolutionary evangelist	LRA (Uganda), forces of Paul Joseph Mukungubila (DRC)
Other religious claims	
Sikh separatist	Sikh insurgents (India)

Note: For all group names, see our data set. LRA = Lord's Resistance Army; IS = Islamic State; MILF = Moro Islamic Liberation Front; GIA = Armed Islamic Group; AIS = Islamic Salvation Army; LTTE = Liberation Tigers of Tamil Eelam; KIO = Kachin Independence Organization; CPN-M = Communist Party of Nepal - Maoist; MEK = Mujahideen e Kalq; NLFT = National Liberation Front of Tripura; BDK = Bundu-dia-Kongo; DRC = Democratic Republic of Congo.

It has been observed that Islamist groups generally advocate for a more prominent role of Islam in public life, a stance also shared by many Evangelical Christians in their own contexts. Conversely, some separatist Islamists and separatist Evangelicals adopt a more secular orientation, calling for a clear separation between state law and religious practice. Among Islamist movements, transnational Islamists are often regarded as the most radical proponents of Islamic

¹ Roger Williamson, "Why Is Religion Still a Factor in Armed Conflict?" *Bulletin of Peace Proposals* 21, no. 3 (1990), 243–53, <https://doi.org/10.1177/096701069002100301>

² Isak Svensson and Desirée Nilsson, "Disputes over the Divine," *Journal of Conflict Resolution* 62, no. 5 (2017), 1127–1148 <https://doi.org/10.1177/0022002717737057>



supremacy. In both faith traditions, “Revolutionary Secularists” are also perceived as confrontational, as they tend to call for an entirely new national ideology.³

The core distinction among these groups lies in their differing interpretations of faith—specifically, how each understands or seeks to influence others’ understanding of the tenets of belief. This divergence shapes their positions on the legitimacy of warfare in defense of religion and their views on its potential consequences. According to the Qur’an, the primary source of Islamic law, war is generally deemed unjust unless waged in self-defense or to liberate oneself from oppression. The *ḥadīth* literature also outlines clear rules regarding armed conflict, prohibiting acts such as torture and the infliction of unnecessary suffering.⁴ Over time, Islamic jurisprudence (*fiqh*) has developed within various schools of thought, producing diverse perspectives. Radical interpretations sometimes claim that certain Qur’anic verses promoting peace and prohibiting offensive warfare have been abrogated, thereby justifying war against non-believers.⁵

In contrast, other schools of thought have incorporated principles of proportionality and responsiveness to contemporary circumstances. A notable example is the precedent set by *Abū Bakr al-Ṣiddīq*, who, during a battle with *Banū al-Naḍīr* initiated by the Prophet Muhammad,⁶ prohibited the cutting and burning of trees. This ruling is often cited as an early instance of environmental protection in armed conflict, predating similar principles in modern international humanitarian law.⁷ Islam is characterized by a plurality of interpretative traditions, giving rise to ongoing debates over its teachings. A rigorous scientific methodology exists for assessing the authenticity of *ḥadīths*, tracing their chain of transmission (*isnād*) to determine whether they are sound or fabricated. Likewise, Qur’anic interpretation varies across traditions: Sunni Islam emphasizes consensus (*ijmā’*) and leadership under a Khalīfah; Shia Islam accords authority to the Prophet’s descendants; and the Hanafi school of thought prioritizes logical reasoning, employing concepts such as *istiḥsān* (juridical preference) and *maṣlaḥah al-mursalah* (public interest) to reach nuanced legal and ethical conclusions.⁸

Different schools of thought exist regarding the interpretation of the Qur’an, leading to diverse approaches. Among the largest are: Sunni Islam, which values consensus (*ijmā’*) and elects a head of state known as the Khalīfah; Shia Islam, which bases its interpretation on the teachings of a descendant of Prophet Muhammad;⁹ and the Hanafi school of thought, which places significant emphasis on logical reasoning in interpreting religious principles. This latter approach often incorporates concepts such as *istiḥsān* (juridical preference) and *maṣlaḥah al-mursalah*

³ Isak Svensson and Desirée Nilsson, “Disputes over the Divine.

⁴ Fajri M Muhammadin, “Fiqh Al-Jihād in the Contemporary World: Addressing the Gaps in the Regulations on the Means and Methods of Warfare” Thesis (2020), 11, <https://www.researchgate.net/profile/Fajri-Muhammadin/research>

⁵ BBC News, “[Archived] BBC - Religions - Islam: War,” www.bbc.co.uk (2009), <https://www.bbc.co.uk/religion/religions/islam/islamethics/war.shtml#:~:text=Islam%20allows%20war%20in%20self>

⁶ Ibn Rushd’s, *The Distinguished Jurist’s Primer (Vol 1)*, trans. Imran A. N. Khan, Reading: Garnet, Cop., Rist (2000).

⁷ Fajri M Muhammadin, “Fiqh Al-Jihād in the Contemporary World: Addressing the Gaps in the Regulations on the Means and Methods of Warfare” Thesis (2020), 11, <https://www.researchgate.net/profile/Fajri-Muhammadin/research>

⁸ Masrukhin Muhsin, “*Studi Kritik Matan Hadis*”, A-Empat (2017).

⁹ M. Cherif Bassiouni, “Schools of Thought in Islam,” Middle East Institute (2012), <https://www.mei.edu/publications/schools-thought-islam>



(consideration of public interest), contributing to a nuanced understanding of Islamic teachings.¹⁰

Christianity also encompasses a wide variety of biblical interpretations. It is widely recognized that about half of all Christians globally identify as Catholic. Data from Statistical (2010)¹¹ placed this figure at approximately 50.1%, while *World Atlas* (2018) reported it to be around 40%.¹² Most studies agree that roughly half of the Christian population is Catholic.¹³ The second-largest group is generally considered to be Protestants, who comprise around 30–40% of Christians worldwide. Protestantism traces its origins to Martin Luther's Ninety-Five Theses and his critiques of certain Roman Catholic Church practices, which he believed deviated from God's intentions during the 1500s.¹⁴

Martin Luther's movement was supported by figures such as John Calvin, Huldrych Zwingli, and Oliver Cromwell, who advanced the reformist discourse and established distinct denominations within Protestantism.¹⁵ Collectively, these denominations are grouped under the broad label of Protestantism,¹⁶ although debates continue over whether the Anglican Church should be considered part of it. By the early 21st century, Lutheranism, the denomination directly rooted in Martin Luther's original protest, had become the second-largest Protestant branch after the Baptist churches.¹⁷ Given its pivotal role in challenging Catholic doctrines, Lutheranism is essential for understanding Protestant identity. While Catholicism relies heavily on centralized interpretation from the Vatican, Lutheranism emphasizes individual conscience in matters of faith. Despite these differences, contemporary teachings in both traditions generally advocate for peace and stability within their communities.

