

Notes

Introduction

1. For an English translation of the fatwa see Andrew Arato, "Sistani v. Bush: Constitutional Politics in Iraq," *Constellations* 11, no. 2 (2004): 174.
2. Rajiv Chandrasekaran, "How Cleric Trumped U.S. Plan for Iraq," *Washington Post*, 26 November 2003.
3. Ibid.
4. Kofi Annan, "In Larger Freedom: Towards Development, Security and Human Rights for All," (United Nations General Assembly, 2005), 31.
5. Cf. Knox Thames, "Attaining Sustainable Security Through Civic Space for Religious Actors," *Small Wars Journal* (2012). See also, Matthew Yandura, "Voices of Moderate Islam," *IO Journal* 3, no. 1 (2011).
6. Ravitzky traces the scriptural basis of anti-Zionism to "the primeval myth of the children of Ephraim, who went up from Egypt prematurely, 'transgressed the End and the oath', and fell by the sword." It is also rooted in the oaths that the Jewish people were made to swear—according to the Midrash and the Talmud—that 'they not force the End'. Aviezer Ravitzky, *Messianism, Zionism, and Jewish Religious Radicalism* (Chicago; London: University of Chicago Press, 1996). 22. As for the association of Satan to the establishment of the Jewish state, this view was most strongly supported by Rabbi Teitelbaum. See *ibid.*, 45.
7. Francis Fukuyama, *State-Building: Governance and World Order in the 21st Century* (Cornell University Press, 2004). 156.
8. Nicola Nixon et al., "The Ties That Bind: Social Capital in Bosnia and Herzegovina," in *National Human Development Report 2009*, ed. Armin Sirco (Sarajevo: United Nations Development Programme, 2009).
9. Thames, "Attaining Sustainable Security Through Civic Space for Religious Actors". See also Thomas F. Farr, "America's International Religious Freedom Policy," in *Rethinking Religion and World Affairs*, ed. Timothy Samuel Shah, Alfred Stepan and Monica Duffy Toft (New York: Oxford University Press, 2012).
10. David Beetham, *The Legitimation of Power, Issues in Political Theory* (Basingstoke: Macmillan, 1991).
11. Scott Thomas, *The Global Resurgence of Religion and the Transformation of International Relations: The Struggle for the Soul of the Twenty-First Century*, ed. Yosef Lapid and Friedrich Kratochwil, Culture and Religion in International Relations (New York: Palgrave Macmillan, 2005). 105.

1 Religion and Post-Conflict Statebuilding

1. Lant Pritchett, Michael Woolcock and Matt Andrews, "Capability Traps? The Mechanisms of Persistent Implementation Failure," in *Working Paper 234* (Center for Global Development, 2010).

2. Pippa Norris and Ronald Inglehart, *Sacred and Secular: Religion and Politics Worldwide* (Cambridge: Cambridge University Press, 2004).
3. See for example Rodney Stark and Laurence R. Iannaccone, "A Supply-Side Reinterpretation of the 'Secularization' of Europe," *Journal for the Scientific Study of Religion* 33, no. 3 (1994).
4. Ali A. Allawi, *The Occupation of Iraq: Winning the War, Losing the Peace* (New Haven: Yale University Press, 2007). 384. This view coincides with my own personal experience while living in Iraq through this period.
5. Ana Hacic-Vlahovic, "(De)Secularization in Bosnia-Herzegovina: An Examination of Religiosity Trends in a Multi-Ethnic Society," *Amsterdam Social Science* 1, no. 1 (2008).
6. Gerald B. Helman and Steven R. Ratner, "Saving Failed States," *Foreign Policy*, no. 89 (1992): 5.
7. Robert I. Rotberg, "The New Nature of Nation-State Failure," *Washington Quarterly* 25, no. 3 (2002): 1.
8. Nicolas Lemay-Hébert, "Statebuilding Without Nation-Building? Legitimacy, State Failure and the Limits of the Institutional Approach," *Journal of Intervention & Statebuilding*, 3, no. 1 (2009).
9. Bruce Gilley, "The Meaning and Measure of State Legitimacy: Results for 72 Countries," *European Journal of Political Research* 45, no. 3 (2006): 502.
10. Jack Snyder, ed. *Religion and International Relations Theory*, Religion, Culture and Public Life (New York: Columbia University Press, 2011), 1.
11. Jonathan Fox and Shmuel Sandler, *Bringing Religion into International Relations*, Culture and Religion in International Relations (Basingstoke: Palgrave Macmillan, 2004). 9–10.
12. In 2000, in a search of papers published in three leading development studies journals between 1982 and 1998, ver Beek found very few references to the role of spirituality or religion in development, which led him to refer to 'spirituality' as a 'development taboo'. Quoted in Carole Rakodi, "Working Paper 66: Inspirational, Inhibiting, Institutionalized: Exploring the Links between Religion and Development," in *Religions and Development Research Programme* (Birmingham: University of Birmingham, 2011).
13. Anne-Marie Hostenstein, *Role and Significance of Religion and Spirituality in Development Co-operation* (Bern: Swiss Agency for Development and Cooperation, 2005). 5.
14. "Pope Francis warns Church could become 'compassionate NGO' " *BBC News* (2013), <http://www.bbc.co.uk/news/world-europe-21793224>.
15. Alina Rocha Menocal, "State Building for Peace: A New Paradigm for International Engagement in Post-Conflict Fragile States?" *Third World Quarterly* 32, no. 10 (2011): 1720.
16. Sarah Cliffe and Nigel Roberts, "World Development Report 2011: Conflict, Security, and Development," ed. Bruce Ross-Larson (Washington, DC: World Bank, 2011), 131.
17. List and Pettit present an extensive discussion of existing literature on 'group agency', they offer a critique of gaming institutions as the consolidation of individual motivations and present a credible group agency theory. While some religious institutions such as the Catholic Church clearly meet their criteria as having group agency it is less clear with less organized religious groups such as can be found within Sunni Islam. In considering

- Sunni Islamic communities or those of other religions such as Protestantism I would suggest that the first step should be to determine whether a group has agency according to List and Pettit's definition or if it is a 'mere collection' of individuals. The latter of which would become problematic in assessing the ability of an 'institution' to follow through consistently with its teleological motivation. Christian List and Philip Pettit, *Group Agency: The Possibility, Design, and Status of Corporate Agents* (New York: Oxford University Press, 2011).
18. This revival largely began with the publication of Douglas Johnston and Cynthia Sampson, eds., *Religion, the Missing Dimension of Statecraft* (New York: Oxford University Press, 1994). Since then the academic spotlight has sharpened on the need to find a place for religion within scholarly research on international affairs. These efforts have included Fabio Petito and Pavlos Hatzopoulos, eds., *Religion in International Relations: The Return from Exile*, 1st ed. (New York: Palgrave Macmillan, 2003). Thomas, *The Global Resurgence of Religion and the Transformation of International Relations: The Struggle for the Soul of the Twenty-first Century*. Snyder, *Religion and International Relations theory*. Timothy Fitzgerald, *Religion and Politics in International Relations: The Modern Myth* (New York: Continuum, 2011). Timothy Samuel Shah, Alfred C. Stepan, and Monica Duffy Toft, eds., *Rethinking Religion and World Affairs* (New York: Oxford University Press, 2012).
 19. Alternatively, some scholars have opted to suggest that religion does not fit easily into existing international relations theories because of their non-political ends and as such new constructs need to be developed. See for example Timothy Samuel Shah and Daniel Philpott, "The Fall and Rise of Religion in International Relations: History and Theory." In *Religion and International Relations Theory*, ed. Jack Snyder (New York: Columbia University Press, 2011), 52.
 20. Snyder, *Religion and International Relations Theory*, 14.
 21. For example see Beate Jahn, "The Tragedy of Liberal Diplomacy: Democratization, Intervention, Statebuilding (Part I)," *Journal of Intervention and Statebuilding*, 1, no. 1 (2007).
 22. Max Weber, "Politics as a Vocation," Anthropological Research on the Contemporary, <http://anthropos-lab.net/wp/wp-content/uploads/2011/12/Weber-Politics-as-a-Vocation.pdf>.
 23. Ibid.
 24. References to the decline of legitimacy as a favoured concept can be found in Bruce Gilley, *The Right to Rule: How States Win and Lose Legitimacy* (New York: Columbia University Press, 2009). xii.
 25. Beetham, *The Legitimation of Power*: 34.
 26. Gilley, *The Right to Rule: How States Win and Lose Legitimacy*: 3.
 27. Beetham, *The Legitimation of Power*: 11.
 28. Lipset does add a second element, political system's effectiveness, alongside legitimacy, which closely resembles Beetham's 'common interest' component of the justification aspect of legitimacy. Seymour Martin Lipset, "Some Social Requisites of Democracy: Economic Development and Political Legitimacy," *The American Political Science Review* 53, no. 1 (1959): 86.

