

## **Investigation of Principles of International Affairs of the Islamic Government from the perspective of Jurisprudence of Shi'ite and Sunni sources**

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### **Abstract**

This article seeks to answer the question that Islamic governments has determined relationships with non-Muslim government son what fundamentals? That according to extensive fundamentals of international relations of the Islamic State, it has been discussed only review some of the most important general principles in this research including: 1.The principle of repudiation 2. The principle of necessity 3. The peaceful coexistence 4. The original call or necessity 5. The principle of reciprocity. That by studies conducted on these fundamentals it has been deduced that relative consensus of Sunni and Shiite are constant and immutable on these fundamentals.

**Key words:** fundamentals, international relations, Islamic state, jurisprudence of Shi'ite and Sunni sources

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### **Statement of the problem**

Islamic State that has raised the claim of universal united government, and institutionalizes its principles on its thought and belief and waits for the international community of the promised Mahdi. Should definitely take steps to establish relations with other states in science and in practice. Accordingly in this research has been discussed a series of Islamic jurisprudence principles that have the aspect of infrastructure in international relations of the Islamic State and explains the objectives of Islamic State policies in foreign relations. However these principles and rules that are discussed in international relations of Islamic State, are not new rules, but are the rules that have already been discussed in various forms from the beginning of the Islam to now. But their use was only on individual issues and their use in the public affairs of the Islamic State has been overlooked which are effective in foreign policy of the Islamic State and while most of these principles and rules are general and inclusive and additionally that specifies the provisions of the parties on various issues, clears the huge tasks of community that one of these major assignments, is the discussion of foreign policy in international relations of the Islamic state which has particular importance. Because we live in an era where communication has turned the world into a village and conversed ineffective most of the boundaries and also geographic distances. And has made the political, cultural, economic and social communication as an inescapable reality for governments, including the Islamic government. Therefore regulation of relations of the Islamic State in a way that it realizes the universality of philosophy and ensures the Islamic dignity is an essential for the Islamic government. Achieving these aims depends on rationalistic relations and depends on the understanding, tact, acumen and position recognition of the foreign policy agencies. Which should have feature such as rational, intelligent, and discerning contemplations. Because we have relations with the countries of the world inevitably and already Islam as a universal religion affairs us to participate in the world politics. And it does not approve and accept isolationism and monasticism. Therefore we have to establish the most dynamic and most efficient relations with various countries, Relationships which additionally maintaining our presence in the global political scene, guarantees our independence, dignity and national interest. Such relationships with such achievements will not be possible except on the basis of anthropogenic teachings of the Islam and its proud-making criteria and standards. Therefore requisite for accomplish this affair requires understanding and knowledge of the principles and the criterions. That sacred religion of Islam provides the way of the establishment for such relationships. Accordingly discussion on the fundamentals of International affairs of the Islamic State from the perspective of the religious jurisprudence seems very necessary and important, because always this question raised that how has thought the Islamic government about the relations between these countries and nations? And at this stage, the need to maintain of just peace and security of the peoples of the world and finally passing through this crossing and move towards to the ideal unified international community, should be establish based on the which fundamentals, relationships and interactions with other governments whether Muslim or non-Muslim? Also, should the Islamic state follow special fundamentals of the Islam and organize its foreign policy based on these principles? Or Islamic state should follow their goals by conventional international means without the involvement of its religious values in foreign policy in the current conditions? In this study, we tried to concentrate on the most important fundamentals of international affairs of Islamic state. To determine that does the Islamic state can keep its relations with the other states based on these fundamentals or not? And finally if there are deficiencies or conflict with new international rules what action should be taken?

### **The principle of repudiation:**

Perhaps in the Holy Quran after the jihad in foreign policy, has not been emphasized on any political issue, such as the rejection of non-Muslims over Muslims province. Islam has always emphasized on independence and dignity of

Muslims and does not allow to infidels to dominate Muslims and captive them or penetrate on their rule somehow. Therefore, it can be said that principle of rejection of the infidel province over Muslim treated as an important principle and governing on Islamic government policy and foreign relations with non-Muslims. That can be inferred from Quranic verses and the prophetic tradition and intellect and the historical experience confirms its commitment to this principle can block the way of the penetration and domination of infidels over Muslims and the impact on their autonomy in the political, cultural, economic and military. Confirming this rule is this holy verse (Baqara, 208) and means God has not put the way for infidels over Muslims.

Commentators have noted several limitations in the interpretation of this verse words: Some know 'Sabil' as the concept of reason and proof have interpreted the verse as this: God has not put superior proof for infidels over Muslims. A group have said: The purpose of repudiation of non-Muslims over Muslims is the resurrection and the main reason of this quote is the mention of resurrection in this verse: (Tabatabai, 1995, vol. 5, 189) But in the meantime, Ibn Arabi says: Both mentioned probability are weak and there are three possibilities in this holy verse:

1. Unbelievers have never the power of annihilation and destruction of Muslims government and elimination of Islam.
2. God does not provide the field of domination of infidels over believers, but also Muslims have been providing context of such thing by being away from Islamic teachings. God has not put religious path for unbelievers about believers. (Ibn Arabi, 1421 AH, vol. 1, 544)