The coexistence of diverse interpretative methods within the same religious tradition is a complex phenomenon. Some progressive adherents reconcile their beliefs with contemporary knowledge and social conditions, adopting new norms that do not conflict with core teachings. Conversely, rigid and traditional interpretations sometimes prevail, and when enforced strictly,

¹⁰ Maslaha, "SCHOOLS of ISLAMIC LAW," Maslaha, n.d., <https://www.maslaha.org/UntoldIslam/In-depth/SCHOOLS-OF-ISLAMIC-LAW>

¹¹ Statista Research Department, "Christianity - Denomination of Christian Population Worldwide in 2010," Statista (2011), <https://www.statista.com/statistics/214718/denomination-of-christians-worldwide/>

¹² WorldAtlas, "Largest Christian Denominations in the World," WorldAtlas (2018) <https://www.worldatlas.com/articles/christian-denominations-by-the-numbers.html>

¹³ Antal Birkás, "The Protestant Reformation: Origins, Impact and Heritage," *Polgári Szemle* 14, no. Special Issue (2018), 424–34, <https://doi.org/10.24307/psz.2018.0427>

¹⁴ American Humanist Organization, "Protestantism," November 2016, <https://americanhumanist.org/wp-content/uploads/2016/11/christianity.pdf>. W. Owen Chadwick and James C Spalding, "Protestantism | Origin, Definition, History, Doctrines, & Facts," in *Encyclopedia Britannica*, May 24, 2019, <https://www.britannica.com/topic/Protestantism>.

¹⁵ Robert Dudley Woodberry and Timothy S. Shah, "The Pioneering Protestants," *Journal of Democracy* 15, no. 2 (2004), 47–61, <<https://doi.org/10.1353/jod.2004.0037>> ; W. Owen Chadwick and James C Spalding, "Protestantism | Origin, Definition, History, Doctrines, & Facts," in *Encyclopædia Britannica*, May 24, 2019, <https://www.britannica.com/topic/Protestantism>. Antal Birkás, "The Protestant Reformation: Origins, Impact and Heritage," *Polgári Szemle* 14, no. Special Issue (2018), 424–34, <https://doi.org/10.24307/psz.2018.0427>

¹⁶ WorldAtlas, "Largest Christian Denominations in the World," WorldAtlas (2018) <https://www.worldatlas.com/articles/christian-denominations-by-the-numbers.html>

¹⁷ Hans J Hillerbrand, "Lutheranism | Definition, Beliefs, History, & Facts," in *Encyclopedia Britannica* (2018, <https://www.britannica.com/topic/Lutheranism>.



can lead to unjust conflicts.

This paper examines doctrinal writings, particularly those related to armed conflict, and compares how different religious groups interpret them. It seeks to answer the following key questions: 1) How do various religions understand armed conflict and the protection of culture and heritage within their basic doctrinal frameworks? 2) Based on the International Criminal Court's verdict in *Prosecutor v. Ahmad Al Faqi Al Mahdi*, what discrepancies exist between Al Mahdi's interpretation and Islamic doctrinal views on armed conflict and heritage protection? And 3) How did Al Mahdi justify his destruction of historic monuments and buildings?

Methods

This study employed a doctrinal research methodology, complemented by a historical analytical approach, to examine Islamic and Christian perspectives on the protection of cultural heritage. Doctrinal methodology was selected for its capacity to systematically interpret religious legal sources, doctrinal statements, and theological writings in order to extract normative principles and ethical orientations. The integration of historical analysis allowed for the tracing of doctrinal development over time, thereby situating theological positions within their socio-political and cultural contexts. This combination provided a holistic framework for exploring how heritage preservation has been conceptualized, debated, and operationalized within both traditions from their formative periods to the present day.

Data collection was conducted through a systematic literature review, which drew upon a broad range of primary and secondary sources. Primary legal and theological texts included the Qur'an, Hadith, and *Ijma* in the Islamic tradition, and ecumenical council decrees, canonical documents, and patristic writings in the Christian tradition. These were supplemented by secondary scholarly materials such as peer-reviewed journal articles, academic monographs, theological commentaries, and relevant historical works. In selecting these sources, careful attention was paid to the credibility, scholarly rigor, and representativeness of each text, ensuring that the analysis reflected both authoritative doctrinal positions and diverse scholarly interpretations.

The historical dimension of the study examined the evolution of doctrinal interpretations in response to shifting cultural, political, and technological circumstances. For instance, it considered how early Islamic injunctions against unnecessary destruction were applied to monuments and sites of historical significance, and how Christian approaches to preserving sacred icons, relics, and church architecture evolved from the early church councils to post-Reformation and modern ecumenical dialogues. By tracing these trajectories, the study identified continuities, shifts, and reinterpretations that shaped each tradition's approach to cultural heritage.

For the analysis, thematic content analysis was employed as the principal interpretive tool. This method involved identifying recurring themes, theological patterns, and points of divergence or convergence across the two traditions. The analysis was conducted in several stages: first, the extraction of key doctrinal principles from primary sources; second, the categorization of these principles into thematic clusters (e.g., sanctity of place, moral responsibility for preservation, and theological justification for conservation); and third, the comparative examination of similarities and differences between Islamic and Christian frameworks. The interpretive process remained attentive to both explicit doctrinal mandates and implicit ethical assumptions that influence contemporary debates on heritage protection.

Throughout the research process, analytical rigor was maintained through systematic source evaluation, critical engagement with multiple scholarly perspectives, and careful contextualization of theological principles. The methodological design acknowledged the inherently interpretive nature of doctrinal research, recognizing that religious traditions are neither monolithic nor static, and that internal diversity, historical contingencies, and cultural interactions all shape how principles are understood and applied. By combining doctrinal and



historical methodologies, this study not only elucidated the theological and ethical foundations of heritage preservation in Islam and Christianity but also situated them within the broader discourse of international cultural protection frameworks.

Results and Discussions

Doctrine and Legal Theory of Christian Armed Conflicts

As the oldest and largest denomination of Christianity, the Catholic Church, founded in the first century, has endured numerous historical events and conflicts that have posed significant challenges to humanity. This long history has necessitated the systematic documentation of its doctrines and teachings in various sources,¹⁸ including the Christian Bible, comprising the Old Testament and the New Testament, as well as formal papal letters known as encyclicals. Through these mediums, the Catholic Church seeks to communicate God's teachings to the world.

