

DIPLOMATIC JURISPRUDENCE IN ISLAM

الفقه الدبلوماسي في الإسلام

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Abstract

Diplomatic studies have attracted the attention of scholars, especially in the issue of consolidating international relations. Therefore, this research, which I called (Diplomatic Jurisprudence in Peace), will attempt to identify the approach of scholars in various relevant branches of knowledge, who have addressed this issue in their research and writings, highlighting and expanding this science. It was important to hold a theoretical chapter to get to know this specialization, and to explain its role, importance and methods of performance in it, then the researcher's attempt to benefit from the applicants' efforts in clarifying the aspects and dimensions of the study, and collecting the scattered references in the stomachs of her books and the experiences of specialists and others, and employing them in this study. In light of this, the researcher tried to present an objective vision of the phenomenon of diplomatic language so that it can be invested and benefited from in the issues of foundation and contracting and facilitating the education and service of foreign international relations, God willing. He was also keen on filling a vacancy in the field of diplomatic studies related to Sharia; He saw that a lot of effort should be exerted to make diplomacy a considered tributary of stability and prosperity in Islamic societies. In order for Islamic diplomacy to become more widely applied and widespread in the field of international relations. This study was based on the extrapolation of issues in which the opinions of scholars varied according to the multiplicity of factors of international relations and diplomacy, And the controls of their judgment on some of them with ugliness, goodness or anomalies, and analyzing the reasons for the acceptable choice in their view, whether they are technical related to the apparent transactions or other general rules, according to an applied analytical methodology that helps to understand the point of view of scholars of this art due to the nature of the relationship between a state and a state. And a people and a people, a nation and a nation, and then their approach to dealing with the other.

Keywords: jurisprudence, diplomacy, peace, Sharia, relations.**ملخص الدراسة**

حظيت الدراسات الدبلوماسية باهتمام الدارسين بها خصوصاً بموضوع توطيد العلاقات الدولية، ولذا سيتولى هذا البحث الذي سميته (الفقه الدبلوماسي في السلام) محاولة الوقوف على منهج العلماء في مختلف فروع المعرفة ذات الصلة، الذين تناولوا هذه المسألة في بحوثهم ومؤلفاتهم، وإبراز هذا العلم وتوسيع نطاقه. فكان من المهم عقد فصل نظري للتعرف بهذا التخصص، وبيان دوره، وأهميته وأساليب الأداء فيه، ثم محاولة الباحث الاستفادة من جهود المتقدمين في توضيح جوانب الدراسة وأبعادها، والقيام على جمع الإشارات المتناثرة في بطون كتبها وخبرات المتخصصين وغيرها، وتوظيفها في هذه الدراسة. في ضوء ذلك، حاول الباحث تقديم رؤية موضوعية لظاهرة اللغة الدبلوماسية بحيث يمكن استثمارها والإفادة منها في قضايا التأسيس والتفصيل وتيسير تعليم وخدمة العلاقات الدولية الخارجية إن شاء الله. كما حرص على شغل شاغر في مجال الدراسات الدبلوماسية المتصلة بالشرعية، رأى ثمة الكثير من الجهد ينبغي أن يُبذل لتكون الدبلوماسية رافداً معتبراً من روافد الاستقرار والازدهار في المجتمعات الإسلامية. ولتصبح الدبلوماسية الإسلامية أكثر تطبيقاً وأوسع انتشاراً على صعيد العلاقات الدولية. ولقد قامت هذه الدراسة على استقراء المسائل التي تعددت آراء العلماء فيها تبعاً لتعدد العوامل العلاقات الدولية والدبلوماسية، وضوابط حكمهم على بعضها بالقبح أو الحسن أو الشذوذ، ومحللة أسباب الاختيار المقبول في نظرهم سواء أكانت فنية تتعلق بالظاهر من المعاملات أم غير ذلك من القواعد العامة، وذلك وفق منهجية تطبيقية تحليلية تساعد على فهم وجهة نظر علماء هذا الفن نظراً لطبيعية الصلة بين دولة ودولة، وشعب وشعب، وأمة وأمة، ومن ثم منهجهم في التعامل مع الآخر.