Accordingly, the verse repudiation, is the base of foreign affairs of the Islamic State and even, according to some researchers it has administration on the other verses. (Shakoori, 1982, vol. 2, 384). For example, if the Islamic state conclude a covenant with non-Muslims, on the Quran explicitly order

About the obligation of loyal to the contract, Islamic government must be committed to its covenant; but if this treaty cause dominance of the political, military and cultural of infidel over the Muslims, has no reliability and it will be out from the obligation of loyal to the contract. Therefore, the foreign relations of Islam with non-Muslims should be set in such a way that does not provide the backgrounds of dominance and superiority of infidels over Muslims; otherwise, it will be extramarital affairs and lack of religious support. However, based on the "The principle of repudiation" in various spheres of political, military, economic and cultural, the way of any kind of influence and domination of infidels over Muslim communities must be blocked (Bojnordi, 1993, vol. 1, 7). Be politically, rejection of the mandate, rejecting oppression and colonialism, not to permit foreign intervention in the internal affairs of the Islamic nation and not able to breach those in decision-making; and the upper hand militarily, mastery of destiny and military measures is emphasized. In foreign relations, lack economic independence and intrusion of prevention activities and consultation prohibition in the field of cultural and military is in attention. Therefore the principle of repudiation has two aspects that states the rejection of foreign domination on destiny and the social and political fate of the Muslims and expresses religious duty of the Islamic nation to maintain political independence and remove the backgrounds of attachment. (Sajjadi, 2004, 59) Also, in addition to the above verse, has been argued the verses which have warned believers from admission of infidels province and have stated its harmful consequences. (Including this passage: Nesa 138 and 139, Anfal 73, Maede 55 and 65) Some commentators have argued to verse 118 of Surah Al-Imran for self-rule of the unbelievers and its lack of license. In this verse, Glorified God forbids the believers from fellowship with aliens: "believers! Do not make fellowship with aliens." (Al Imran, 118). It has been said: The purpose of "Batane" is friendship and kinship. Therefore, it is not permissible for Muslims to love infidels and permit them to know their secrets. (Ibn Arabi, 1421 AH, Vol. 4, 738) This lack of permits is for causing the domination of infidels over Muslims. The principle of repudiation and containment of foreign domination over Muslim communities, in addition to be significant notice in political issues and foreign relationships, has been accompanied by appearances and special effects in scientific fields too. Mirza Shirazi's historical fatwa in sanction of tobacco, fatwa of Imam Khomeini about the capitulation agreement, are two examples which we find in modern history. Imam Khomeini (RA), with a serious commitment to this Principle, knows invalid and boycotts conclusion of such a treaty and any type of relationships international contract that lead to abuses and ignoring it, So he knows the repudiation beyond a political theory and indispensable in foreign affairs (Khomeini, 1390, vol. 1, 485). But lack of establishing friendship relationships with infidels, whether at the individual level or at the state level does not mean the negation of communication with them. Muslim states based on Islamic principles can have political and non-political relationship with the infidels. These similarly connections that can provide the invitation background and propaganda of Islam on the one hand and the benefit of Islamic nations from new science and technology on the other. Imam Khomeini says: "If relationship be human, this relationship is okay with nowhere. (Khomeini, 1990, 159-167) "Our relationship is based on mutual respect." (The same, 234) and "we will have friendly relations with all countries by maintain independence" (The same, 50). Independent of nations and governments is derived from the principle of repudiation. Islamic governments not to seek to dominate others and not to accept dominated by the major powers too. The negation of the rule and domination or influence of foreigners in the territory of any tribe or nation, have been considered among human societies since ancient times and no society tolerate non-interference in their affairs and destiny by having strength and power to defend their honor, That's why historical experience against colonialism and exploitation are not only for the Islamic nations, "Freedom and independence and any advantages such as them is derived from nature rational, show the existence of human among the other unique and evolved animals; and this freedom is reasonable and prudent that necessarily turned to intellectual responsibility." (Haeri Yazdi, 1995, 112)

### **Principle invitation or jihad:**

Perhaps this the principle of the foreign policy principles of Islam is more important than any other principles. For this reason it has been more discussion and debate than other axes. Probably one of the ways of the importance of this Principle, is explaining the nature of external Relations from the perspective of Islam. In this case, because of the extensive debate about the principle of invitation and jihad, both of them are introduced as a unit principle; because if

as some Muslim scholars have speculated, suffice to mention as an invitation only, it has been ignored the comments about the context of the principle of war or peace in foreign relations Islam. And if we know legitimate the principle of jihad and war, the invitation principle will be an incomplete plan. We seek the details of this discussion with a key question concerns the nature of the external relationships from the viewpoint of Islam. Does the Islam leave the principle on the war or peace in its foreign affairs with non-Muslim communities? In other words, is the peace a rule and the war is necessity or vice versa?