Although the Church's teachings do not explicitly mandate the preservation of cultural heritage in a broad sense, neither the Old nor the New Testament of the Holy Bible directly addresses this issue, it nonetheless encourages the safeguarding of certain aspects of Catholic cultural heritage through specific ecclesiastical directives. For example, the Code of Canon Law contains several provisions that require Catholic believers to protect sacred goods and places of worship. Canon 1220 § 2 explicitly stipulates that "ordinary care for preservation and fitting means of security are to be employed to protect sacred and precious goods."¹⁹

Furthermore, Pope John Paul II established the Pontifical Council for Culture to promote dialogue between faith and culture, reinforcing the intrinsic connection between the two. Within this framework, the preservation of Catholic historical artifacts is entrusted to the Pontifical Commission for the Cultural Patrimony of the Church, a body dedicated to viewing such preservation as a form of evangelization directed toward both Catholics and non-Catholics. Despite these institutional commitments, the Church does not explicitly advocate for the protection of cultural heritage in general during times of armed conflict.

Since the First World War, the Catholic Church has increasingly positioned itself as a global advocate for peace, drawing upon scriptural principles found in passages such as Galatians 5:22–23 and Psalm 4:8. During the war, the Church adopted a policy of neutrality, refusing to align itself with either the Triple Entente or the Central Powers.²⁰ Pope Benedict XV, who led the Church throughout this turbulent period, issued numerous appeals for an end to hostilities. Among the most notable was the Papal Peace Note of 1917, in which he unequivocally condemned war and identified justice as a prerequisite for lasting peace. This note proposed a series of recommendations for warring nations, including the reduction of armaments, the creation of an international court, the fostering of economic cooperation, the guarantee of maritime freedom, and the adoption of arbitration treaties.²¹

Despite the moral force of Pope Benedict XV's appeals, his efforts were largely unsuccessful, hindered in part by the secularization of Western nations, exemplified by the enactment of the 1905 Law on the Separation of Church and State in France. Nevertheless, the Papal Peace Note of 1917 stands as a clear testament to the Catholic Church's opposition to

¹⁸ Ron Rhodes, *The Complete Guide to Christian Denominations*, Eugene, Oregon, Harvest House Publishers (2015).

¹⁹ Can. 1220 § 2.

²⁰ Maggie Brennan, "A Light in the Darkness: The Interaction between Catholicism and World War I," *The Purdue Historian* 6, no. 1 (2013), 14–33, <http://docs.lib.purdue.edu/puhistorian/vol6/iss1/2>

²¹ Maggie Brennan, *A Light in the Darkness*,



warfare.²² However, the Church does not maintain an absolute pacifist stance. The Catechism of the Catholic Church (Second Edition, 1910) asserts that “it is the role of the state to defend and promote the common good of civil society, its citizens, and intermediate bodies,²³ thereby acknowledging that, under certain circumstances, the state may legitimately resort to the use of force.

These circumstances are further illuminated through the just war theory, initially articulated by Augustine of Hippo,²⁴ a venerated saint in the Catholic Church. According to Augustine’s just war theory, war may be deemed justified if it meets specific criteria: a punitive perspective on warfare; an evaluation of the moral evil inherent in armed conflict; the pursuit of proper authorization for the use of force; a dualistic worldview that prioritizes spiritual goods; an interpretation of evangelical principles focused on inner moral attitudes; a passive approach toward authority and societal change; the use of Biblical texts to legitimize participation in warfare; and an analogical understanding of peace.²⁵

It is important to note that Augustine’s just war theory is not intended as a blanket justification for engaging in armed conflict. Rather, Augustine, alongside the Catholic Church, maintains that war is only permissible when its primary objective is to secure peace. Thus, the ultimate aim is the preservation of harmonious relations among humankind, a principle underscored in Chapter V of *Gaudium et Spes*.

Christian Protestant Lutheranism

Protestantism, a major branch of Christianity alongside Catholicism, encompasses diverse denominations that emerged from the theological and institutional conflicts sparked by Martin Luther’s rejection of certain doctrines and practices of the Roman Catholic Church. These denominations vary in their interpretations of Scripture and approaches to worship.²⁶ Lutheranism, in particular, affirms the teachings of the Ecumenical Councils as part of a collective effort to foster unity among all branches of Christianity.²⁷ Nevertheless, tensions persist, especially when comparing the doctrinal positions of the Reformation with those of Anglican Protestant traditions.²⁸

In addition to the insights provided by the Ecumenical Councils, Protestant Lutherans rely on their own interpretations of biblical teachings to inform their faith and practice. A central issue addressed in the Augsburg Confession, the most authoritative doctrinal statement of Lutheran churches, particularly in Article 16, is the question of armed conflict and humanity’s accountability

²² Maggie Brennan, *A Light in the Darkness*,

²³Saint Charles Borromeo Catholic Church, “Catechism of the Catholic Church,” www.scborromeo.org, <http://www.scborromeo.org/ccc/p3s1c2a2.htm>

²⁴ James F. Childress, “Just-War Theories: The Bases, Interrelations, Priorities, and Functions of Their Criteria,” *Theological Studies* 39, no. 3 (1978), 427–45, <https://doi.org/10.1177/004056397803900302>

²⁵ Saint Charles Borromeo Catholic Church.

²⁶Christian Enquiry Agency, “Protestant Christians,” *Christianity* (2020), <https://christianity.org.uk/article/protestant-christians>

²⁷ “The Ecumenical Councils and the Authority in and of the Church” (PDF). Lutheran World Federation (1993)

²⁸William G Rusch, “Justification and the Future of the Ecumenical Movement: The Joint Declaration on the Doctrine of Justification,” Collegeville Minn, Liturgical Press (2003), x & 1.



for moral wrongdoing.²⁹

A key distinction between Lutheran theology and Catholic doctrine lies in their respective understandings of obedience to the law and the role of good works in salvation. Lutherans assert that salvation is attained solely through God's grace,³⁰ a position that contrasts with the Catholic Council of Trent's teaching that good works contribute to the process of salvation.³¹ This does not imply that Christians are free to act immorally; rather, it stresses that good deeds are performed not to earn spiritual merit, but as obligations owed to oneself, to the community, and in acknowledgment of one's relationship with God.³²

With regard to warfare, the Augsburg Confession affirms that just wars are possible, particularly those aimed at restoring peace. The Lutheran Council in the United States has outlined additional criteria for a just war: a) The cause must be just, such as protecting the innocent or restoring fundamental rights unjustly denied. b) War must be a last resort, undertaken only after all peaceful alternatives have been exhausted. c) It must be declared by a legitimate authority within the nation. d) There must be a reasonable likelihood of success in achieving its objectives, with minimal harm to civilian lives and property.³³

It is important to note that Martin Luther was one of the most vocal opponents of the war waged by Catholics against the Turkish Ottoman Empire.³⁴ He argued that the conflict was not genuinely about spreading religious teachings but was instead motivated by the desire to seize the wealth and resources of the Ottomans. Thus, what might otherwise be considered a just war, when fought against an enemy of Christianity, would, in his view, become dishonorable if driven by motives of power and greed.