29. Fukuyama, *State-Building: Governance and World Order in the 21st Century*: 156.
30. Gilley, "The Meaning and Measure of State Legitimacy: Results for 72 Countries," 510.
31. *Ibid.*, 502.
32. Paddy Ashdown, *Swords and Ploughshares: Bringing Peace to the 21st Century* (London: Weidenfeld & Nicolson, 2007) 44.
33. Caleb Elfenbein, "Establishing Religion in Iraq: Islam and the Modern State," *Comparative Islamic Studies* 3, no. 1 (2007).
34. Haider Ala Hamoudi, "Religion and Law in Iraq: A Noteworthy Federal Supreme Court Opinion," *JURIST* 2011.
35. For a summary of scholarship on how these social mores arise, whether biological or social, rational or arational, see Francis Fukuyama, *The Great Disruption: Human Nature and the Reconstruction of Social Order* (London: Profile Books, 1999).
36. Utilitarianism has been expanded upon in the context of legitimacy recently by Lasswell and McDougal. Legitimacy through this view is based upon the extent to which it serves the greatest good for the greatest number of people. For a summary of this perspective see Bart M. J. Szewczyk, *The EU in Bosnia and Herzegovina: Powers, Decisions and Legitimacy* (Paris: Institute for Security Studies, 2010). 15.
37. Beetham, *The Legitimation of Power*: 80.
38. Susan L. Woodward, "Do the Root Causes of Civil War Matter? On Using Knowledge to Improve Peacebuilding Interventions," *Journal of Intervention & Statebuilding* 1, no. 2 (2007).
39. See Baghda-Vad-Gita 18:47 for scriptural inference of the caste system.
40. V. Rao and R. Ban, "The Political Construction of Caste in South India," Development Research Group (Washington, DC: World Bank, 2007), 7.
41. *Ibid.*, 4.
42. *Gaudium et spes*, (1965). no. 75.
43. Hamza Hendawi, "Egypt's Army Chief Seeks Mandate to Fight Violence," *Huffington Post*, 30 July 2013.
44. Described from reporting of the official Catholic newspaper, *Glas Koncila*, no. 23 (10.6.1990), p.8 in Maja Brkljačić, "Croatian Catholic Church Imagines the Nation," *Balkanologie* V, no. 1–2 December 2001, <http://balkanologie.revues.org/index668.html>.
45. Francis Bown, "Influencing the House of Lords: The Role of the Lords Spiritual 1979–1987," *Political Studies* 42, no. 1 (1994): 119.
46. For a more extensive discussion on this topic with case studies see Seyyed Vali Reza Nasr, *The Islamic Leviathan: Islam and the Making of State Power* (New York: Oxford University Press, 2001).
47. Fox and Sandler, *Bringing Religion into International Relations*: 37.
48. C. J. Beck, "State Building as a Source of Islamic Political Organization," *Sociological Forum*, 24, no. 2 (2009): 341.
49. Jack A. Goldstone, "Pathways to State Failure," *Conflict Management and Peace Science* 25, no. 4 (2008): 285.
50. *A New Deal for Engagement in Fragile States*, 1 December 2011; Jennifer Milliken and Keith Krause, "State Failure, State Collapse, and State

- Reconstruction: Concepts, Lessons and Strategies," *Development and Change* 33, no. 5 (2002): 760; Goldstone, "Pathways to State Failure," 285.
51. Stuart E. Eizenstat, John Edward Porter and Jeremy M. Weinstein, "Rebuilding Weak States," *Foreign Affairs* 84, no. 1 (2005).
 52. United States Institute of Peace and Peacekeeping and Stability Operations Institute, *Guiding Principles for Stabilization and Reconstruction* (Washington, DC: United States Institute of Peace, 2009). 9.
 53. For a review of reports on the success of international security and justice programmes see Eric Scheye, "Redeeming Statebuilding's Misperceptions: Power, Politics and Social Efficacy and Capital in Fragile and Conflict-Affected States," *Journal of International Peacekeeping* 14, no. 3/4 (2010).
 54. Cliffe and Roberts, "World Development Report 2011: Conflict, Security, and Development," 155.
 55. Leila Chirayath, Caroline Sage and Michael Woolcock, "Customary Law and Policy Reform: Engaging with the Plurality of Justice Systems," *Background Paper for the "World Development Report 2006: Equity and Development"* (2005), http://siteresources.worldbank.org/INTWDR2006/Resources/477383-1118673432908/Customary_Law_and_Policy_Reform.pdf.
 56. Some argue that an exceptionally large and well equipped intervention force can fully replace an indigenous policing effort. See James Dobbins et al. *The Beginner's Guide to Nation-Building* (Santa Monica: RAND Corporation, 2007), <http://www.rand.org/pubs/monographs/MG557>. 25. East Timor could be argued to be one such case in which the police contingents were substantial and dispersed throughout the country but based upon personal experience, having lived in East Timor during this period, I would suggest that their effectiveness in enforcing public security was limited and instead it fell upon non-state actors to maintain law and order.
 57. An example of such a system can be found in Ethiopia as described by Daniel Mekonnen, "Indigenous Legal Tradition as a Supplement to African Transitional Justice Initiatives," *African Journal on Conflict Resolution* 10, no. 3 (2010), http://www.accord.org.za/downloads/ajcr/ajcr_2010_3.pdf.
 58. For a review of the literature comparing the two systems see R. B. G. Choudree, "Traditions of Conflict Resolution in South Africa," *African Journal on Conflict Resolution* 1, no. 1 (1999), http://www.accord.org.za/downloads/ajcr/ajcr_1999_1.pdf.
 59. Quoted in Mekonnen, "Indigenous Legal Tradition as a Supplement to African Transitional Justice Initiatives."
 60. Ibid.
 61. Meron Zeleke, "Ye Shakoch Chilot (the court of the sheikhs): A Traditional Institution of Conflict Resolution in Oromiya Zone of Amhara Regional State, Ethiopia," *African Journal on Conflict Resolution* 10, no. 1 (2010), http://www.accord.org.za/downloads/ajcr/ajcr_2010_1.pdf.
 62. Chirayath, Sage and Woolcock, "Customary Law and Policy Reform: Engaging with the Plurality of Justice Systems".
 63. Mohammed Abu-Nimer, *Nonviolence and Peace Building in Islam: Theory and Practice* (Gainesville, Fla.: University Press of Florida, 2003). 92.
 64. Ibid., 98.

65. R. B. Serjeant, *Customary and Shari'ah law in Arabian Society* (Hampshire: Variorum, 1991) III 12.
66. Ibid.
67. Brett Morash, "Union of Islamic Courts... An Opportunity Lost for Stability in Somalia," in *43rd Annual Meeting of the Northeastern Political Science Association* (Philadelphia, Pennsylvania Northeastern Political Science Association, 2011).
68. Ioannis Mantzikos, "An African Version of the Taliban? The Islamic Courts Union in Somalia (2006) and the Taliban Afghanistan (1996)," *Comparative Islamic Studies* 4, no. 1–2 (2008): 118.
69. Morash, "Union of Islamic Courts... An Opportunity Lost for Stability in Somalia." It is also worth noting that there is little evidence that law and order was restored through extreme punitive measures. See Ted Dagne, "Somalia: Current Conditions and Prospects for a Lasting Peace" (2010), <http://fpc.state.gov/documents/organization/139249.pdf>.
70. Morash, "Somalia: Current Conditions and Prospects for a Lasting Peace."
71. Paolo Buonanno, Daniel Montolio and Paolo Vanin, "Does Social Capital Reduce Crime?" *Journal of Law and Economics* 52, no. 1 (2009): 163. Note that the type of crime considered in this research was property crime (car theft, robbery and common theft) as opposed to violent crime.
72. I Semih Akcomak and Bas ter Weel, "The Impact of Social Capital on Crime: Evidence from the Netherlands," *Regional Science and Urban Economics* 42, no. 1–2 (2012): 324.
73. Kraig Beyerlein and John R. Hipp, "Social Capital, Too Much of a Good Thing? American Religious Traditions and Community Crime," *Social Forces* 84, no. 2 (2005).
74. Ara Norenzayan, "The Idea That Launched a Thousand Civilisations," *New Scientist*, 17 March 2012, 42–44.
75. The terms 'congregation' and 'liturgy' will be used despite common associations with a Christian specificity. Their meaning in the context of this book is adopted from the secular non-denominational definition as generally representing a gathering of people to worship and for the latter the prescribed customs associated with that worship.
76. Robert D. Putnam, *Bowling Alone: The Collapse and Revival of American Community* (New York: Simon & Schuster, 2000).
77. See Jesse Graham and Jonathan Haidt, "Beyond Beliefs: Religions Bind Individuals Into Moral Communities," *Personality and Social Psychology Review* 14, no. 1 (2010).
78. The tangential reference is found in 62:9. Goitein explains the etymology of the Arabic word for Friday as meaning 'day of assembly' which was known as the market day preceding the Jewish Sabbath. That people were gathered in public on such a day is suggestive of a desire for public worship. S. D. Goitein, *Studies in Islamic History and Institutions* (Leiden: E. J. Brill, 1966). 118–119. The quoted hadith is from "Partial Translation of Sunan Abu-Dawud, Book 2: Number 0547," Center for Jewish-Muslim Engagement, University of Southern California, <http://www.cmje.org/religious-texts/hadith/abudawud/002-sat.php#002.0547>.
79. See John R. Bradley, *After the Arab Spring: How the Islamists Hijacked the Middle East Revolts* (New York City: Palgrave Macmillan, 2012) 34.