If we know the principle of jihad, one of the foreign policy principles of Islam, in this case, according to some Muslim scholars and public-minded Orientalists, principle in Islam foreign affairs is war central and the peace is an observer on special cases and exceptions of the rule. And if that principle be on the invitation, it will be different. Precisely with regard to this matter can be considered two methods in dealing with this problem:

1. Procedures Orientalists in the form of "propagation of Islam by sword" arises, where have been emphasized on concepts such as fear, fundamentalism and reinforced Islam. In this approach is cited on the verses of Jihad particular verses of "Seif".
2. Method of Muslim intellectuals where analyzed in the form of "Islam cleansing aspect" or refined the Islam from all forms of violence and war and emphasizes on concepts, such as peace, tolerance, coexistence and compassion. (Nadia Mahmoud, Beata, Volume 4, 128)

While the first category, only analyses the verses of jihad and gets away the verses of the invitation and their commitment to peace terms; the second category, with an emphasis on peaceful verses, ignored the verses of jihad.

Moderate and defensible method is a method that while attention to both verses, could gather among them that most commentators and scholars of Islam focused on this issue. Certainly the invitation of prophets, including Mohammad (PBUH), considered one of the most important and probably the main target of sending messengers. Several verses of the Holy Quran introduce Prophets religious inviters. Accordingly, the first task of the prophet and religious leaders, surely is the man invitation to critical teachings and values.

On the other hand, undoubtedly jihad and war against the infidels and rebels is an essential task of the Muslims and religious leaders; But what about jihad and war is important, is causes and motives and philosophy of issuing this phenomenon that what the Jihad is for and when it occurs? By analyzing and scrutinizing this issue, perhaps can be achieve relationship invitation and jihad and then the Islamic State's foreign relations.

If jihad is based on domination and expansionism, perhaps the orientalist perspective about war central of Islam is not biased. But if legislation jihad philosophy is not based on domination and expansionism, and jihad occurs as the invitation to the teachings of the divine and Islamic values; in this case, mentioned claim will appear jaundiced and unfinished. (Sajjadi 2010, 58) In this section the claim of this study, according to the Quran, is that Islam's external relations policy based on the principle of peace and the war, is an exceptional mode that occurs in imperative situation. Our argument on the assumption is this: Islamic Jihad is one of the invitation steps in the field of realization and promotion of religious values based on human nature. This is exactly what according to the one researcher quote that says: "Unity is the base of Jihad and Jihad is for unity." (The same, 138)

But as will come, Jihad is one of steps of religious invitation that in cases of necessity will be legislated and prescribed. We will continue offering this discussion by explaining the invitation importance in Quran verses that is one of the principles of foreign relations and then we will study the verses relating to Jihad. Numerous verses of the Qur'an knows the first and the most important task of the mission of the Holy Prophet (PBUH), human invitation to goodness and peace. Glorified God introduce the prophets as evangelists of message of the god, symbol of the importance and curator of reform and human cultivation. (Including verses: Anbia 107, II 151, Asra 15, Maedah 19) In some verses, God gives such importance to delivering of the messages and human invitation to assignments and Islamic values that negates any penalized before delivering the message and perform invitation duty. (Isra, 15). Also in foreign affairs of Islam, invitation principle is one of the basic principles of respect and affirmation. God in one of the Quranic verses introduces this article such this:

O Prophet! Tell the followers of the Book to return to a common word between Muslims and them and to worship only one god and do not take partner for the God and do not know anyone other than Allah, their Lord and ruler. (Al 'Imran, 64). This verse and the verses like it, as well as showing that prophet Muhammad (PBUH) in his external relations with non-Muslims, before anything is obliged to invite them to the single union God. Also in the biography of the Prophet (PBUH) this principle has been emphasized more than anything else. And He has not issued jihad and fight in any case, before the duty of invitation. (Alzahili, 1992, 320)

Imam Ali (AS) said:

When the Prophet (PBUH) sent me to Yemen mission, said: Ali! If God guide a person by you is much better than all things that the sunshines on it. (Jafari, 1994, vol. 10, 174).

Abu Ali Tabari and others quoted from Ibn Abbas says: Prophet Muhammad (pbuh) never fight with any people unless invited them to Islam. (Hindi, 1979, vol. 4, 483).

Prophet Muhammad (PBUH) was giving such important to the issue of invitation that he was inviting in all of the wars before the war and even he was calling again the invite people. Included in the Khyber war although its inhabitants were invited to Islam, prophet sent ambassadors and his inviters three days in a row to call people to Islam! (Ibn Hisham, Beata, vol. 3, 216). From the verses observer to the invitation of the hadiths and biography of the Prophet of Islam and religious leaders, it achieved that the invitation is one of the fundamental principles of Islam relations by non-Muslim communities has such an importance that even makes unprecedented jihad to the invitation out of legitimacy and more Sunni and Shia scholars have consensus on this matter. (Nadia Mahmoud, Beata, 27)

Is the principle in foreign affairs of Islam is based on war or peace? According to the invitation verses, the principle of peace is emphasized; but the question is how to interpret the verses of jihad?

Most of those who accept the first principle of war, rely to the verses where ordered Muslims to kill infidels and polytheists and raised Jihad as a religious duty. As stated in the Quran:

These verses are verses that it has been argued to illustrate the nature of the pivotal battles of Islam in foreign relations. Regardless of interpretative issues available at the field mention of two matters is important:

- Generally Jihad verses can be classified in two general categories:

A) Bound verses which makes Jihad against sedition, oppression and war imposed by non-Muslims. This category verses, indicate the nature of jihad and defensive war and is not faced with a certain dilemma objection. Because the defense is the legitimate right of all human societies.