Moreover, Luther's teachings reveal his deep concerns about the corruption of the Church when it becomes entangled with the State. He maintained that neither a priest nor a pope has the authority to declare any war as a "spiritual calling," since their true vocation is to serve the spirit rather than engage in politics. This perspective implies that Lutherans recognize only wars initiated by legitimate Christian rulers as a possible means of Christian expansion.³⁵ However, given that no war is ever purely waged for the purpose of spreading religion, and that no present-day conflicts are fought in the name of Christianity, this suggests that Protestant Lutherans may have effectively rejected the legitimacy of all wars since the rise of Christian empires.³⁶

²⁹ David S. Yeago, "Just War: Reflections from the Lutheran Tradition in a Time of Crisis," *Pro Ecclesia: A Journal of Catholic and Evangelical Theology* 10, no. 4 (2001), 401-27, <https://doi.org/10.1177/106385120101000402>

³⁰ Kathryn A. Kleinhans, "Good Government and the Vocation of Citizenship: A Lutheran Perspective," *Dialog* 57, no. 2 (2018), 394, <https://doi.org/10.1111/dial.12392>

³¹ John Feister, "Faith and Works: Catholics and Lutherans Find Agreement | Franciscan Media," www.franciscanmedia.org (2020), <https://www.franciscanmedia.org/st-anthony-messenger/faith-and-works-catholics-and-lutherans-find-agreement>

³² Kathryn A. Kleinhans, "Good Government and the Vocation of Citizenship: A Lutheran Perspective," *Dialog* 57, no. 2 (June 2018), 395, <https://doi.org/10.1111/dial.12392>

³³ E Hackmann, "The Just War and Lutheran Theology," *Issue 1 Article 11*, no. 1 (1985), 4, <https://scholars.wlu.ca/cgi/viewcontent.cgi?referer=&httpsredir=1&article=2131&context=consensus>

³⁴ Martin Luther, *Works Vol. 46*, Ed. By Robert C. Schultz, Transl. By Charles M. Jacobs, Saint Louis Concordia Publ. House (1967), 163-4.

³⁵ Martin Luther, *Works Vol. 46*, Ed. By Robert C. Schultz, Transl. By Charles M. Jacobs, Saint Louis Concordia Publ. House (1967), 130; R. C. Nagpal, "DISOBEDIENCE to UNLAWFUL SUPERIOR ORDERS," *Journal of the Indian Law Institute* 21, no. 3 (1979), 397-406, <https://www.jstor.org/stable/43950643>

³⁶ Martin Luther, *Works Vol. 46*, p. 165.



In line with contemporary criminal law theories, the Lutheran tradition also addresses the moral and legal dilemmas faced by soldiers who are compelled to obey unlawful orders from their superiors. Lutheran thought places the emphasis on the soldier's conscience as the ultimate judge in determining whether an order is "wrongful," rather than relying solely on its legal status as "illegal," as criminal law might suggest. Consequently, a Christian, according to Lutheran ethics, should refrain from participating in wars or carrying out commands that conflict with their conscience.³⁷ Practical Lutheran teachings stress that Christians should avoid any involvement in warfare that involves killing, which inherently violates the moral conscience,³⁸ making it difficult for Christians to justify participation in modern wars.

The Lutheran churches do not prescribe specific regulations for preserving Christian culture or heritage in times of war, nor do they advocate for the destruction of the cultural or heritage practices of other faiths. Instead, they urge all Christians to obey the laws of the states and governments under which they live.³⁹ In historical context, however, some writings did recommend that the emperor or sovereign wage a just war against "the Turks" (a reference to Muslims in the southern and eastern regions of Saxony at the time)⁴⁰ to defend Christian territory.⁴¹

From these teachings, it becomes clear that contemporary Lutheran thought condemns violence, property destruction, and cultural devastation, in line with the laws that Christians are obligated to follow. While early Protestant Lutheran doctrine allowed for war against those of other faiths, it did not explicitly call for the destruction of their property or culture; the primary focus was the reclamation of Christian lands. More recently, the Evangelical Lutheran Church in America has explicitly condemned one of Luther's teachings that advocated war against Jews who refused to convert to Lutheranism,⁴² reflecting a strong contemporary commitment to opposing antisemitism, hatred, and violence in all forms.⁴³

This position is consistent with biblical principles, as reflected in the Apostle Paul's instruction in Titus 1:14: "...pay no attention to Jewish myths or to the commands of those who reject the truth." This serves as a reminder to abandon human traditions or teachings when they cease to serve the good, reinforcing the call for peace, respect, and justice in interfaith relations.

Doctrine and Legal Theory of Islamic Armed Conflicts

The Holy Qur'an and the Sunna constitute the two primary sources from which the principles of Islamic law (*shari'a*) are derived. These foundational texts provide comprehensive

³⁷ Edward Schneider, "War and Peace: A Review of Relevant Statements by Church Bodies Which Preceded the Founding of the Evangelical Lutheran Church in America," *Journal of Lutheran Ethics*, (2001), 11, <https://www.elca.org/JLE/Articles/1021>

³⁸ Dr Matthew Phillips, "Dr Luther on the Soldier's Obedience and Just War," Steadfast Lutherans (2016), <https://steadfastlutherans.org/2016/06/dr-luther-on-the-soldiers-obedience-and-just-war/> ; Amy Blumenshine, "Our Saviours Lutheran Church - a Lutheran Response to the Drums of War," Our Saviors' Lutheran Church, (2018) <http://oursavioursmpls.org/a-lutheran-response-to-the-drums-of-war.html>.