80. In the Hanafi school of jurisprudence *dar al-Islam* is considered a territory in which certain regulations and observances are practised. These include for example, Friday prayers, Eid prayers, application of Islamic law at the very least on personal matters. Fikret Karčić, *The Bosniaks and Challenges of Modernity: Late Ottoman and Hapsburg Times* (Sarajevo: El-Kalem, 1999) 113. Alternatively, in a more radical reading of the divisions is Sayyid Qutb's in which he sees only two types of societies, 'the Islamic society and the *jahili* [wilfully ignorant of Islam] society'. Esposito notes that in this perspective, the wilful ignorance or active opposition to true Islam 'surrounds' the true Muslim, and for that person, 'the battle is continuous and jihad continues until the Day of Judgement'. John L. Esposito and John O. Voll, "Islam and the West: Muslim Voices of Dialogue." In *Religion in International Relations: The Return from Exile*, ed. Fabio Petito and Pavlos Hatzopoulos (Washington, DC: Palgrave MacMillon, 2003), 240.
81. Catholic Church, *Catechism of the Catholic Church* (London: Geoffrey Chapman, 1994). no. 842.
82. *Ibid.*, no. 843.
83. For a full explanation see the reasoning offered by John Matusiak, "Questions and Answers: The Divine Liturgy—Receiving Communion," Orthodox Community of America, <http://oca.org/questions/divineliturgy/receiving-communion>.
84. Tone Bringa, *Being Muslim the Bosnian Way: Identity and Community in a Central Bosnian Village*, Princeton Studies in Muslim Politics (Princeton, NJ: Princeton University Press, 1995).
85. See for example Ronald G. Musto, *The Catholic Peace Tradition* (Maryknoll, N.Y.: Orbis Books, 1986). For Islam, see Qamar-ul Huda, *Crescent and Dove: Peace and Conflict Resolution in Islam* (Washington, DC: United States Institute of Peace, 2010).
86. Another critical document is, Congregation for the Doctrine of the Faith, *Dominus iesus* (2000).
87. *Nostra aetate* (1965). No. 3.
88. Ubayd Allah Sindhi is an example of a universalist who minimizes the differences between faiths and argues that as they all see the same reality then they can all agree on moral norms rooted in their own traditions. This view placed him in the minority of Indian scholars who believed that one could have an Indian identity that derived from either the Hindu or Muslim traditions. See Muhammad Qasim Zaman, "Consensus and Religious Authority in Modern Islam: The Discourses of the Ulama," in *Speaking for Islam: Religious Authorities in Muslim Societies*, ed. Sabine Schmidtke and Gudrun Krämer, *Social, Economic and Political Studies of the Middle East and Asia* (Leiden: Brill, 2006), 162 ff.
89. John Burton has written an extensive study on the concept of *naskh*, reviewing its origins, different approaches used, critical cases that it is applied to and the exegetical rules used by different groups. For the purpose of this book it is important to note that there is no single agreed approach to dealing with perceived conflicting suras in the scriptures. Furthermore, there is no agreement on whether only the Qur'an can abrogate a verse in the Qur'an or the *sunnah* can be used to abrogate the Qur'an, or vice versa the Qur'an can abrogate the *sunnah*. In this case, awareness of the diversity of

- approaches and contextual study in the way a particular community applies the concept of *naskh* is critical to suggesting the possible impact a religious institution will have on social capital. John Burton, *The Sources of Islamic Law: Islamic Theories of Abrogation* (Edinburgh: Edinburgh University Press, 1990).
90. Muhammad Abdel Haleem, "Interpreting the Qur'an; Qur'an 3:7, 2:106, 16:101, 31:20." In *Communicating the Word: Revelation, Translation, and Interpretation in Christianity and Islam*, ed. David Marshall (Washington, DC: Georgetown University Press, 2011). To aid in the understanding of the breadth of scholarly perspectives on Islam and conflict Mohammed Abu-Nimer has identified three distinct groups: those who focus on the study of war and jihad; those who study war and peace; and those who study peace building and non-violence. Each of these three places a different emphasis upon aspects of the Qur'an leading to different interpretations of normative inter-religious relations. Abu-Nimer, *Nonviolence and Peace Building in Islam: Theory and Practice*: 11–47.
 91. Jane E. Stromseth, David Wippman, and Rosa Brooks, *Can Might Make Rights?: Building the Rule of Law After Military Interventions* (Cambridge: Cambridge University Press, 2006). 310. Their work on this topic comprising a hefty chapter in their book is a worthy contribution to the field written from the perspective of foreign intervention.
 92. *Ibid.*, 310–11.
 93. *Ibid.*, 314.
 94. Others suggest that it is the result of a lack of knowledge by donors who are responsible for funding. Piron sees donors as 'blind to their [traditional non-state authorities] existence and relevance.' See Laure-Helene Piron, "Time to Learn, Time to Act in Africa," in *Promoting the Rule of Law Abroad: In Search of Knowledge*, ed. Thomas Carothers (Washington, DC: Carnegie Endowment for International Peace, 2006), 291.
 95. Quoted in Heather Marquette, "Corruption, Religion and Moral Development," in *Religions and Development Research Programme* (Birmingham: University of Birmingham, 2010), 9.
 96. It should be noted that their finding had the further caveat that religion played a role on issues that are not already condemned by society as a whole and furthermore that motivation was perceptibly strongest among religious groups in the minority among a community of atheists with the apparent driver of distinguishing one's faith through moral faithfulness to their beliefs. The latter finding has the potential impact for post-conflict statebuilding of being particularly powerful in communities of mixed religions. *Ibid.*, 9, 11.
 97. Norenzayan, "The Idea That Launched a Thousand Civilisations," 44.
 98. Nasr, *The Islamic Leviathan*: 110. See also Kikue Hamayotsu, "Islam and Nation Building in Southeast Asia: Malaysia and Indonesia in Comparative Perspective," *Pacific Affairs* 75, no. 3 (2002).
 99. For an explanation of a disciplinary revolution see Philip S. Gorski, "The Protestant Ethic Revisited: Disciplinary Revolution and State Formation in Holland and Prussia," *American Journal of Sociology* 99, no. 2 (1993).
 100. Gregory Starrett, *Putting Islam to Work: Education, Politics and Religious Transformation in Egypt* (Berkeley: University of California Press, 1998) 62.

101. Specific Catholic guidance on the topic of the homily is provided in the General Instructions of the Roman Missal, section 65.
102. Dobbins et al., *The Beginner's Guide to Nation-Building*. xxx.
103. *Ibid.*, xxiii.
104. *Humanitarian Charter and Minimum Standards in Disaster Response*, ed. Sphere Project (Warwickshire: Practical Action Publishing, 2011).
105. Maia Green, Claire Mercer, and Simeon Mesaki, "The Development Activities, Values and Performance of Non-Governmental and Faith-Based Organizations in Magu and Newala Districts, Tanzania," in *Religions and Development Research Programme* (Birmingham: University of Birmingham, 2010).
106. Richard Batley and Claire Mcloughlin, *State Capacity and Non-State Service Provision in Fragile and Conflict-Affected States* (Birmingham: Governance and Social Development Resource Centre, 2009), 15.
107. Ildephonse Fayida et al., *Christians and Muslims Promoting Maternal and Infant Health: A Sermon/Khutbah Guide Based on the Holy Bible and the Holy Qur'an*, ed. Sarla Chand, Ignace Singirankabo, and Kathy Erb (IMA World Health, 2009), vii.
108. Data as of 31 December 2009: Agenzia Fides, "World Mission Day: Catholic Church Statistics," *The Vatican Today*, 21 October 2011.
109. Matthew Clarke, *Development and Religion Theology and Practice* (Cheltenham, UK: Edward Elgar, 2011). See also Gerrie ter Haar, ed. *Religion and Development: Ways of Transforming the World* (London: Hurst & Co., 2011).
110. For a critique of Clarke's book regarding the difference between stated goals and theology see Denis Dragovic, "Development and Religion: Theology and Practice," *Australian Journal of International Affairs* 66, no. 3 (2012).
111. Clarke, *Development and Religion Theology and Practice* 14–17. For the definition of faith-based organizations Clarke quotes from the Religion and Development Program literature.
112. See the work of IMA World Health and its sermon guide on maternal and infant health, Centre for Interfaith Dialogue together with IMA World Health sermon guide on malaria. Both are available through the IMA World Health website. Another example of religious practices used as a basis of preventive health education is the borrowing of the Islamic practice of ablution before prayer to emphasize the importance of cleanliness.
113. Cliffe and Roberts, "World Development Report 2011: Conflict, Security, and Development," 155.

2 Roman Catholic View of the State

1. Gilley, *The Right to Rule: How States Win and Lose Legitimacy*: 157.
2. See for example, Martin Hollis and Steven Lukes, eds., *Rationality and Relativism* (Oxford: Basil Blackwell, 1982).
3. Alasdair C. MacIntyre, *Whose Justice? Which Rationality?* (London: Duckworth, 1988). 349.
4. Nukhet A. Sandal and Jonathan Fox, *Religion in International Relations Theory: Interactions and Possibilities* (New York: Routledge, 2013). 9.