INTRODUCTION

Praise be to Allah, Lord of the Worlds, and prayers and peace be upon the Messenger as a mercy to the worlds, and upon his family and companions, and those who are most important to the Day of Judgment, then as for what follows: Since ancient times, human groups could not live in complete isolation from one another; Rather, the nature of the needs of each of them perceives the necessity of communicating with others and dealing and interacting with them; So that they can have livelihoods. "People have been coexisting in groups linked by common denominators that bring their souls together by adaptation, sympathizing with appreciation and reassuring each other, and agreeing in their joint legitimate dealings with commitment." And the wisdom of Allah - the Mighty and Sublime - has decreed that the nature of the earth be different, so that its gifts were not equally distributed over it, as Allah Almighty said: {And Allah has preferred some of you over others in sustenance.} Some men have a share of what they have earned, and women have a share of what they have earned." It allows it to be completely self-sufficient, and completely dispense with other groups.

The Belief Establishment of Friendly Relations in Islam

Related differences:

The final Sharia came with a call for dialogue and human fraternity, and it reinforced the culture of the Noble Qur'an, the obligation to respect the human being, building correct relationships between human beings, and confirmed the nature of human beings' tendency to difference and diversity. From you, a legacy and a sacrifice} and he said: {And if your Lord will have made people a single nation, and they are still different}, and he recommended the Qur'an in many verses that it is necessary to build good relations between the people of the people. He enjoins good words for people regardless of their religions, colors and tribes, then he commands kindness to the land, which is the security of all of us regardless of any religious or sectarian affiliation. This spirit of openness to the world and building positive relations is in fact the spirit of Islam and its first message. However, it must be said here that a number of the jurists of the Salaf did not accept this kind of friendly relations and chose to classify the world into two settlements, the abode of Islam and the abode of infidelity, or the abode of Islam and the abode of war. This jurisprudential position is adopted today by the jihadi organizations that see in the world nothing but an enemy that must be fought, and they reject the logic of diplomatic relations in all its forms, and they demand a military confrontation with the world until it embraces Islam. It must be said that some of the most prominent jurists of witnessing opinions were due to the nature of political circumstances, especially during the Crusades, in which the West was sent to fight Islam, which led to the growing suspicion and the collapse of opportunities for dialogue and diplomacy. They present their position on the grounds that it is the choice of the predecessors in international relations, and they refer to the choice of Imam Abu Hanifa, as well as many Maliki and Hanbali jurists in dividing the world into a house of Islam and a house of war. Controversy arose in the past regarding the nature of the relationship between the Islamic state and other countries, and whether the origin in these relations is peace or war. Many studies have been written to root this issue and review the evidence of the two teams, including what was achieved by the Journal of the Islamic University in Madinah, and the conclusion is that the jurists differed in the origin of the relationship. Between Muslims and others, there are three sayings:

The first view: Many of the Hanafi, Maliki, Shafi'i and Hanbali jurists went to the principle of war in the relationship of Muslims to others, and to this view a number of contemporary scholars, including Sayyid Qutb, Salih al-Luhaidan, and Abu al-Ala al-Mawdudi. The proponents of this saying saw that the legislation of jihad and the command to mobilize in the way of God to fight the infidels, and the order to prepare to confront the infidels by force and horse bonding, makes the basic principle of war, and that peace is an exception that is estimated by its destiny.

The second saying: Some jurists went to the fact that the origin of the relationship between Muslims and others is peace, and that war is an urgent matter that is not resorted to except when assaulting Muslims, oppressing them, or seducing them from their religion. Contemporary scholars Sheikh Muhammad Abu Zahra, Mahmoud Shaltout, Dr. Wahba Al-Zuhaili, Abdullah Ghosheh, Abdullah bin Zaid Al Mahmoud and others.