³⁹ Martin Luther, ed. Glen L. Thompson, "The Unaltered Augsburg Convention A.D. 1530," Article 16 (5) (2005), http://www.lutheran.ro/iratok/ca_en.pdf

⁴⁰ Jason Mahn, "Why Interfaith Understanding Is Integral to the Lutheran Tradition," *Intersections* 5, no. 40 (2014), <https://core.ac.uk/download/pdf/234815782.pdf>

⁴¹ Martin Luther, ed. Glen L. Thompson, "The Unaltered Augsburg Convention A.D. 1530," Article 21 (1) (2005), http://www.lutheran.ro/iratok/ca_en.pdf

⁴² Martin Luther, ed. Glen L. Thompson.

⁴³ Martin Luther, ed. Glen L. Thompson.



guidance on a wide range of issues but do not address every matter in exhaustive detail. In certain instances, Qur'anic verses and Prophetic traditions (*Hadith*) require interpretation to clarify their scope and application. Consequently, Islamic jurisprudence (*fiqh*) plays a crucial role in interpreting these texts, issuing rulings on contested matters, and formulating legal principles based on scholarly consensus (*ijmā'*) and analogical reasoning (*qiyās*).⁴⁴

While interpretations have historically been shaped by specific cultural and historical contexts, a minority of Muslim scholars adhere to strictly literal readings of certain Hadiths or Qur'anic verses. Such literalism has, at times, led to problematic applications in areas such as women's rights, religious freedom, and, of particular concern here, the preservation of cultural heritage.⁴⁵

Extremist groups have repeatedly misused and distorted religious texts to justify acts of cultural destruction. It is important to underscore that the misinterpretation of religion is a global phenomenon, not unique to Islam. Across history, adherents of various faiths have invoked religious doctrine to legitimize radical or violent actions. In recent decades, notable examples include the demolition of the Bamiyan Buddhas by the Taliban, the destruction of sacred sites in Mali by Al-Qaeda, and the devastation of archaeological treasures in Iraq and Syria by Daesh. These groups often frame their actions as divinely mandated, portraying them as a continuation of the prophetic tradition of Ibrahim (Abraham) in rejecting idolatry.

This extremist rationale is grounded in a selective and decontextualized reading of the Qur'an and the Sunna. For example, one recurrent point of misuse is the incident of idol destruction during the Muslim conquest of Mecca. While some contemporary voices argue that this precedent applies universally across the Islamic world, many scholars maintain that it was context-specific, limited to the Arabian Peninsula, where the idols in question were objects of active worship. Moreover, Islamic law prohibits coercion in matters of faith (*lā ikrāha fī al-dīn*), a principle that contradicts the indiscriminate destruction of religious symbols in pluralistic societies.

The Meccan episode can also be understood in light of the idols' placement within the Grand Mosque, a sacred space in Islam that prohibits the presence of objects of worship other than God. Another frequently misused text is the Hadith stating, "The people who will be most severely punished on the Day of Judgment are the image-makers."⁴⁶ Some radicals interpret this as a blanket prohibition on artistic or historical representations. However, many scholars contextualize the statement as addressing a specific period in early Islam when image-making was closely tied to idol worship in a pagan society.

In some cases, extremists rely on Hadiths that are weak (*ḍa'īf*), dubious, or disputed among scholars. Such sources have fueled misunderstandings of Islamic values and have contributed to the misrepresentation of Islam itself. It is also a well-established principle in Islamic teaching that not every believer is qualified to engage in legal interpretation (*ijtihād*) or issue rulings on contentious matters, tasks that require deep scholarly training, methodological expertise, and an awareness of historical and contextual factors.

The Implementation of the Doctrine on Armed Conflict and Heritage Protection: The Case of Al-Mahdi

Ahmad Al Faqi Al Mahdi was convicted for the war crime of intentionally directing attacks

⁴⁴ Trinidad Rico, "Islam, Heritage, and Preservation: An Untidy Tradition," *Material Religion* 15, no. 2 (March 15, 2019): 148–63, <https://doi.org/10.1080/17432200.2019.1590003>.

⁴⁵ Fatimah Alshehaby, "Cultural Heritage Protection in Islamic Tradition," *International Journal of Cultural Property* 27, no. 3 (August 2020): 291–322, <https://doi.org/10.1017/s0940739120000259>

⁴⁶ Hadis Sahih, Al-Bukhari 7558



that led to the destruction of ten religious and historical monuments in Mali. By the age of twelve, he had achieved mastery of the Qur'an and its interpretation, attaining a level of knowledge comparable to that of an imam.⁴⁷ This case marked the first occasion on which the International Criminal Court (ICC) adjudicated the deliberate destruction of cultural monuments as a war crime.⁴⁸ Al Mahdi received a nine-year prison sentence and was ordered to pay €2.7 million in compensation, reflecting both his admission of guilt and the severity of his actions.⁴⁹

Al Mahdi was the leader of Hesba, one of four command structures within the Ansar Dine organization, which had seized control of northern Mali and maintained ties with al-Qaeda in the Islamic Maghreb (AQIM).⁵⁰ Like other al-Qaeda-affiliated groups, Ansar Dine sought to establish Sharia law while gaining notoriety through spectacular acts, attracting new recruits, and demonstrating its zeal and effectiveness to existing supporters.⁵¹

As head of Hesba, Al Mahdi bore responsibility for targeting beliefs deemed contrary to Islam. Under the direction of Iyad Ag Ghali, the commander of Ansar Dine, Al Mahdi carried out the destruction of the monuments. During planning discussions, he, recognized as a religious authority, warned other members that, according to Sharia, suppressing vice does not justify creating equal or greater harm. He cautioned that the demolition could incite hatred among the local population, resulting in a greater misfortune. Despite his recognition that the destruction lacked legal justification under Sharia, he proceeded with the operations. The ICC Chamber determined that Al Mahdi's actions constituted an endorsement of the destruction, as he managed the planning, logistics, and public defense of the attacks.⁵²

The Chamber considered Al Mahdi's initial reluctance in determining his sentence. While acknowledging his full involvement, the Court noted his early resistance and his immediate acceptance of responsibility. His sincere remorse, expressed from the first interviews with the prosecution, reflected a genuine willingness to account for his actions, likely expediting the resolution of the case and minimizing the emotional burden on witnesses and victims. Furthermore, his acknowledgment of the destruction contributed to moral restoration in northern Mali, potentially facilitating reconciliation and deterring similar crimes in the future. Al Mahdi consistently emphasized that no individual should engage in actions justified as serving a greater purpose when they ultimately inflict suffering on humanity.⁵³

Regarding the protection of youth from radicalization, Al Mahdi offered guidance that impressed Mr. Mayombo Kassongo, the legal representative of the victims, who described the trial as exemplary. Al Mahdi stated that, while he believes Muslim nations should be governed by principles derived from Islamic teachings encompassing both religious and political dimensions, these principles are universal in nature and applicable across time and context. He urged young people to focus on their goals, aspirations, nation, and faith, highlighting that religion is fundamentally a personal matter. According to Al Mahdi, responsible youth recognize that joining extremist groups serves no legitimate purpose, as such organizations manipulate faith, trust, and

⁴⁷ UNESCO, "Ahmad al Faqi al Mahdi.