5. W. Richard Scott, "The Adolescence of Institutional Theory," *Administrative Science Quarterly* 32 (1987): 508.
6. Pope Paul VI, *Octogesima adveniens* (1971). No. 4.
7. Pope Benedict XVI, *Deus caritas est* (2005). No. 27.
8. Pope John Paul II, *Sollicitudo rei socialis* (1987). No. 8.
9. Despite *Fidei depositum* being promulgated in 1992, nearly 30 years after the close of the Second Vatican Council its claim to constitutional status is explained in section two, 'It can be said that this catechism is the result of the collaboration of the whole Episcopate of the Catholic ChurchThe achievement of this catechism thus reflects the collegial nature of the Episcopate: It testifies to the Church's catholicity,' Pope John Paul II, *Fidei depositum* (1992).
10. Hastings notes the evolving terminology of conciliar documents concluding that there is little implied difference between constitutions, decrees or declarations. See Adrian Hastings, *A Concise Guide to the Documents of the Second Vatican Council. Vol. 1* (Darton: Longman & Todd, 1968) 22.
11. Quoted in Charles E. Curran, *Catholic Social Teaching, 1891–Present: A Historical, Theological, and Ethical Analysis* (Washington, DC: Georgetown University Press, 2002) 28.
12. *Ibid.*, 32–33. But Curran wrote these views prior to 2005 when Pope Benedict XVI began to use a more metaphysically structured argument for his social encyclicals.
13. Pope Leo XIII, *Immortale dei* (1885). No. 17.
14. Quoted in Leslie Griffin, "The Integration of Spiritual and Temporal: Contemporary Roman Catholic Church–State Theory," *Theological Studies* 48, no. 2 (1987): 230–31.
15. Pope Leo XIII, *Immortale dei*. nos. 4, 47.
16. José Casanova, "Globalizing Catholicism and the Return to a 'Universal' Church." In *Transnational Religion and Fading States* (Boulder, CO: Westview Press, 1997).
17. A papal position of neutrality re-emerged in the early nineteenth century and by the First World War became what was referred to as 'absolute impartiality'. Through such a view public moral determinations on justice between warring states was eschewed as it was seen as a breach of neutrality. See Charles R. Gallagher, "The Perils of Perception: British Catholics and Papal Neutrality, 1914–1923." In *The Papacy Since 1500: From Italian Prince to Universal Pastor*, ed. James Corkery and Thomas Worcester (Cambridge: Cambridge University Press, 2010).
18. Giuseppe Alberigo and Joseph A. Komonchak, *History of Vatican II. Vol. 1: Announcing and Preparing Vatican Council II Toward a New Era in Catholicism*, Vol. 1 (Maryknoll, NY: Leuven: Orbis: Peeters, 1995), book. 296.
19. José Casanova, "Secularization Revisited: A Reply to Talal Asad." In *Powers of the Secular Modern: Talal Asad and His Interlocutors* (Stanford: Stanford University Press, 2006), 26. Casanova defines the shift as from a 'state-oriented to a civil society—oriented institution'.
20. Samuel P. Huntington, *The Third Wave: Democratization in the Late Twentieth Century*, The Julian J. Rothbaum distinguished lecture series (Norman: University of Oklahoma Press, 1991).
21. Pope Paul VI, *Populorum progressio* (1967). No. 13.

22. *Gaudium et spes*. No. 76.
23. Pope Benedict XVI, *Caritas in veritate* (2009). No. 41.
24. *Ibid.*
25. *Ibid.*, no. 56.
26. In Pope Paul VI's Apostolic Exhortation *Evangelii nuntiandi* he warns the Church of the temptation to 'reduce her mission to the dimensions of a simply temporal project'. If this were to occur the Church's initiatives would be driven by the political and social order, open to monopolization and manipulation. This is why the Church must not forget the full theological meaning of its message. Pope Paul VI, *Evangelii Nuntiandi* (1975) no. 32.
27. Pope Benedict XVI, *Caritas in veritate*, no. 56.

3 Salvation as the Catholic Post-Conflict Statebuilding Imperative

1. *Lumen Gentium* (1964). No. 10.
2. See also Matthew 18:14 and John 6:39 and for references relating to the Church and this goal emanating from Second Vatican documents: '[T]he Church has a single intention: that God's kingdom may come, and that the salvation of the whole human race may come to pass.' *Gaudium et spes*. No. 45. 'The Church was founded for the purpose of spreading the kingdom of Christ throughout the earth for the glory of God the Father, to enable all men to share in His saving redemption.' Decree on the Apostolate of the Laity (1965) No. 2.
3. Cf. A Gill and A Keshavarzian, "State Building and Religious Resources: An Institutional Theory of Church-State Relations in Iran and Mexico," *Politics and Society* 27, no. 3 (1999).
4. J. Brian Benestad, *Church, State, and Society: An Introduction to Catholic Social Doctrine*, Catholic Moral Thought (Washington, DC: Catholic University of America Press, 2011) 8.
5. *Gaudium et spes*. No. 39.
6. Pope Benedict XVI, *Caritas in veritate*. No. 7.
7. *Ibid.*
8. Catholic Church, *Catechism of the Catholic Church*: no. 1898.
9. Pope John XXIII, *Pacem in terris* (1963). No. 46.
10. This is qualified though in that only when authority is exercised 'within the limits of the moral order and directed toward the common good—with a dynamic concept of that good—according to the juridical order legitimately established or due to be established.' *Gaudium et spes*. No. 74.
11. *Ibid.* 'But where citizens are oppressed by a public authority overstepping its competence, they should not protest against those things which are objectively required for the common good.'
12. Beetham, *The Legitimation of Power*: 70–71.
13. Catholic Church, *Catechism of the Catholic Church*: no. 1902.
14. *Ibid.*, nos. 1700 and 930.
15. Pope John XXIII, "*Mater et Magistra*," (1961), no. 217. See also Pope John XXIII, *Pacem in terris*: no. 51.
16. *Gaudium et spes*. No. 89.

17. Pope Benedict XVI, *Caritas in veritate*. 56.
18. Pope Benedict XVI, *Deus caritas est*. No. 28 (a).
19. *Gaudium et spes*. No. 89.
20. Regarding 'structures of sin' see Pope John Paul II, *Sollicitudo rei socialis*.
21. *Gaudium et spes*. Nos. 36–7. Reinforcing the risk of excluding higher order values Pope John XXIII in *Pacem in terris* dismisses the view that, 'the will of the individual or the group is the primary and only source of a citizen's rights and duties, and of the binding force of political constitutions and the government's authority.' Pope John XXIII, *Pacem in terris*: no. 78.
22. *Gaudium et spes*. No. 76.
23. Nell-Breuning in contributing to the commentary on the Second Vatican Council notes that 'the Council certainly does not want to impose, with impetuous zeal, juridical and political structures on peoples among whom the necessary conditions for their functioning have yet to be created,' though, he notes, an all-out effort must be made to create these conditions. Oswald von Nell-Breuning, "Part II, Chapter IV: The Life of the Political Community." In *Commentary on the Documents of Vatican II: Volume V; Pastoral Constitution on the Church in the Modern World*, ed. Herbert Vorgrimler (London: Burns & Oates, 1967), 321. See also Pope John XXIII, *Pacem in terris*: no. 68. For an additional reference to the need for countries to reform political institutions and shift towards participatory forms of governance, see Pope John Paul II, *Sollicitudo rei socialis*: no. 44. The Catechism references *Gaudium et spes* when suggesting a preference for a democratic style system. *Gaudium et spes*. No. 74.
24. *Gaudium et spes*. No. 31, 75.
25. *Ibid.*, no. 43.
26. Canon Law 285 §3, "Clerics Are Forbidden to Assume Public Offices Which Entail a Participation in the Exercise of Civil Power."
27. Quoted from *Feral Tribune*, no. 739, 16 November 1999, in Vjekoslav Perica, *Balkan Idols: Religion and Nationalism in Yugoslav States* (New York: Oxford University Press, 2002): 173.
28. Quoted in Gerard F. Powers, "Religion, Conflict and Prospects for Peace in Bosnia, Croatia and Yugoslavia," *Religion in Eastern Europe* 16, no. 5 (1996).
29. Cf. Pope John XXIII, *Pacem in terris*: nos. 60, 63, 143, 44. *Gaudium et spes*. No. 26, 29. Pope John Paul II, *Sollicitudo rei socialis*: no. 26. Pope Benedict specifically noted the importance of R2P in the international system. Pope Benedict XVI, *Caritas in veritate*. No. 67. For a Christian ethical discussion of the R2P movement see the subsequent debate between Reed and Glanville in *Journal of Religious Ethics*. Response by Reed to Glanville: Esther D. Reed, "Responsibility to Protect and Militarized Humanitarian Intervention," *Journal of Religious Ethics* 41, no. 1 (2013).
30. Pope John Paul II, *Sollicitudo rei socialis*: no. 26.
31. *Gaudium et spes*. No. 76.
32. Pope John XXIII, *Pacem in terris*: no. 1.
33. Catholic Church, *Catechism of the Catholic Church*: no. 1909.
34. *Ibid.*, no. 1906. Similar in *Mater et magistra* the common good is implied to entail, 'all those social conditions which favour the full development of human personality', Pope John XXIII, "*Mater et Magistra*."
35. Pope Benedict XVI, *Caritas in veritate*. No. 18.