The third saying: The relationship of Muslims with other nations is an invitation relationship that varies according to the circumstances and conditions, depending on the real interest of all the people of the earth. The relationship of Muslims and others may be a relationship of peace before or during their delivery of the invitation, and if non-Islamic nations respond to the invitation, and the relationship of the armed with others may be War after informing them of the invitation, and when obstacles are placed in front of its notification. The writer of these lines does not hide his inclination to the second opinion chosen by Sheikh al-Islam Ibn Taymiyya, Imam al-Thawri, al-Awza'i, Ibn al-Qayyim and others, which is that the origin of the Islamic nation's relations with other nations is peace. Almighty: {And if they incline to peace, then incline to it, and put your trust in God, for He is the All-Hearing, All-Knowing.}

And the Almighty's saying: {O you who believe, enter into peace as a whole, and do not follow in the footsteps of Satan, for he is to you an enemy.}

-Including the saying of the Most High: {And do not say to the one who greets you, I am not a believer {.

And He, the Most High, said: {And do not argue with the People of the Book except with what is best, except for those among them who have been unjust.

No.	Verse	statement	time
1	Say to those who believe, forgive those who do not hope for the days of God}	Forgiveness and tolerance with unbelievers	Mecca
2	Forgive them and say peace}	To stop their insults and mockery	Mecca
3	To you is your religion and for me a religion	The right of the followers of every religion to choose what they believe in	Mecca
4	And do not abuse those who invoke besides God, lest they insult God an enemy without knowledge	The right to refrain from attacking their gods until we ensure their neutrality	Mecca
5	There is no compulsion in religion	Declaration of Religious Freedom	Mecca
6	And do not say to the one who greets you, I am not a believer	Respecting the belief choice and intentions	Civil
7	God does not forbid you on behalf of those who did not fight you on the basis of religion and did not expel you from your homes	} that you be righteous and justify the people's covenant and their vows according to their covenant and their acknowledgment of their covenant	Civil
8	So if they withdraw from you and do not fight you, and send peace upon you	Then God has not made you an aggression against peoples and countries	Civil
9	Permission is given to those who fight because they have been wronged	Permission to fight against the aggressors	Civil
10	And fight in the cause of God those who fight you	We fight those who fight us and do not transgress us	Civil
11	Fight those who do not believe in God, nor on the last day, and do not prohibit what God and His Messenger forbade, and they do not have any religion	It is obligatory to fight the clerical groups that refused to join the emerging state until they enter into obedience to the state	Civil
12	Fight those of the infidels who are near you, and let them find harshness in you	We will fight the infidels from neighboring countries if they collude in our fight	Civil
13	And fight the polytheists all together as they fight you all together, and know that God is with the righteous	We will fight all the polytheists if they agree to fight us	Civil
14	And kill them wherever you overcrowd them	We will fight them even if they are not on the battlefield if aggression and killing have preceded them	Civil
15	So when you meet those who disbelieve, strike at their necks	We fight them on the battlefield in defense of ourselves	Civil
16	And if they incline to peace, then incline to it, and trust in God	Peace and meekness are better with God when their intentions are right in peace	civil
17	O you who believe, enter into peace, all of you}	The Call for Comprehensive Peace	Civil

By reading texts; It is clear to say that the revelation of the noble verses was in accordance with the events and circumstances facing the nation, and that the Qur'anic commands were only specific to a specific circumstance, and we must understand them in the context of the reason for which they were revealed and that we realize that all of these texts, even if they are in the general form, but it is from The chapter on general in which the particular is intended, and the absolute by which the restriction is intended, and these are clear rules according to the scholars of the fundamentals, and it is not permissible to generalize in the above not only; Because, as the hardliners think, it will abolish friendly relations with non-Muslims.

But because it will lead to contradictions and conflicting evidence, and the truth that there is no doubt is that all of these texts are a wise revelation from God, and there is no reason to say that some of them are abrogated by others. Thus, friendly relations with peaceful countries in Islam are established by the text of the Noble Qur'an, just as jihad against the aggressors is also an order of the Noble Qur'an. Imam al-Shafi'i has previously classified the world into a threefold division: the abode of Islam, the abode of war, and the abode of covenant. Perhaps he used the term "house of safety" or "the house of reconciliation." With this classification, Imam al-Shafi'i emphasized the existence of many countries that are not from the land of Islam, and people in them resort to other religions, or not. They condemn a religion, but their relationship with Muslims is governed by peace in accordance with covenants and covenants accepted by both parties. Thus, the transition to the triple division in the framework of international relations has settled in Islamic jurisprudence:

- Islam House.
- War House.
- Treaty House.