⁴⁸ ICC, *Prosecutor v. Ahmad al Faqi al Mahdi*, ICC-01/12-01/15, Summary of the Judgment and Sentence in case, September 27, 2016.

⁴⁹ ICC, *Prosecutor v. Ahmad al Faqi al Mahdi*.

⁵⁰ ICC, *Prosecutor v. Ahmad al Faqi al Mahdi*.

⁵¹ Stanford University, Stanford, and California 94305, "MMP: Ansar Dine," cisac.fsi.stanford.edu, n.d., https://cisac.fsi.stanford.edu/mappingmilitants/profiles/ansar-dine#highlight_text_7833.

⁵² UNESCO, "Ahmad al Faqi al Mahdi.

⁵³ ICC, *Prosecutor v. Ahmad al Faqi al Mahdi*, ICC-01/12-01/15, Judgment and Sentence, September 27, 2016.



hope to achieve destructive ends. He further emphasized that Sharia grants lawmakers flexibility to enact legislation appropriate to contemporary circumstances. Strict adherence to historical practices is not required, nor does Sharia demand literal replication of past actions. Importantly, Al Mahdi asserted that a high level of understanding of Sharia is essential for anyone seeking political office, underscoring the importance of informed and ethical leadership.⁵⁴

Analysis of Al Mahdi's method of interpretation

As discussed above, Al Mahdi pleaded guilty during the trial proceedings. According to the Chamber, although he admitted guilt, he initially expressed reluctance to participate in the destruction of the mausoleums, indicating that he did not fully justify Ansar Dine's actions. In an interview with UNESCO, he clarified his position, stating, "[i] thought such an action was not appropriate," and rejected the interpretive method employed by other members of Ansar Dine, noting that it led to a misapplication of Sharia law: "[t]here was no one in the groups I joined who had a greater understanding of Sharia than I had."⁵⁵

Al Mahdi further explained that while certain Fatwas prohibit constructing tombs higher than one chibr (approximately ten centimeters) above the ground, this ruling applies only to new graves and not to pre-existing tombs.⁵⁶ Consequently, he asserted that destroying the mausoleums lacked any legal justification under Sharia and had no legitimate basis.⁵⁷

Despite the absence of any directive in Sharia law supporting the destruction of mausoleums, extremist groups often cited Hadith as justification. For example, during the Prophet's lifetime, he ordered the demolition of a building in the Dzul Khalasah region because it had been used for idol worship. Similarly, Hadith, particularly in Article 58 of Al-Anbiya, states that "[i]brahim smashed the idols to pieces." Ansar Dine interpreted these texts literally, disregarding broader ethical considerations such as the potential harm to society. They extended the term "idol" to include structures and sites that did not align with their strict Salafi-jihadist understanding, leading to the destruction of mosques, which are central places of worship in Islam.

From this analysis, it can be concluded that Ansar Dine employed a literalist method of interpretation, consistent with their ideology of Salafi jihadism. While Islamic teachings permit innovation (bid'ah) to adapt legal rulings to contemporary circumstances and evolving societal needs, Salafi jihadist doctrine prohibits such adaptation. Consequently, Ansar Dine prioritized a rigid understanding of God's sovereignty, dismissing contemporary social developments and interpreting anything not explicitly prescribed by God as unlawful. This rigid methodology enabled them to pursue the implementation of Sharia in a manner that disregarded societal welfare and the ethical principles inherent in broader Islamic jurisprudence.

The Discrepancy of Interpretation Between Al Mahdi and Islamic Teachings on Armed Conflict and Heritage Protection

Islam emphasizes the prevention of corruption on earth, which encompasses the protection of cultural heritage. Muslim jurists have argued that the destruction of cultural heritage constitutes a form of corruption, consistent with the principles articulated in the Qur'an.⁵⁸ The case of Ahmad Al Faqi Al Mahdi illustrates how divergent interpretive methodologies can produce

⁵⁴ UNESCO, "Ahmad al Faqi al Mahdi.

⁵⁵ UNESCO, "Ahmad al Faqi al Mahdi.

⁵⁶ UNESCO, "Ahmad al Faqi al Mahdi.

⁵⁷ UNESCO, "Ahmad al Faqi al Mahdi.

⁵⁸ Alshehaby, Fatimah. "Cultural Heritage Protection in Islamic Tradition." *International Journal of Cultural Property* 27, no. 3 (2020), 291–322, <doi:10.1017/S0940739120000259>



contrasting beliefs within Islam. In this instance, Al Mahdi and Ansar Dine employed a literalist approach, taking the words of God and the Prophet at face value without considering broader ethical and contextual principles.

This radical interpretation often stems from selective readings of specific verses, such as QS. An-Nisa 76 and QS. Al-Anfal 39, which portray non-believers as adversaries and justify fighting against them. By adhering strictly to these verses without contextualization, Al Mahdi and his group concluded that non-Muslims must be expelled. However, numerous other Qur'anic verses emphasize the importance of maintaining peace whenever possible. Consequently, the actions of Al Mahdi and Ansar Dine are neither justified nor condoned by Islamic teachings. This condemnation is evident in Surah Al-Baqarah 114: *"And who is more unjust than he who forbids that in places for the worship of Allah, Allah's name should be celebrated? - Whose zeal is (in fact) to ruin them? It was not fitting that such should themselves enter them except in fear. For them, there is nothing but disgrace in this world, and in the world to come, an exceeding torment."*⁵⁹

The term masājid here refers to houses of worship for all faiths, not exclusively mosques or Islamic holy sites. Another relevant verse is Surah Al-Hajj 40: *"(They are) those who have been expelled from their homes in defiance of right, - (for no cause) except that they say, 'our Lord is Allah.' Had not Allah checked one set of people using another, there would surely have been pulled down monasteries, churches, synagogues, and mosques, in which the name of Allah is commemorated in abundant measure. Allah will certainly aid those who aid His (cause); for verily Allah is full of Strength, Exalted in Might, (able to enforce His Will)."*⁶⁰

These verses affirm the Qur'an's commitment to diversity and the protection of sacred sites, highlighting the broader ethical framework that extremists often ignore. Addressing misinterpretations through contextual readings is crucial, as it mitigates the misuse of Qur'anic verses for radical purposes.⁶¹ For example, disregarding the guidance in QS. Al-Baqarah 114 and QS. Al-Hajj 40 can lead to misapplied jihad when verses such as QS. An-Nisa 76 and QS. Al-Anfal 39 are interpreted in isolation.