36. Pontifical Council for Justice and Peace, *Compendium of the Social Doctrine of the Church* (Vatican City: Libreria Editrice Vaticana, 2004). No. 116.
37. Pope John Paul II, *Sollicitudo rei socialis*: no. 36.
38. Pontifical Council for Justice and Peace, *Compendium of the Social Doctrine of the Church*: nos. 119, 68. For earlier writing on this topic see Pope John Paul II, *Sollicitudo rei socialis*: no. 36. See also Catholic Church, *Catechism of the Catholic Church*: no. 1888.
39. Pope Benedict XVI, *Deus caritas est*. No. 22.
40. Basic needs have been variously defined within the magisterium as: 'Food, clothing, health, work, education and culture, suitable information, right to establish a family and so on', or 'food and clothing, housing, health care, basic education, employment and special assistance'. Catholic Church, *Catechism of the Catholic Church*: no. 1908 and 2288. Or alternatively: 'food, clothing, shelter, medicine, rest and social services', Pope John XXIII, *Pacem in terris*: no. 11. Basic needs differ from longer term development. For a religious perspective on some long term development issues such as care of the environment see Clarke, *Development and Religion Theology and Practice*.
41. Pope Benedict XVI, *Deus caritas est*. No. 31. In addition the Catholic Church's charity, *Caritas Internationalis* was established upon the basis of: 'A new command I give you: Love one another. As I have loved you, so you must love one another.' *John* 13:34.
42. Pope John Paul II, *Sollicitudo rei socialis*: nos. 33, 40.
43. Cf. *Ibid.*, no. 9. See also Pope Benedict XVI, *Caritas in veritate*. No. 27. Following in the footsteps of Christ is an important way that Christians see charity relating to salvation, see for example *John* 14:1–2 'whoever believes in me will perform the same works as I do myself.'
44. Catholic Church, *Catechism of the Catholic Church*: no. 1815.
45. Pope Benedict XVI, *Deus caritas est*. No. 15.
46. *Matthew* 25:40.
47. See also Catholic Church, *Catechism of the Catholic Church*: no. 1033.
48. Pope Benedict XVI, *Deus caritas est*. No. 20.
49. *Ibid.*
50. *Ibid.*, no. 21.
51. This section within Acts relating to the appointment of the seven begins by relating the complaints made by the Greek speaking Jewish disciples whose widows were not receiving sufficient support. This led to the impartiality of the apostles being questioned. See John Roberts Dummelow, ed. *A Commentary on the Holy Bible by Various Writers* (London: Macmillan, 1913). 825. Though, others saw this moment as an issue of organizational failure rather than a lack of impartiality that could nevertheless aggravate if not handled well. Ajith Fernando, *Acts*, ed. Terry Muck. The NIV Application Commentary (Grand Rapids: Zondervan, 1995). 226. See also C. K. Barrett, *A Critical and Exegetical Commentary on the Acts of the Apostles, V 1: Preliminary Introduction and Commentary on Acts 1–14*, ed. J. A. Emerton, C. E. B Cranfield, and G. N. Stanton, International Critical Commentary (Edinburgh: T & T Clark, 1994). 303. Either way, the response, namely the identification of seven disciples to lead charitable giving, is reactionary, it is aimed at preventing an emerging division between the disciples. Ajith Fernando in his commentary of this verse notes that the Apostles did not respond by talking about

the importance of spiritual sustenance relative to earthly food, but rather 'There was a genuine problem... Thus the apostles made an administrative decision.' Fernando, *Acts*. Similarly, in another commentary the decision is described as 'the Apostles, finding the distribution of charity too great a burden for them', which reinforces the view of a pragmatic decision rather than a spiritual calling. Dummelow, *A Commentary on the Holy Bible by various writers*. This is not to dismiss the importance of charity or to imply a two-tiered structure, one of spiritual calling the other material, as Fernando makes clear, but rather that it being a pragmatic decision does not allow us to find within it a spiritual justification for the Church's involvement in the distribution of charity.

52. Pope Paul VI, *Populorum progressio*. No. 20.
53. *Ibid.*, no. 21.
54. *Ibid.*
55. *Ibid.*
56. 'What are less than human conditions? The material poverty of those who lack the bare necessities of life, and the moral poverty of those who are crushed under the weight of their own self-love.' *Ibid.*
57. *Gaudium et spes*. No. 69. Proverbs 6:30. In addition Paul VI raised the right of authorities to appropriate property for the common use when it can be better used by those facing hardship which John Paul II reinforced. See Paul VI, *Populorum progressio*. No. 24. See also Pope John Paul II, *Sollicitudo rei socialis*: no. 7.
58. Matthew 5:3.
59. *Gaudium et spes*. 63. See also Pontifical Council for Justice and Peace, *Compendium of the Social Doctrine of the Church*: no. 182. 'The principle of the universal destination of goods requires that the poor, the marginalized and in all cases *those whose living conditions interfere with their proper growth*...'
60. Cf. Pope Paul VI, *Populorum progressio*. No. 15.
61. Congregation for Bishops, "Apostolorum Successores," (2004): nos. 194, 96, http://www.vatican.va/roman_curia/congregations/cbishops/documents/rc_con_cbishops_doc_20040222_apostolorum-successores_en.html (date accessed: 11/10/2014). It is important to distinguish here between proselytizing and being an example of the love of God that the Church represents through its charitable works. Pope Benedict XVI emphasized this point when writing, 'Charity, furthermore, cannot be used as a means of engaging in what is nowadays considered proselytism... Those who practise charity in the Church's name will never seek to impose the Church's faith upon others. They realize that a pure and generous love is the best witness to the God in whom we believe and by whom we are driven to love.' Pope Benedict XVI, *Deus caritas est*. No. 31 (c).
62. *Gaudium et spes*. No. 42.
63. Pope Benedict XVI, *Deus caritas est*. No. 28 (a).
64. Christiansen explains that Benedict differentiates truth in the common understanding with Truth, with a capital letter, to refer to knowledge about human existence. Drew Christiansen, "Metaphysics and Society: A Commentary on Caritas in Veritate," *Theological Studies* 71, no. 1 (2010): fn. 4.
65. Pope Benedict XVI, *Caritas in veritate*. No. 5.
66. *Gaudium et spes*. No. 76.

4 Sunni Islam and the State

1. For a discussion of topics in which the Ash‘ari school has seen its position shift see Zafar Ishaq Ansari, “Taftāzānī’s views on taklif, ġabr and qadar: A Note of the Development of Islamic Theological Doctrines,” *Arabica* 16, no. 1 (1969).
2. See 3:4, 5:48, 25:1.
3. See also 10:99.
4. See for example Qur’an 51:56.
5. Antony Black, *The History of Islamic Political Thought: From the Prophet to the Present* (Edinburgh: Edinburgh University Press, 2001).
6. *Ibid.*, 210.
7. Another prominent example is of the Kharijite who fought on the side of Ali during the battle of Siffin but were frustrated when Ali chose to settle the battle through negotiations rather than—as the Kharijite believed to be just—through fighting so as to allow Allah to choose a successor. Ali’s decision to favour peace talks suggested to Kharijite observers that he held a theological position that questioned Allah’s omnipotence which was deemed unacceptable and hence justification for their breaking with Ali.
8. Patricia Crone, “Ninth-Century Muslim Anarchists,” *Past & Present* 167, no. 1 (2000): 15.
9. Mustafa Cerić, *Roots of Synthetic Theology in Islam: A Study of the Theology of Abu Mansur Al-Maturidi (d. 333/944)* (Kuala Lumpur: International Institute of Islamic Thought and Civilization, 1995). 45.
10. *Ibid.*, 70.
11. W. Montgomery Watt, *The Formative Period of Islamic Thought* (Oxford: Oneworld, 1998). 314–16.
12. Cerić takes this further by explaining that it is not simply faith regardless of the way one lives one’s life, which would be a *Murji’ite* position, but instead that faith required a heartfelt assent rather than simple acknowledgment and that ‘it is not conditioned by good deeds but may, as a result, produce good ones’. This debate over faith and deeds is reminiscent of the protestant reformation and its claims of *sola fida* against the Catholic view of faith and works. Cerić, *Roots of Synthetic Theology in Islam: A Study of the Theology of Abu Mansur Al-Maturidi (d. 333/944)*: 204.
13. This became a nuanced view over the centuries. Ansari argues that it was only due to the conflict with the Mu‘tazili that this initial position was taken but by the fourteenth century it had shifted towards the Maturidi view that Allah created the power within man to act and it was man’s will that then triggered the creation by Allah of all actions. See Ansari, “Taftāzānī’s views on taklif, ġabr and qadar: A Note of the Development of Islamic Theological Doctrines,” 75–76.

5 Justice as the Sunni Post-Conflict Statebuilding Imperative

1. For an English translation of the Articles of Belief see Duncan B. Macdonald, “The Faith of al-Islam,” *The American Journal of Semitic Languages and Literatures* 12, no. 1/2 (1895): 117.