B) Absolute verses, which gives the order to kill infidels and polytheists. The main problem is monitoring these verses. Fans of the view of the war axial, argue to this category verses.

2. What is the philosophy of jihad? Is the jihad for conquest, massacre and destroy human beings or has nature reform and invitation aspect? In the second case, jihad becomes to one of the steps of invitation and according to some commentators takes defensive mode. Most Shi'ite and Sunni commentators and scholars explain jihad as nature corrective and invitation aspect. Thus, the war for domination and seeking development is not legitimate and also criticized by Islamic texts.

Therefore, Jihad is invitation to Allah and for promoting the word of God and the destruction of invalid. (Sayyid Qutb, 1415 BC, 1432) Allameh Tabatabai has legislated the philosophy of jihad and believes that essentially jihad has defensive nature. He writes: Fight in Allah's way whether defense or elementary, in fact is the defense of human rights and include: The right to life; because the partners to Allah is destroy humanity and death of the nature and extinction lights of the hearts contain. And fight that it is the defense of human rights returns this life and after death makes this right alive again. (Tabatabai, 1995, vol. 2, 166)

He then explains the nature of defense of jihad and in reply of orientalist says: The Quran states Islam based on the nature, and this nature mandates that the only basis that individual and social rules ensured on that basis is the monotheism and the defense of such a fundamental and release it among community and guarding it, is legitimate right of the man and human needs to vindicate it; however, by any means possible.

First, the Qur'an vindicates this right by invitation and secondly the defense of Muslims and Islam and at the third step primary fight that although it is just a primary fight, but in fact it is the defense of human rights and the word of monotheism and Islam never start a war before invitation by the good manner (The same, 67). The need to invite before jihad and the lack of legitimacy of the jihad before invitation is from the consensus matters scholars and commentators. Sheikh Baha'i knows invitation as one of the most important tasks and first principle in foreign relations with infidels and noted the lack of a license to fight before the invitation explicitly and says:

Invitation before jihad is obligatory, because the fight against the infidels is not permitted until after invitation. (Sheikh Bahai, Beata, Book of Jihad, 155). Allameh Helli also knows invitation a level before jihad and introduces it as continue of invitation and one of its steps. (Hilli, Beata, 80). In addition, from the perspective of these scholars, jihad is always has defensive nature and does not represent the principle of war central of Islam. Sunni scholars while studying the invitation and jihad verses, have noted the principle of peace in foreign relations of Islam; in the meantime can be pointed in the views of some of contemporaries, such as Muhammad Rashid Rida, Mahmoud Shaltout, Mohammad Abu Zahra, Khalf Wahab Abdullah bin Zydal Mahmoud and others. (Roads, in 1414 BC, 107). Some researchers, with acknowledgment of the peace-oriented nature of foreign relations of Islam, know Jihad continuity necessary for social justice and elimination of oppression in human societies. From an Islamic perspective, peace is central principle.

But only because peace is established in justice, Islam also recognizes the parts and tools for justice. So, there is a correlation and mutual respect between establishment of peace and justice. And justice is facing with serious obstacles in most cases that fix of it is not possible except through Jihad. (Albvaty, 1995, 227).

Therefore, the philosophy of jihad legislation, as some have thought is not domination and exterminate human beings, but jihad has legitimacy with invitation and it is not a goal itself. Islam never makes war for its publication deliberately, but war is natural imagination and its necessary is invitation and preparation of its background and fields. (Alzhyly, 1992, 78)

### **The principle of necessity of the commitments:**

The principle of necessity of the commitments is the basis of any kind of social life; whether we know it contractual or natural. This principle effects on a person's life in the form of commitment to the program and discipline and personal commitment. The United life without basing on international agreements and commitments in the human community, cannot be achieved appropriately and in accordance with nature and the natural human desire. (Amid Zanjani, 1988, 469) The human mind always wants peace of mind and human and financial security in social life; hence, as long as access to the interests of individuals or society with peace and peaceful coexistence be possible, not permit to violence and use of force and war. What regulates peace and coexistence and ensures friendly relationship of nations, is mutual understanding and social agreements that is regulated by agreements and obligations; and maintaining adherence to these commitments will be guarantor of peace and security at territorial and international level. In international relations, various agreements such as military, economic, social, bilateral or multilateral between the governments of the world will be signed on behalf of the United Nations. Membership of the Islamic State in contracts and treaties is provided that it is not contrary to the principles of value or the text of the Book of Allah and the Sunnah. Fulfillment of obligations is not absolute, but the purpose of it is treaties that is considered in fair condition and without coercion, deceit, ignorance and abuse formed purposes, and interests of the fair contracting parties and conditions still remains, and in addition, its signatories be true representative of the Islamic State. Therefore, any higher interest cannot cause unilateral violation of the contract until it becomes completed. Book and Sunnah and the consensus of Sunni and Shiite

scholars of Islam in respect of unfaithful and obligation to fulfill that covenant, states the immutability of this principle. (Actually, 2013, 134)

Holy Quran to the importance of covenant, has introduced traits of believers such this: "They (the believers) are those who respect their covenants" (Momenoon, 8)

The verses like following verse directly applies to the faithful: "You who have believed, promises to your contract (Maedeh-1). Practices and discourse of the Prophet and the Imams (AS) leaves no doubt that in practice Islam, the fulfillment of covenant is one of the undisputable principles of Islamic jurisprudence; and there is no difference between the parties, whether Muslim or non-Muslim; and breach of contract without justification is treated as infidelity.