Christianity also provides distinct perspectives on armed conflict and heritage protection. During colonization, Catholicism was sometimes invoked to justify conquest. In the contemporary era, however, the Catholic Church emphasizes spreading God's salvation without destroying beliefs that diverge from the doctrine of the Holy Trinity. Consequently, wars or the use of force are permissible only under Augustine's just war theory, which mandates proportionality, the severity of force must correspond to the anticipated outcomes, including potential casualties.⁶² For example, the Catholic Church has condemned the disproportionate use of force at the Gaza-Israel border, where casualties outweighed the intended objectives.

Currently, there are no large-scale conflicts explicitly aimed at spreading Christianity. Isolated instances, such as "anti-abortion" terrorism or movements combining Christianity with white supremacy,⁶³ do not constitute broad religious warfare. The National Liberation Front of

⁵⁹ The Holy Quran 2: 114.

⁶⁰ The Holy Quran 22: 40.

⁶¹ Lydia Scholz, "Contextual Interpretation," Wikis der Freien Universität Berlin, (September 10, 2022), <https://wikis.fu-berlin.de/display/oncomment/Contextual+ Interpretation>

⁶² Amaya Amell, "The Theory of Just War and International Law: From Saint Augustine, through Francisco de Vitoria, to Present," *Hispanic Journal* 38, no. 1 (2017): 63–76, <https://www.jstor.org/stable/26535329>.

⁶³ Marek Čejka, "CHRISTIAN ARMED GROUPS," *Obrana a Strategie: Defence and Strategy*, 20, no 2 (2020), 61–78, <https://doi.org/10.3849/1802-7199.20.2020.02.061-078>



Tripura (NLFT), for instance, seeks to convert individuals forcibly,⁶⁴ but primarily frames its actions around liberation rather than religious doctrine. The NLFT's flag and constitution contain minimal Christian symbolism, underscoring that its motivations are political as much as religious.⁶⁵

The 2011 Breivik massacre exemplifies that certain acts of violence attributed to Christianity are more accurately classified as hate crimes rather than genuine attempts to spread the faith. Breivik's actions targeted Muslims specifically, highlighting the distinction between religious ideology and extremist personal motives. Historically, however, some Christian narratives and teachings have indirectly endorsed armed conflict against pagan deities.⁶⁶ A notable example can be found in the story of Gideon in the Book of Judges (6:25-26), where God commands Gideon to destroy the altar of Baal during the oppression of the Midianites and to replace it with an altar for Himself.⁶⁷ Similarly, the Israelites, regarded as God's chosen people, were often engaged in warfare as tribes obstructed their entry into Canaan, the land promised to them by God.⁶⁸

God's command to the Israelites involved overthrowing those who blocked their path to Canaan and destroying pagan sacred pillars to prevent idolatry. While these conflicts were initially framed as part of a divine mission, whether such traditions should continue today is subject to contemporary Christian moral evaluation. For instance, the Crusades, historically justified as efforts to spread Christianity, are now widely condemned by Lutheran thought. Modern Lutheranism emphasizes that disruptions of peace are undesirable, and armed conflict is permissible only when imposed by external threats. Initiating war against neighbors of differing faiths is considered morally unacceptable.

Lutheran teachings continue to denounce actions that violate conscience and morality, particularly those that involve human rights violations during armed conflict. This perspective has been applied to historical and contemporary contexts, from the 1918 Finland Civil War to the ongoing conflict between Russia and Ukraine.⁶⁹ In cases of internal rebellion, the church generally supports the state but simultaneously evaluates whether legislation or governance has caused oppression that led to unrest. In such situations, the state bears responsibility to enact just policies protecting both powerful and vulnerable populations.⁷⁰

Importantly, the church is not subordinate to the state and retains the authority to critique it. During conflicts such as the Vietnam and Iraq Wars, the United States faced criticism from Christian leaders and communities for engaging in what were perceived as unjust wars. Similarly,

⁶⁴South Asia Terrorism Portal, "National Liberation Front of Tripura, India, South Asia Terrorism Portal," www.satp.org, (2012-2017), https://www.satp.org/satporgtp/countries/india/states/tripura/terrorist_outfits/NLFT.HTM.

⁶⁵ Deutsche Welle (www.dw.com), "Norway Massacre: Court Weighs Mass Killer Breivik's Application for Parole | DW | 18.01.2022," DW.COM, January 18, 2022, <https://www.dw.com/en/norway-massacre-court-weighs-mass-killer-breiviks-application-for-parole/a-60456049>.

⁶⁶ Holy Bible: Containing the Old and New Testaments: King James Version, Judgment 6:25-26, (New York: American Bible Society, n.d.).

⁶⁷ Holy Bible: Containing the Old and New Testaments: King James Version, Judgment 6:25-26, (New York: American Bible Society, n.d.).

⁶⁸ E Hackmann, "The Just War and Lutheran Theology," Issue 1 Article 11, no. 1 (1985), 1–15, p. 4, <<https://scholars.wlu.ca/cgi/viewcontent.cgi?referer=&httpsredir=1&article=2131&context=consensus>>

⁶⁹C W Heathcote, "The Lutheran Church and the Civil War", Burlington, Iowa, Lutheran Literary Board (1919), p.73.

⁷⁰C W Heathcote, "The Lutheran Church and the Civil War".



in response to the Russian invasion of Ukraine, the Evangelical Church, rooted in the Augsburg Confession, condemned the aggression, reiterating that Lutheranism recognizes no substitute for peace and urging Russia to withdraw.⁷¹

Christian doctrine defines a just war as one that “...stops short of countenancing the utter destruction of the adversaries and tends to limit the incidence of violence through codes of right conduct, non-combatant immunity, and other humanitarian restrictions.” A just war is therefore an unavoidable conflict between states necessitated by grave injustice, undertaken solely to restore justice to the previous status quo. Preemptive attacks or offensive campaigns are not considered valid justifications for war.⁷²

Analysis of Christianity Method of Bible Interpretation: Christian Catholicism and Christian Lutheranism

The Catholic Church employs the concept of the Holy Trinity as a foundational framework for interpreting the Holy Bible and has established specific guidelines for Scripture engagement through the Magisterium.⁷³ According to the Magisterium, there are three essential principles of interpretation: 1) the Bible should be read as a cohesive whole, considering the interconnections among its various books and passages; 2) the Church’s ongoing tradition is a crucial lens through which Scripture should be understood; and 3) faith serves as a guiding principle in understanding and applying the text.