2. Ibid., cf. 21. Though this would seem contrary to 3:107.
3. See also 44:38.
4. Sura 10:103 taken out of context could be suggested to indicate otherwise. That is, as it is Allah's will that the faith be spread then it is His will that all of humanity be saved because, 'In the end We deliver [save] Our messengers and those who believe.' But this should be taken in context. Verse 99 in the same sura states, 'If it had been thy Lord's will, they would all have believed.' This suggests that had Allah wanted all saved He would have made provision for all to become believers but He did not will it so.
5. See for example 2:109; 3:110, 5:13, 6:91.
6. Khalid Blankinship, "The Early Creed," in *The Cambridge Companion to Classical Islamic Theology*, ed. T. J. Winter (Cambridge: Cambridge University Press, 2008). 35.
7. Majid Khadduri, *The Islamic Conception of Justice* (Baltimore: Johns Hopkins University Press, 1984). 10.
8. Colin Turner, "Bediuzzaman and the Concept of 'Adl: Towards a Nursian Ontology of Divine Justice," *Asian Journal of Social Science*. 38, no. 4 (2010): 563.
9. H. A. R. Gibb, Stanford J. Shaw, and William R. Polk, *Studies on the Civilization of Islam* (Princeton: Princeton University Press, 1982, 1962). 158.
10. Mohammad Hasim Kamali, "The Ruler and the Ruled in Islam: A Brief Analysis of the Sources." In *Justice and Rights: Christian and Muslim Perspectives: A Record of the Fifth "Building Bridges" Seminar held in Washington, DC, 27-30 March 2006*, ed. Michael Ipgrave (Washington, DC: Georgetown University Press, 2009). 5. In addition Kamali sees justice as the 'overriding goal and objective of Islam.' Ibid., 8.
11. Ibrahim Kalin, "Islam and Peace: A Survey of the Sources of Peace in the Islamic Tradition," in *Crescent and Dove: Peace and Conflict Resolution in Islam*, ed. Qamar-ul Huda (Washington, DC: United States Institute of Peace, 2010). 6.
12. Khadduri, Majid. *The Islamic Conception of Justice*. Baltimore: Johns Hopkins University Press, 1984: 193.
13. In the Iraqi constitution the repugnancy clause is in Article 2, for Afghanistan it is Article 3 and related to the oath to uphold Islam see Article 119.
14. The Ash'ari school shifted to a view that held that Allah controls instinctual responses while man is responsible through free will on actions that are cognitively developed. For further discussion see Ansari, "Taftāzānī's views on taklif, ḡabr and qadar: A Note of the Development of Islamic Theological Doctrines."
15. March adds to the list one commonly used spiritual argument, namely that the duty to migrate is to be understood as spiritual, that is to avoid sin and sinners. I find such an argument entirely inconsistent with the Qur'an, hadiths and how Islam has been practised historically unless one adopts allegorical tools to interpret the Qur'an's verses which resembles a Mu'tazila approach and as such I will not reflect upon it further. Andrew F. March, "Islamic Foundations for a Social Contract in non-Muslim Liberal Democracies," *American Political Science Review* 101, no. 2 (2007): 242.

16. It may appear that contributing to the post-conflict statebuilding process of non-Muslim states is contrary to the first obligation. The analogy that I draw upon to argue that it is acceptable is the much debated argument over whether it is acceptable to fight to defend a non-Muslim state. This debate revolves round the issue of whether a Muslim should fight in a non-Muslim state against a non-Muslim adversary (fighting against a Muslim adversary is generally seen as apostasy). In most cases defending a non-Muslim state is seen to be acceptable and March goes through this in some detail outlining all of the cases under which it is acceptable including that it raises the positive profile of Islam, it prepares Muslims for war and that it avoids creating targets out of the Muslim community. I would suggest that the same arguments of the acceptability of defending a non-Muslim state can be made in favour of contributing to building non-Muslim states. The basis of a contextual examination would have to include, firstly, that the benefits outweigh the costs to the Islamic community in that state, and secondly, that it does not serve the advance of unbelief. *Ibid.*, 246–50.
17. *Ibid.*
18. For both an expansive Islamic justification of monarchy based upon the revelations and a limited argument for its religious legitimacy contributing to avoiding upheaval see The Royal Islamic Strategic Studies Center, *The Muslim 500: The 500 Most Influential Muslims 2011* (Amman: National Press, 2011), <http://themuslim500.com/download>. 9–20.
19. Albert Hourani, *Arabic Thought in the Liberal Age, 1798–1939* (Cambridge: Cambridge University Press, 1983). 14.
20. Rida suggested that those in authority included ‘the rulers and the governors, the ulama, the military commanders, and all those leaders and notables to whom people turn in need and in matters concerning the public interest’. He also outlined the conditions that had to be met for rulers to be obeyed which included, ‘that they be from amongst us; that they not contravene a command of God or the [most authoritative of] the reported teachings of the Prophet . . . ; that they be unconstrained in their discussion on the matter [in question] and in their agreement on it; that what they do agree upon is itself a matter of public interest and one that “those in authority” do have the requisite authority and knowledge to rule on . . .’ Quoted in Zaman, “Consensus and Religious Authority in Modern Islam: The Discourses of the Ulama,” 157.
21. Kamali, “The Ruler and the Ruled in Islam: A Brief Analysis of the Sources,” 6.
22. Bernard G. Weiss, *The Spirit of Islamic law* (Athens: University of Georgia Press, 2006) 120.
23. *Ibid.*, 120–21.
24. This saying is not found in the ‘Authentic Six’ collections of hadiths but is often referenced by Muslims and Islamic scholars.
25. Osama Bin Laden and Bruce B. Lawrence, *Messages to the World: The Statements of Osama Bin Laden* (London: Verso, 2005) 12.
26. Quoted in Cerić, *Roots of Synthetic Theology in Islam: A Study of the Theology of Abu Mansur Al-Maturidi* (d. 333/944): 206–07.
27. Starrett, *Putting Islam to Work: Education, Politics and Religious Transformation in Egypt*: 232–33.

28. Francis Robinson, "Crisis of Authority: Crisis of Islam?," *Journal of the Royal Asiatic Society* 19, no. 3 (2009): 340.
29. Prophet Mohammad said as narrated by Abu Malik al-Ash'ari in *Sunan Abu Dawood*, Book 37, Hadith 14 . Available at <http://sunnah.com/abudawud/37/14>. Accessed on 12 October 2014.
30. Abdullah Ali argues that there has not been true consensus in the way it is commonly understood since the time of the Companions. After which the Islamic empire had expanded to such a degree that it was impossible to have true consensus. As a result a division between explicit and implicit consensus emerged in that the latter was acknowledged if there was no response by a *mujtahid* who was reasonably presumed to have been aware of the issue at hand. But some schools of jurisprudence (Ali notes Shafi'i in this instance) don't acknowledge implicit consensus and as such there is a very limited body of closed rulings within their teachings. See Abdullah bin Hamid Ali, "Scholarly Consensus: Ijma': Between Use and Misuse," *Journal of Islamic Law and Culture* 12, no. 2 (2010). Others including Muhammad Iqbal and Rashid Rida, took a different tack and expanded beyond the realm of scholars the idea of consensus into one of a consultative assembly. Muhammad Rashid Rida, the early twentieth century modernist scholar, foresaw a consultative body that may have included the elected. Quoted in Zaman, "Consensus and Religious Authority in Modern Islam: The Discourses of the Ulama," 158. Further complicating matters, there is disagreement over what content can be considered by the concept of consensus. Historically the view was that *ijma'* was an exegetical tool for the legal schools to adjudicate on matters of *fiqh*, but reformist scholars such as Muhammad Abduh and Rashid Rida extended it to considerations of public interest. *Ibid*.
31. The Amman Message (The Royal Aal Al-Bayt Institute for Islamic Thought, 2009). vii. Interestingly only Ashari theology is mentioned, while Maturidi was excluded. When asked why, Mustafa Cerić, the Bosnia and Herzegovinian scholar, cleric and author of one of the few books in English on Maturidi theology who was a signatory of the Message hesitantly suggested that it was mainly an Arab focused document and that there remains much distrust of Maturidi theology among some traditional scholars. Mustafa Cerić, "personal interview," (Sarajevo, Bosnia and Herzegovina, 7 January 2013).
32. Catholic Church. *Catechism of the Catholic Church*. London: Geoffrey Chapman, 1994: no. 407.
33. To avoid any implication of a dualist nature I bring the reader's attention to the Qur'an in which Allah reminds man that even the jinn were created by Him, 'Indeed I have only created Jinn and human beings in order to worship me.' Qur'an 51:56
34. It is Satan's task to lead man astray, 'I had no power over you, but to call you.' (14:22). See also for jinn's assignment to the unbelievers 41:25 and 43:36. For the angel's role alongside believers see 41:30.
35. Huda, *Crescent and Dove: Peace and Conflict Resolution in Islam*: xviii. Another book that similarly emphasizes the non-violent nature of Islam is Abu-Nimer, *Nonviolence and Peace Building in Islam: Theory and Practice*.
36. Though in the introduction to the Amman Message King Abdullah went out of his way to state that 'the ends do not justify the means in this religion'. But

this statement is made within the context of extremism and I suggest that it was not meant to be absolute otherwise the concept of Islamic just war theory, to mention just one example, would amount to nought. *The Amman Message*. The Royal Aal Al-Bayt Institute for Islamic Thought, 2009. 10.

37. See also discussion of *nasihah* (moral advice) and whose responsibility is it to convey and enforce it in Talal Asad. *Genealogies of Religion: Discipline and Reasons of Power in Christianity and Islam* (Baltimore: Johns Hopkins University Press, 1993). 214–23.
38. See also 3:104, 4:135; 5:8. Some early Mu‘tazili writers (Hisham al-Fuwati and Abbad ibn Sulayman) argued for the community to take law and order into their own hands completely, eliminating the role of any authority. I have not found any evidence that this thought was embraced by the Maturidi school. Crone, “Ninth-Century Muslim Anarchists,” 17.
39. Quoted in Ajaz Ahmed Khan, Ismayil Tahmazov, and Mamoun Abuarqub, *Translating Faith into Development*, (Birmingham: Islamic Relief, 2009), 4.
40. Prophet Mohammad said as narrated by Ibn ‘Umar in *Sahih Muslim*, Book 24, Hadith 32. Available at <http://sunnah.com/bukhari/24/32>. Accessed 12 October 2014. In the Qur’an verse 13:11 suggests the same message.
41. Prophet Mohammad said as narrated by Az-Zubair bin Al-‘Awwam in *Sahih Bukhari*, Book 24, Hadith 74. Available at <http://sunnah.com/bukhari/24/74>. Accessed 12 October 2014. A fuller explanation on Islam’s position towards self-reliance can be found at Khan, Tahmazov and Abuarqub, “Translating Faith into Development.”
42. Also see 2:178, 6:6, 6:131, 6:137, 6:15, 10:13, 10:24, 11:60, 11:68, 11:82, 11:94, 17:16, 22:2, 23:44, 39:7. Although I suggest that there is no indication that individual lives are sacrosanct to Allah, the Qur’an is clear on its injunctions against man, as opposed to Allah, taking other lives unless under specific prescribed circumstances.
43. Turner, “Bediuzzaman and the Concept of ‘Adl: Towards a Nursian Ontology of Divine Justice,” 567.
44. For an expansion of his views see discussion on the Third Sphere within *ibid.*, 578.
45. *The Amman Message* 12.
46. *Ibid.*, 14.