The Messenger of Allah (PBUH) said: "Whoever there is a contract between him and the people, do not even close or open a knot until its time become over, or awarded the authority to terminate the contract to it, ". (Solomon ibn Ash'ath, Beata, 76)

The Prophet (SAW) said: "Avoid betrayal of divine covenant and breaking obligation. Because God put the treaty and its obligation to protect and commons it between people by the divine mercy. And patience on dilemma that there is hope to open it, is better than the treason that there is fear of sin and its abuse consequences." (Noori, 1420 AH, 250)

Practical life of the Prophet (PBUH) also indicate the intensity of his commitment to the covenant. He signed several contracts with polytheists and followers of the Book, and history does not know any case that he failed to deliver on his commitments, before his enemies violate a treaty. In Hudaibiyyah peace, condition of non-granting asylum to Muslims fleeing from Mecca to the Prophet seemed a difficult commitment. The Prophet (PBUH) after signing the contract, was totally faithful to his covenant, in spite of his heart's desire and the right of the Muslims and himself in support of new Muslims of Mecca against polytheists, and delivered refugees like Abu Jandal and Muslim Abvnsyr to representatives of the Quraysh according to the condition. (Sobhani, 1987, 597)

The conclusion that may be drawn from this historic case, is that the principle of necessity of the commitments takes precedence to the principle of supporting oppressed. So, if the government signed the treaty of non-interference in the affairs of other states and supporting the oppressed is intervention religiously, fulfilling the contract becomes necessary. Imam Ali (AS) in the story of Seffin after signing a six-month cease-fire and in the contrary of ruling of the judges, when his armies demanded him to re-start the war, Said: "Shame on you! Do we break after consent and covenant? Did not the God ask us that when performed a testament, fulfill it? And then emphasized that do not violate the contract?" (Majlesi, 1983, 544). He also stressed on maintaining this principle, in the treaty of Malek Ashtar have said: "And if a contract was closed between you and your enemy or obligation that you must refuge him according it, fulfill your contract and respect your commitments and put your life as the shield of your obligations; Because there is no divine commandments as the fulfillment of covenant, accepted by the people of the world with all their differences. Even the polytheists of the ignorance era was respecting it. Because were tested the consequences violation so never violate covenant! And do not betrayed your pledge and do not deceive your enemy; because anyone knows valid audacity of God apart from the ignorant. God put comfort servants with mercy any covenant that be performed by the God's name. And has created security and privacy to resort to it. And be comfortable with it; thus, corruption and betrayal and deceit in covenant has no way." (Nahjolbalagheh, letter 53)

Imam Ali (AS) in the following considers his audience to two important points in this case: one of it is that should refrain of the expressions and terms which led to various interpretations of contract later at the contract signing time, to prevent causing it to covenant violation. Secondly is that the bottleneck situations cannot be justify for violating the agreements and contracts, but despite the losses must have patience and wait for the dissolving. (The same) The only thing that jurists followed the instructions of the Quran give fatwa of permission to terminate it, is when the fear of the enemy treason: "And if you fear a betrayal of a group, throw their covenant to them to understand the both parties that the covenant has been discrete "Because God does not like traitors." (Al-Anfal, 58)

Saheb Javaher wrote in this case: "In the case of unilateral termination of the Muslims be announced, conditions must be such that risk and intention betrayed be quite sensible and consistent from the other parties; and the possibility of infidelity without citing to safe documents will not be the license of unilaterally revoked by the Muslims" (Najafi, 1983, 294) So, if the conditions of accuracy be provided when contracts signing, as long as its subject remains, it is necessary to fulfill it; unless it is discovered that some situations have not been achieved; for example, lead to the domination of non-Muslims over Muslims or after the invasion and usurpation of the lands of a nation to regulate it, forced them to sign a contract and accept commitments cruel and hence, accept it without the heart consent to prevent further losses.

According to the last topic, there is the question that what is the boundaries of the fulfillment of international commitments? And can this principle make bound Islamic state to an illegitimate principle?

Because this is a very detailed discussion, Due to short the debate, only discuss few important points in this regard: First, if the contract is inconsistent with the tenets of Islam from the beginning, it has problem from the first; and the Islamic State will have no license to its conclusion. Second, if the Islamic state signed a contract without worries, then transnational responsibilities limit it. The standards of international contracts can be the principle of interest supply benefits of the Muslims. Third, international agreements can limit transnational responsibilities of the Islamic state. The Islamic state in accordance with its signed contracts will limit its actions out of borders.