This contextual method emphasizes consideration of the broader themes and symbolic language present in Scripture. For example, Matthew 5:30 states, “If your right hand causes you to stumble, cut it off and throw it away.” This hyperbolic expression is not a literal directive to sever one’s hand; rather, it underscores the importance of avoiding sin and its detrimental consequences.⁷⁴ The contextual approach also serves as a safeguard against extremist interpretations, ensuring that core Catholic values are preserved while allowing engagement with contemporary societal concerns, including human rights as outlined by instruments such as the United Nations Declaration of Human Rights.

Christian Lutheranism Analysis

Lutheranism emerged in part as a response to what Martin Luther perceived as overly rigid and legalistic interpretations within the Catholic Church.⁷⁵ Central to Lutheran theology is sola scriptura (Scripture alone), as articulated in the Augsburg Confession.⁷⁶ While this principle could encourage legalistic readings of Scripture, Lutheranism emphasizes conscience as the primary means of applying biblical teachings to individual cases. Conscience is understood as a

⁷¹ The Lutheran World Federation, “Ukraine: Lutheran Churches across the World Call for Peace and Support,” The Lutheran World Federation, (February 28, 2022), <https://www.lutheranworld.org/news/ukraine-lutheran-churches-across-world-call-peace-and-support>.

⁷² Nigel Biggar, “In Defence of Just War: Christian Tradition, Controversies, and Cases,” *De Ethica* 2, no. 1 (2015), 5–17, <https://doi.org/10.3384/de-ethica.2001-8819.15215>

⁷³ Catholics Team, “What Do Catholics Believe about the Bible?” About Catholic, accessed September 10, 2022, <https://www.aboutcatholics.com/beliefs/catholics-believe-bible/>.

⁷⁴ Catholics Team, “What Do Catholics Believe about the Bible?”.

⁷⁵ Heinrich Scholler, “Martin Luther on Jurisprudence—Freedom, Conscience, Law,” *Valparaiso University Law Review* 15 (1981): 265–82.

⁷⁶ Nils Gilje, “The Lutheran Ethic and the Spirit of Early Modern Science,” *Were We Ever Protestants?* 2019, 289–310, <https://doi.org/10.1515/97831110600544-017>



human capacity to exercise judgment grounded in the soul,⁷⁷ balancing faith and reason.

Lutheran thought rejects intellectual arrogance, critiquing earlier philosophical approaches, such as Aristotle's views in *Physics*, *Metaphysics*, and *Ethics*,⁷⁸ which promoted rigid, human-centered reasoning. Luther proposed that righteousness is granted by faith, and human deeds become righteous in consequence, not by inherent merit.⁷⁹ This emphasis on conscience and faith has significantly influenced Western intellectual development, particularly regarding moral reasoning and the ethical evaluation of armed conflict.⁸⁰

The emphasis on conscience and the capacity to apply knowledge has greatly contributed to Western intellectual development. It has also shaped the modern Lutheran consensus that many wars are unjust, particularly those initiated preemptively or provocatively rather than in legitimate self-defense. However, because Lutheranism accommodates contemporary ideas while maintaining diverse interpretations of *sola scriptura* and the concept of righteousness by faith,⁸¹ future interpretations may deviate from orthodox understanding. Individual differences in conscience and the ability to apply knowledge can lead to divergent or separatist readings of biblical teachings within the Lutheran Church itself. It is not an exaggeration to suggest that debates over conscience, morality, and just war could echo the controversies of early Christianity. Only through continuous reflection on Lutheranism's historical critique of the violent conflicts Christians have waged can misinterpretations be minimized, ensuring that the practice of faith remains aligned with ethical principles.

Conclusion

Contemporary geopolitical conflicts increasingly reveal a trend in which both state and non-state actors invoke religious justifications for armed confrontations. This phenomenon transcends denominational boundaries, as Islamic and Christian separatist movements alike exhibit a paradoxical inclination toward secularization by advocating the separation of religious doctrine from governmental legislation. The doctrinal diversity inherent in major world religions enables interpretive frameworks that accommodate both progressive theological adaptations and fundamentalist adherence to traditional scriptural interpretations.

The case of Al Mahdi, affiliated with the Al Qaeda-linked organization Ansar Dine, exemplifies the complex theological reasoning that can emerge within extremist contexts. His stance, which diverged from the views of Ansar Dine's leadership under Iyad Ag Ghali, underscores the principle that suppressing one transgression may inadvertently give rise to more significant moral violations. Significantly, Al Mahdi's later acknowledgment of his radical interpretive approach, coupled with his explicit discouragement of youth involvement in such activities, reflects an awareness of the disconnect between extremist interpretations and humanitarian outcomes.

These observations underscore the urgent need for robust hermeneutical frameworks capable of mitigating the risk of doctrinal deviation from foundational religious teachings. While theological pluralism and interpretive diversity remain intrinsic to religious discourse, academic and religious institutions must emphasize the careful consideration of historical context and original theological intent. Such measures are essential not only for preventing the misuse of religious texts to justify unethical actions but also for preserving the integrity of religious

⁷⁷ Heinrich Scholler, "Martin Luther on Jurisprudence—Freedom, Conscience, Law,"

⁷⁸ Nils Gilje, "The Lutheran Ethic and the Spirit of Early Modern Science".

⁷⁹ Britannica, "Aristotle - Physics and Metaphysics | Britannica," in *Www.britannica.com*, accessed September 10, 2022, <<http://britannica.com/biography/Aristotle/Physics-and-metaphysics>>

⁸⁰ Nils Gilje, "The Lutheran Ethic and the Spirit of Early Modern Science,"

⁸¹ Nils Gilje, "The Lutheran Ethic and the Spirit of Early Modern Science".



scholarship and safeguarding sacred texts against co-optation by ideological extremism.

CRedit Authorship Contribution Statement

Gracella Chafrina: Conceptualization, Methodology, Writing -original Draft. **Stephani Wijayawati:** Supervision, Methodology, Writing - review & editing, **Alya Nabila Ridhanti:** Supervision, Writing - review & editing, **Vernanda Jessica Hendri:** Methodology, Writing - review & editing.

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The authors declare that they have no competing financial interests or personal relationships that could influence the work reported in this paper.

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Data will be made available on request

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