6 Bosnia and Herzegovina

1. I eschew the common abbreviation of ‘Bosnia’ for the country as it is constituted of two regions, Bosnia and Herzegovina. Bosnia is largely Muslim, while Herzegovina largely Catholic. Catholics repeatedly expressed to me their concern that the abbreviation of the country’s name to Bosnia reinforced concerns of continued marginalization. Nevertheless, in referring to the region in its historical context I use the term that was used by the ruling elite at the time, which in most cases was Bosnia and may or may not have encompassed Herzegovina at the time.
2. Suraiya Faruqi, “The Ottoman Ruling Group and the Religions of Its Subjects in the Early Modern Age: A Survey of Current Research,” *Journal of Early Modern History* 14, no. 3 (2010).

3. In both 2006 and 2010 surveys by the EBRD religious institutions topped the most trusted list followed by the police but considerably ahead of the judiciary, parliament and government authorities. European Bank for Reconstruction and Development, "Life in Transition: After the Crisis," EBRD, http://www.ebrd.com/pages/research/publications/special/bih_lits2.shtml. Gallup polling similarly suggests religious institutions are the most trusted, as per Table 6.1 above.
4. Gallup, "Balkan Monitor, Insights and Perceptions: Voices of the Balkans," (Gallup, 2012).
5. Original data collected through the World Values Survey, calculated and presented by the Association of Religion Data Archives, "Bosnia and Herzegovina: Public Opinion," Pennsylvania State University, http://www.thearda.com/internationalData/countries/Country_28_5.asp#S_2. Of which 30 per cent of Muslims attend prayers at least once a week. James Bell et al., "The World's Muslims: Unity and Diversity," (Washington, DC: The Pew Research Center's Forum on Religion & Public Life, 2012).
6. Gilley's work, while statistically viable, should not be considered robust for country specific assessments as the accumulation of answers to nine questions cannot provide more than a cursory outline of the view of legitimacy in a particular country. In particular, while backed by theoretical reasoning, the weighting given to each of the three characteristics of legitimacy was according to Gilley 'a simple intuitive solution'. (page 510) Gilley, "The Meaning and Measure of State Legitimacy: Results for 72 Countries," 513.
7. "The Failed States Index 2012 Interactive Grid," Fund for Peace, <http://www.fundforpeace.org/global/?q=fsi-grid2012>.
8. Article VIII and I respectively, Islamic Community, *Constitution of the Islamic Community in Bosnia and Herzegovina* (Sarajevo: Islamic Community, 1997).
9. Regarding Hanafi school of jurisprudence see the fatwa issued on 13 December 1993 by the Reisu-l-ulama Mustafa Cerić available from Islamska zajednica u Bosni i Hercegovini, *Rezolucija Islamske zajednice u Bosni i Hercegovini o tumačenju islama i drugi tekstovi* (Sarajevo: El – Kalem, 2006)
13. Riyaset resolutions in support of the Hanafi school are from 27 March 2006 and 7 November 2006, both available at the Riyaset website. For Maturidi theology, see Fikret Karčić article, 'What Is the Islamic Tradition of Bosniacs' in *ibid.*, 51. Web version available at Fikret Karčić, "What is 'Islamic Tradition of Bosniacs'?" Islamic Community, <http://www.rijaset.ba/english/index.php/template/latest-news/222-what-is-islamic-tradition-of-bosniacs>.
10. See footnote 350.
11. Riyaset, "Rezolucija o ustavnim promjenama i tumačenju islama," Islamic Community, http://www.rijaset.ba/index.php?option=com_content&view=article&id=195:rezolucija-o-ustavnim-promjenama-i-tumaju-islama&catid=235&Itemid=223.
12. Seida Smajkić, "Personal Interview," (Mostar, Bosnia and Herzegovina, 10 October 2012).
13. Cerić, "Personal Interview."
14. Fikret Karčić, "Personal Interview," (Sarajevo, Bosnia and Herzegovina, 16 November 2012).
15. The Bonn Powers is an authority given to the High Representative (HR) by the Peace Implementation Council in 1997 allowing the HR to, among other

- powers, remove public officials and enforce binding decisions even against local legislators.
16. Vinko Puljić et al., "Fruits of the Past – A Pledge for the Future: A Pastoral Letter of the Bishops on the 130th Anniversary of the Restoration of Regular Diocesan Hierarchy in Bosnia and Herzegovina." In *Stanje Katoličkih Župa na području Bosne I Hercegovine Između 1991 i 2011 Godine*, ed. BK BiH (Sarajevo: Bishops Conference of Bosnia and Herzegovina, 2011), 31.
 17. *Gaudium et spes* no. 74.
 18. Vinko Puljić et al., "Open Letter to the Signatories and Witnesses of the Dayton Accord: The Peace Accord Contains Some Odd Contradictions and Fatal Insecurities, 8 December 1995." In *In Defence of the Rightless: A Collection of Documents of the Bishop of Banja Luka and the Bishop's Ordinary Written the War Years of 1991–1995*, ed. Aleksander Ravlić (Sarajevo: Bishop's Ordinary of Banja Luka, 1997).
 19. Puljić et al. "Fruits of the Past – A Pledge for the Future: A Pastoral Letter of the Bishops on the 130th Anniversary of the Restoration of Regular Diocesan Hierarchy in Bosnia and Herzegovina," 33.
 20. See discussion in Chapter 3.
 21. Pope Benedict XVI, *Deus caritas est*. No. 28(a).
 22. *Gaudium et spes*. No. 89.
 23. Pope Benedict XVI, *Deus caritas est*. No. 28.
 24. Svetozar Kraljević, "Personal Interview," (Medjugorje, Bosnia and Herzegovina 7 October 2012).
 25. Average results from 2006 through to 2012 from Gallup, "Balkan Monitor, Insights and Perceptions: Voices of the Balkans."
 26. Karčić, "Personal Interview."
 27. Each *jamat* sends two or three elected representatives to the *majlis* assembly, which itself elects the president and executive members of the board. Non-officio members of the *Riyasat* are elected by the Council of the Islamic Community. The *reisu-l-ulama* is also elected by an assigned list that includes the executive members of the *majlis* boards. As for the assembly governing the IZ, the Council of the Islamic Community, it is elected through a system of electoral districts with each *jamat* having two representatives voting for their representative and no more than one third of representative positions can be held by employees of the IZ.
 28. Muhamed Salkić, "Evolucija organizacije Islamske zajednice od 1990 do 2011," in *Islamska Zajednica u Bosni i Hercegovini: Dvije decenije Reisu-l-uleme Dr. Mustafe Cerića*, ed. Aziz Kadribegović, Ahmet Alibašić, and Ekrem Tucaković (Sarajevo: Centre for Advanced Studies, 2012), 74.
 29. Seida Smajkić, "Personal Interview."
 30. *Freedom of Religion and Legal Status of Churches and Religious Organisations in Bosnia and Herzegovina* Law No. 28. Available at http://host.uniroma3.it/progetti/cedir/cedir/Lex-doc/Bos_1-2004a.pdf. Accessed on 12th October 2014.
 31. Patrizia Poggi et al., "Local Level Institutions and Social Capital Study," (Sarajevo: World Bank, ECSSD, 2002), 80.
 32. Seida Smajkić, "Personal Interview."
 33. B008, "Personal Communication," (Mostar, Bosnia and Herzegovina, 17 October 2012).