### **The principle of peaceful coexistence:**

Mankind during his life history from the nature or need, has accepted social life; and found his peace of mind and meet his needs in peaceful coexistence. Predecessors to achieve sustainable peace and coexistence, have tried in this way by codification of the rules, creating the government and signing peace treaties in extent of their time need. And also

prophets were sent with divine messages in order to resolve differences, resolve conflicts and establish peaceful relations between individuals, peoples and nations of the world. (Baqara, 213)

Some Quranic verses are clearly referred to the relationship between Muslims and followers of other religions and even polytheists and others have expressed of about relationship borders and the third has raised the need for coexistence and harmony in Islamic community and stated the consequences of conflict and disunity. The Quran says addressed to all Muslims: "Catch divine string all and do not separate. And remember Allah's favor on you; when were enemies of each other and then God gives divine affection to your hearts to become brothers for each other by merci." (Al-Imran, 102). In this verse, God while discouraging Muslims from divisive, refers to create solidarity and eliminate hostilities and the realization of brotherhood; and knows from divine blessings. Therefore, the Islamic state required to consider this issue in foreign policy and relations with Muslim countries, because relations and coexistence must be promoted to their fullest which it is brotherhood, and be committed to the rule of the spirit of forgiveness, sacrifice and sympathy and understanding from the verses of the Quran that suggests peace between the people. (Hojarat, 9)

It used to that the prohibition cases does not only allocated in relationships, but include Muslim nations and communities. Great God after the power supply and readiness against non-book enemies says: "If they incline to peace, you also do it; and trust in Allah that the God is the Hearing and the Knowing. And if they want to deceive you God assistant is sufficient for you. God make you the assistant of strong believers and the God." (Anfal, 61 and 62)

Also in another verse says to him: "So if they resign to you and do not fight with you and performed peace plan, God does not placed any way for you (to assault) upon them." (Nisa', 9)

The mentioned verses consider the condition for peace and cohabitation withdrawal from war and announcement of peace of the non Muslims and do not consider faith the criteria for cohabitation and does not consider over powering them or violating their boundaries legitimate. Therefore, in the view of Quran and the interpretation of the deceased Imam: «if relationships are humanitarian, such relationships with all nations is acceptable» (Khomeini, 1990, 159). «The Islamic government is interested in having the right understanding and relationship with all nations and governments, as long as they mutually respect the Islamic government» (the same, 18).

Additionally, the prophet of Islam (greetings to him) with regard to the principle of cohabitation and getting along with others states: «Wisest are those who get along the most with people» (Majlesi, 1988, 52). Some of the words of the majesty emphasize the necessity for moderation and cohabitation for promotion of the prophetic message and upholding of duties: «My God ordered me to act in moderation with people just like he ordered promotion of the prophetic message» (Tabarsi, 2006, 178).

Additionally, the prophet of Islam (greeting to him) for legitimizing peaceful cohabitation turned towards social contracts and by acquiring individual Swear ins, which were commitments to follow agreements between both sides, founded legitimate cohabitation. Next, at the gross level with enacting security agreements with Arab tribes that believed in the Quran, he completed it and institutionalized his mission and invitation. He send his messengers outside the Arabic islands to rulers and kings of neighboring countries and cosigned the peace contract of Hadibieh with the citizens of Mecca such that Hejaz would gain relative security and calm (Sobhani, 1992, cover 2, 1604). Yet, since peaceful cohabitation is a concept that requires mutual agreement, his opponents who believed peaceful cohabitation will endanger their interests were more interested in obliteration of security and aggressive behavior.

Therefore, the disputes and tensions between Muslims and atheists and believers in Quran had special reasons such that confrontation with the citizens of Mecca came on which was following to their violation and besiegement of the property and homes of Muslims in Mecca (the same, 400). Additionally, encounter with other Arab tribes would occur only after their deceitfulness and their killing of the promoters of Islam or their obstructing the path of the message of and invitation to Islam. Even, the tribes who accepted the book of God paid for their breakage of pact and the betrayal by their leaders. Therefore, the anger of the prophet of Islam was either due to the mentioned factors or due to attack of atheists on the Muslims (the same, 498).

The first action of the prophet of Islam (greetings to him) after entering Medina was officially recognizing the previous divine religions. In the charter of Medina, he has stated: «Awf Jewish children are also people among the Muslims. Jews will keep their religion and Muslims their own» (Ebne Hashem, 1991, 126). Subsequently, he says regarding peaceful cohabitation with them that: «People from the Jewish tribe that help us will gain our support and help and will be equal to us and nobody will be able to impose upon them and it is obvious that their opponents will not receive any help either.

Considering the peace and security agreement between the prophet of Islam and Nazareans of Nejran in 10<sup>th</sup> year after his Hijra, it becomes clear that the action of the grand prophet in the charter of Medina was not just a necessity and temporary matter. On the contrary, the majesty in subordination to the verses of Quran officially recognized the followers of the divine books and accepted cohabitation with them. In the Nejran security agreement, he states: «the people of Nejran and its outskirts will be under the protection of God and his prophet regarding their property, livelihood, and land, present or absent people and tribes and their places of worship and everything they own, little or a lot. No Jewish or Christian priest or monk will be impeached from his position and we will not be disrespectful to them and they will not be punished for the blood poured in ignorance. They will not have to pay any restitution and they will not be treated unjustly and no troops will step in their land. Any of them that requests his or her right in a matter, he or she will be ruled on based on justice and fairness such that they will not be oppressed or cause oppression. All that has been said in this agreement will keep its validity for ever until God rules on this matter» (Tabari, 1988, 295).

The principle of peaceful cohabitation encourages active presence of the Islamic government in international societies and use of opportunities achieved. The presence of the Islamic government in those societies can be considered a context for ideal promotion of the voice of monotheism and lead to convergence and unification of Islamic governments of Muslims.

Additionally, the Islamic government with its active participation can reach establishment and development of peaceful relationships with non-Muslim governments. It was on this basis that Imam Khomeini after the victory of the Islamic revolution, contrary to the suggestion of some people, emphasized the necessity to have relations with other countries and attending international societies (Ghaderi, 1995, 183). Peaceful cohabitation with other governments and nations is not achievable without constant and active presence in the stage of international relations. This attendance and creation of relations is only exclusive of specific instances (such as dominance of atheists over Muslims). The necessity for the principle of peaceful cohabitation is international agreement and collaboration and participation by other governments and nations based on piety at the global level (Amid Zanjani, 1993, 433, 434, 437).

### **The Principle of Retaliation**

Encountering means facing, retaliating and taking revenge. This theological principle can be considered a secular principle in the relationship between governments and people that has kept its credibility in the world community, because its contents include a kind of legitimate defense, punishment of the intruder and uprooting of violation of boundaries based on the principle of appropriateness of the punishment for the crime. God has in the Quran in various verses emphasized this principle and has stated that: *Whoever violated your rights, do bad to them equal to their deed. Be wary of God and know that God supports the pious. When you wish to punish, only punish as much bad as has been done to you and if you wait, this matter is taken care of better by those who wait.* This statement by the prophet (greetings to him): *«treat people the way you like them to treat you»* (Abolvafa, 2011, 86) can be used as a reason for mutual behavior in all aspects of life. The principle of reciprocal behavior is one that is prevalent in contemporary international law and also in Diplomatic Islamic law. Imam Ali (greetings to him) states: *good deed comes with good deed. One who initiates it is better and bad comes in response to bad and the one who initiates it is more oppressing (the same, 287).* Yet, reciprocal behavior in Islam does not advance to the last stages; instead, it has limits and rules of the known Sun'ni theologian's states: *«justice necessitates that Muslims behave with strangers the same way they treat them. This is called reciprocal transaction in international trade. Yet, Islam does not advance to its final stage in reciprocal transactions, because it obeys progressive knowledge and morals (Abou Zareh, Bit, 410, 411).* Maybe the best example of reciprocal behavior in Islam is the encounter of Mogheireh Ebne Shobeh with the prince of Persia Zovaljenahein. Zovaljenahein was informed that the Arab representative has come to visit him. He sat with his comrades for consultation and asked: *in your opinion, should I sit with the grandeur of a prince or favor war? They said with the grandeur of a prince. He wore his crown and took his thronely seat and asked other princesses to sit on his left and right side who wore bracelets and earrings of gold and brocade. Mogheireh was then asked to enter and said: I am tempted and I said to myself, I wish I could sit in your seat so others would depart, he said I jumped and sat by his side, but was distanced with punches and hooves and said: «we do not treat your representative in such a way. Please do not retaliate for your powerlessness from me. He finally states that they eventually let go of him»* (Abou Yousef, 1973, 132). This principle has numerous applications in the domain of diplomatic relations and foreign policy interactions some of which include: acceptance or deportation of ambassador and diplomatic officials and political and social disengagement, mutual determination of immunities and benefits of diplomatic officials or citizens of foreign countries in Islamic states, in the economic arena reciprocal approach with tradesmen from other countries in provision of trade benefits or taxing their activities, in military domains such as use of destructive artillery similar to the intruding enemy, and in the judiciary area such as deportation of criminals (Akhavan Kazemi, 2013, 132). Imam Khomeini (may God bless him) chose equal and similar behavior in the kind of his relationship with foreign countries particularly the super powers. For example, in behavior with America, he recommended aggressive behavior in turn for aggression and respectful behavior reciprocal to mutual respect and considered the Islamic revolution's spirit of combating this country's arrogance the result of reciprocal approach of the people of Iran (Imam Khomeini, 1995, cover 2, 32).

### **Conclusion**

Based on what has been said regarding relevant principles in this manuscript, it can be concluded that: liking all humans and showing kindness to them as the representation and projection of God has been attended to by Islam. The reason is that the interaction between people with each other from all nationalities and religions is the tradition of the prophet (greetings to him) and in case the opposite side commits error, it is recommended to have forgiveness as much as possible. In the religion of Islam, in principle any kind of physical aggression is prohibited and only legitimate defense is accepted. Additionally, legitimate defense and reciprocal treatment if not a solution for the problem and is excused, must be only for removal of danger and for necessity. The reason is that in the religion of Islam, initiating any kind of war is prohibited and against the teachings of God. In case war and aggression occurs, all endeavors should be made to end it. Additionally, in the religion of Islam, obeying and respect of contracts and agreements and all their contents is an undeniable necessity and any deceit and ambiguity in contracts is not acceptable. Therefore, if an agreement or contract leads to loss and disadvantage to the Islamic government, there is no abiding certificate that can prevent its obliteration. Additionally, regarding repudiation which might be the most important part of this paper, it can be concluded that: first, the principle of repudiation that as a theological principle has control over all laws related to the relationship between Muslims and atheists is only acceptable due to a definitely logical reason. Second, the accepted advantage of Muslims against atheists, at least logically and based on extensive teachings and by the interpretation of Islamic «Law» pertains to the other world and true righteousness and regarding behavior and teachings that acting upon them brings esteem, they can only be general purposes for definition and determination of macro policies of the Islamic government. Thirdly, clearly esteem and pride of Muslims in the Islamic state and in various domains such as cultural, political, economic and ... or the accepted esteem