34. Vinko Puljić, "Prima sam ih i danju i večeri, ali učinak je bio malen (28 July 2001, *Glas Koncila*)," in *Kardinal od Vrhbosne*, ed. Zarko Ivkovic, et al. (Sarajevo: Styria, 2010).
35. Puljić et al., "Fruits of the Past – A Pledge for the Future: A Pastoral Letter of the Bishops on the 130th Anniversary of the Restoration of Regular Diocesan Hierarchy in Bosnia and Herzegovina."
36. Gordon Bardos, "Bosnian Lessons," *The National Interest*, July 16 2010.
37. Patrice C. McMahon and Jon Western, "The Death of Dayton," *Foreign Affairs* 88, no. 5 (2009).
38. Nixon et al., "The Ties That Bind: Social Capital in Bosnia and Herzegovina," 19.
39. *Ibid.*, 39.
40. *Ibid.*, 40.
41. The authors appear to suggest that religious congregations were included by listing in the table within the main body of the document the percentage of surveyed respondents acknowledging membership to a 'religious, welfare organisation/association' of which only 2.5 per cent of the population considered themselves members. This starkly contradicts the World Value Survey which showed that 29.5 per cent (1998–2001) of people attended a service at least once a week or in the case of Gallup polling 51.1 per cent (2009). Clarification can be found on page 125 buried in the annexes of the UNDP report where the questionnaire is included. The question makes clear that it refers to 'religious charities' as opposed to any other form of religious congregation or spiritual movement. For information on religious congregations as a source of social capital see Corwin Smidt, *Religion as Social Capital: Producing the Common Good* (Waco, TX: Baylor University Press, 2003). In addition, Putnam writes that, 'faith communities in which people worship together are arguably the single most important repository of social capital in America.' Quoted in *ibid.*, 2.
42. Mustafa Cerić et al., "Statement of Shared Moral Commitment," Bosnian Institute, <http://www.bosnia.org.uk/bosrep/junaug97/moralcom.cfm>.
43. Nixon et al., "The Ties That Bind: Social Capital in Bosnia and Herzegovina," 65.
44. See for example *ibid.*, 66.
45. Archdiocese Vrhbosna, "Udruge i pokreti na prostoru Vrhbosanske nadbiskupije," <http://vrhbosanska-nadbiskupija.org/crkva-u-drustvu/udruge>.
46. Ilija Orkić, "Urednikova Riječ-Memorija," *Vrhbosna* CXXIV, no. 3 (2010): 185.
47. Bishop Komarica, "Poruka biskupa Komarice za Nedjelju Caritasa," Diocese of Banja Luka, <http://www.biskupija-banjaluka.org/propovijedi.html>.
48. For strategic plan see Caritas Bosna i Herzegovina website, "Caritas BK BiH: Strateški plan," Biskupske Konferencije Bosne i Hercegovine, http://www.caribkih.org/index.php?option=com_content&view=article&id=55&Itemid=71&lang=hr. For further information on the project (Regional Development of Parish Social Ministry and Voluntary Work – PSM) see Caritas: Annual Report for 2010 (Sarajevo: Bishop's conference of Bosnia and Herzegovina, 2010). 54.
49. It should be noted, though, that 2011 was declared the Year of Volunteering by the European Union and it was recognized as a ten year celebration after

the first International Year of Volunteering in 2001. The Church's impetus may have been in response to these and the effort's sustainability could be short lived for this reason.

50. Mustafa Cerić, "Islam: A Declaration of European Muslims," (Zagreb Mosque: Radio Free Europe/Radio Liberty, 2006), <http://www.rferl.org/articleprintview/1066751.html>. Salih Colaković made the same point by noting that in the Qur'an it asks Allah to give us good on this world and the next, but indicatively this world is mentioned before the next. The future world is built upon the actions on this one, noting that in the Qur'an it says that this world is the field upon which the next world grows. Salih Čolaković, "Personal Communication," (Mostar, Bosnia and Herzegovina, 15 October 2012).
51. Global information was collated by David M. Cheney using official figures available in the Vatican's *Anuario Pontificio* (2004). The tabulated country data is available at David M. Cheney, "Statistics by Country, by Catholic Population," <http://www.catholic-hierarchy.org/country/sc1.html>. Additional calculations were undertaken by the author to sort per believer figures. Eight Middle Eastern countries were excluded from the list which may prejudice the overall world ranking.
52. Number of imams available from *Glasnik*, ed. Mehmedalija Hadžić (Sarajevo: Rijaset Islamske zajednice u BiH, 2011) 179. Per Muslim calculation based upon 40 per cent Muslim population of BiH in 2012. CIA, "CIA World Factbook," <https://www.cia.gov/library/publications/the-world-factbook/geos/bk.html>.
53. Repeated requests were made through various channels to get a circulation figure but all efforts were rebuffed.
54. Vinko Puljić et al., "Sredstva Društvenoga Priopćavanja u Službi Evangelizacije," *Vrhbosna* no. 4 (2000): 413.
55. This is based upon an average family size of 3.3 based upon the 2007 Household Budget Survey. An earlier census in 1991 produced a household size of 3.4. I have used the 3.3 figure.
56. Mustafa Cerić, "120th Anniversary of the Office of Reis ul-ulema," (Sarajevo: Islamic Community, 2002).
57. Article VII, Islamic Community, *Constitution of the Islamic Community in Bosnia and Herzegovina*.
58. Seida Smajkić, "Personal Interview."
59. Salem Dedović, "Personal Communication," (Mostar, Bosnia and Herzegovina, 15 October 2012).
60. Cerić, "Personal Interview."
61. See Basic Agreement with Government of Slovakia (2000) Article 2 (2) 'The Holy See guarantees that the Catholic Church will utilize all appropriate means for the moral formation of the citizens of the Republic of Slovakia.'
62. The remainder were 'something else' and 'no response'. Neven Duvnjak, "Rezultati Socioreligijskog Istraživanja U Franjevačkim Provincijama Hrvatske i Bosne i Hercegovine," *Crkva U Svijetu* 34, no. 2 (1999): 244.
63. Islamic Community, *Constitution of the Islamic Community in Bosnia and Herzegovina*.
64. Fikret Karčić, "Main Trends in the Interpretation of the Shari'a in Bosnia and Herzegovina 2000–2005." In *Copenhagen University Islam Lecture Series*

- (Copenhagen: University of Copenhagen, 2010) 2. I asked Karčić regarding the official position of the IZ on his definition of the 'Islamic tradition of the Bosniaks' to which he explained that although he wrote it in his capacity of scholar the extended five page article was included in a book published by the IZ on the Riyasat's position on the accepted approaches to the interpretation of the Qur'an and as such it is widely considered as the accepted official position. "Personal Interview." The book being, *Islamska zajednica u Bosni i Hercegovini, Rezolucija Islamske zajednice u Bosni i Hercegovini o tumačenju islama i drugi tekstovi*. The text is also available in English from the IZ's website under the title, "What Is "Islamic Tradition of Bosniaks"?"
65. Karčić, *The Bosniaks and Challenges of Modernity: Late Ottoman and Hapsburg Times*: 109–18.
 66. Karčić, "Personal Interview."
 67. Ibid.
 68. Drago Pilsel, "Political Theology – The Theology of National Anti-Myth," ed. Tomislav Žigmanov, *Divided God and Intercultural Dialogue* (Ljubljana: Dijaški dom Ivana Cankarja (DIC) and KUD Pozitiv, 2008), <http://www.pozitiv.si/dividedgod/>. 52.
 69. During my field research I noted that priests used 'Croat' and 'Catholic' interchangeably in conversation, Sunday homilies and public pronouncements. In defence of this position, Catholic theologians I interviewed in Mostar referred to the Second Vatican Council document *Dignitatis humanae* and its emphasis upon the right of peoples to maintain their cultures and the Church's responsibility to protect these rights, the breach of which is a sin. B008, "Personal Communication."
 70. An early example is the 1997 statement from the Bishop's conference, Puljić et al., "Sredstva Društvenoga Priopćavanja u Službi Evangelizacije," 103.
 71. This commitment to the Bosnia and Herzegovinian people that the Franciscans are widely associated with has also led to the dioceses referring to the Franciscans as 'papučari' (transl. slipper carrying people) in that they respond to the needs of the Muslims in a similarly perceived problematic manner as a man who is overly responsive to a dominant wife.
 72. The Provincial Minister of the Franciscan Province of Bosna Srebena between 2000–2009, Brother Mijo Džolan, similarly saw Dayton as not just. Mijo Džolan, "Personal Communication," (Medjugorje, Bosnia and Herzegovina, 8 October 2012).
 73. Cerić, "Personal Interview."

Conclusion

1. Annan, "In larger freedom: towards development, security and human rights for all," 31. Other research falls between a fifth and a third of a chance. For a review of this literature see Charles T. Call and Elizabeth M. Cousens, "Ending Wars and Building Peace: International Responses to War-Torn Societies," *International Studies Perspectives* 9, no. 1 (2008): 5.
2. William T. Cavanaugh, *Theopolitical Imagination* (London: T & T Clark, 2002). This approach is being championed by the Radical Orthodoxy movement.

3. Miroslav Volf, *Exclusion and Embrace: A Theological Exploration of Identity, Otherness, and Reconciliation* (Nashville: Abingdon Press, 1996) 109.
4. Ibid.
5. Pope Paul VI, *Christus dominus*, (1965) no. 12.
6. Charles Villa-Vicencio, *A Theology of Reconstruction: Nation-Building and Human Rights*, Cambridge Studies in Ideology and Religion (Cambridge: Cambridge University Press, 1992) 21.
7. *Gaudium et spes*. No. 75.
8. In many countries there is an interest for religion to play a role. Research from the Pew Research, Global Attitudes Project, found that in five out of six Muslim countries surveyed there was majority support for a 'major' role for Islam in politics (Egypt 66 per cent, Pakistan 62 per cent, Turkey 64 per cent, Tunisia 84 per cent, Lebanon 61 per cent and Jordan 31 per cent). "Most Muslims want democracy, personal freedoms, and Islam in political life," *Global Attitudes Project* (2012), <http://www.pewglobal.org/2012/07/10/most-muslims-want-democracy-personal-freedoms-and-islam-in-political-life/>.
9. For reference to 'mental taboo' see Holenstein, "Role and Significance of Religion and Spirituality in Development Co-operation."
10. An example of conflicting views between the international community and the people is the case of the Transitional Federal Government of Somalia and the Union of Islamic Courts. The former was supported by the UN and the United States while the latter had much wider support among the people. See Morash, "Union of Islamic Courts... An opportunity lost for Stability in Somalia."

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