allocated to Islam and Muslims is one of the general purposes that needs to be kept in mind in determination of macro policies of the Islamic system in the arena of relations between Muslims and atheists. Fourth, for determination of national interests at various times and places, application of the principles mentioned are necessary in determination of the benefit of the system. It is here that the relation between national interests and the holdings of the principle of repudiation is clarified on the basis of the exalting verse of Nafye Sabil: Muslim's esteem and pride against atheists is one of the constant principles of the Islamic government which is referred to as one of the purposes or benefits of the public. Yet, this persisting principle needs to be looked at alongside with other rules of determination of national interests so taking advantage of it and stepping in the direction of its realization are accompanied with realism, dynamicism and logic.

## References

1. The Holy Quran
2. Nahj al-Balaghah
3. Ibn Arabi, al provisions, Beirut, 1421 AH, Al Arabi Publishing Daralktb
4. Ibn Hisham, Abu Abdul Malik, Alsiyh Alnbvyh, Cairo, 1978, General Mktbh Alaz-hryh.
5. Abu Dawood Sulaiman bin Ash'ath, Sunan Abi Dawud, By-Ta Press Darahya' Sunna Alnbvyh
6. Abu Zahra Mohammed, Almjtm per aegis al-Islam, Cairo, without the Publications Daralkrkrby
7. Abu Yusuf, Alkhraj, Cairo, 1352 AH, Almtbh Alsfyh Braille
8. Albvaty Ramadan Mohammed Said Al-Jihad case he will not see? Nmars-h bag? Damascus, 1995, published by Dar
9. Ahmad Abvalvfa' Muhammad, the Islamic approach, translation Mustafa Mirmohammadi, Tehran, 2011, published by Samt.
10. Bahram Akhavan Kazemi, diplomacy and international behavior in Islam, Tehran, 2012, published by Samt
11. roads Abdullah bin Ibrahim al-Fiqh al-Islami fil Alastghash Bghyralmslmyn 1414 AH, Al-Risala Foundation
12. Bojnordi MH, jurisprudential-rule Alfqhyh, Qom, 1424 AH, The Daralktb al.
13. Mohammad Taghi Jafari, translation and commentary Nahj al-Balaghah-Qom, without the Publications Office of the spread of Islam.
14. The honest truth, the principles of Islamic political thought, first edition, Qom, 2012, University Press helpful.
15. Khomeini, Ruhollah, scripture, light, Tehran, 1990, the Islamic Revolution Cultural Center of the Ministry of Culture and Islamic Guidance.
16. Zhyly Wehbe, Saralhrb fi al-Islam, Third Edition, Damascus, 1404 AH, published by Dar al.
17. Jafar Sobhani, Abhas per international and bees, Qom, 1987, the management of the Qom Seminary.
18. sajadi Abdul, diplomacy and political behavior in Islam, Qom, 2009 Center for Islamic publishing Qom Seminary.
19. Mehdi Haeri Yazdi, wisdom and power, Tehran, 1995, Beata
20. Sayyid Qutb, Islam and World Peace, translation Zydyn El Abidine victim and conductor Khosroshahi, Tehran, 1989, Publications of the Islamic culture
21. Shakoori, A., political fiqh of Islam, displacement, 1982
22. Sheikh Bahai, comprehensive Abbasi, lithographs, 1321 AH
23. Mohammad Tabatabai, Tafsir al-Hamadani translator Mohammad Mousavi, Qom, 1995, Islamic Publications affiliated with the Society of Seminary Teachers of Qom,
24. Tabarsi Abu Fazl bin Hasan Al Assembly, Tehran, 1986, published by Naser
25. Tabari, Muhammad Hariri and al Alrsl date, Cairo, 1960, Daralmarf
26. Hilli, Note Almtlmyn, published in Najaf, without the
27. Abbas Ali Amid Zanjani, political law, international law of Islam, Tehran, 1988, Amir Kabir Publications.
28. Nadia Mustafa, Mahmoud, PR Aldvlyh Islam, Damascus, Dar, 1996 AH
29. Muhammad Baqir Majlisi, Bihar al-Anwar, Qom, 1983, Daralktb Islamiyah
30. Hassan Najafi, Jvahralklam Fi religions as Islam seventh edition, Beirut, Darahya' Altras Arabi
31. Optical Mirza Hassan, Mustadrak Alvsayl, Qom, 1407, al-Bayt Institute
32. Hindi, pious, Knzalmal, Beirut, 1979, Al-Risala Foundation

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