So, the house of Islam is in the land on which Muslims live, and the provisions of Sharia are applied in it, and the house of war is the state that declares war on the Muslims, and does not respect their rituals, religion and their Prophet, and what remains after that is the house of the covenant governed by the nature of the agreement that the Islamic state concludes with this state within the framework International relations, and these relations and agreements revolve in the orbit of the permissible, which is left to the guardian to dispose of it through the institutions of shura and governance adopted by the nation. The Encyclopedia of Islamic Jurisprudence and its Evidence has singled out the liberation of this jurisprudential position under the title of recognition and its consequences: The organization of the present international community is a modern organization that was not in this way at the time of the emergence of Islam, and in the eras of its successive states, as is well known. However, the original principles and the prevailing international morals are clearly established in Islam. And since Islam seeks, in fact, to reach stable ways in its relations with other peoples on the basis of one of two things: either entering into Islam, or a treaty and security, recognizing the existence of the other non-Muslim state (Dar al-Harb) is a matter that does not prevent it from reclaiming the principle of Islam and its exemplified jurisprudence. in dividing the world into two homes: the abode of Islam and the abode of war;

Because the House of War includes all the non-Muslim countries that were originally not at peace with the Muslims, nor in a treaty with them. The affairs of other countries This was a tacit recognition by the Islamic state of others, in addition to the fact that recognition is often issued expressly with a free will. And this is in accordance with the Almighty's saying: {And if they incline to peace, then incline to it, and put your trust in God, for He is the All-Hearing, All-Knowing.}

Accordingly, it is permissible for a Muslim state to recognize a non-Muslim state publicly, implicitly, legally or realistically, as the case may be. And the fact that the Islamic call has a global tendency through wisdom and good preaching, and thus the extension of the authority of the Islamic state with its spread in the world: does not mean ignoring the conditions of possibility and the necessities of reality and the interest of peace that makes the Islamic state one of the countries of this world, which exchanges recognition among them to settle their disputes on the basis of Peaceful in line with the logic of Islam and the spirit of its message. Ali bin Abi Talib, may God be pleased with him, said: "Do not push for a peace that your enemy has called you to, and God is pleased with it.. Peace is a call to your soldiers, a relief from your worries, and a security for your country, but be very careful of your enemy after making peace with him, for the enemy may be close to being neglected." However, it must be said that diplomacy is not specialized in friendly relations, but is much needed when relations are turbulent and tense. In fact, I assert that the supreme goal of diplomatic work is to succeed in settling disputes, preventing war, and enhancing chances for peace. We seek excuses from this expansion and elaboration in the issue of saying abrogation in the verses of pardon, mercy and peace, because this is an essential matter in building sound international relations between Muslims and the peoples of the world. According to my humble opinion in everything that scholars and literature circulated with different opinions and viewpoints, in my estimation, there is no spontaneous opinion in it absolutely because all opinions and positions are stages that Islam has passed through the ages. And an eternal proof of the coming of the Hour. It has become necessary to provide it with what is appropriate for future developments, so that the matter works according to its reality at once, and it is not free from one of these opinions and positions to solve the problem, or for God to happen something that was effected; Therefore, God left the nation the deposit of the right to the truth and the consistency of patience, after the Messenger, may God bless him and grant him peace, then present the will according to the need and according to the circumstances. In the event that it calls for the position taken by the Muhammadiyah nation at its time - and God knows best - and the guide to the right path .

The term diplomacy in the Islamic heritage:

The word diplomacy did not appear in Islamic literature, and jurists used to express diplomatic knowledge under the title "Sir." One of the oldest books on diplomatic issues was the Great and Small Sir Book, which was put together by Muhammad ibn al-Hasan al-Shaibani, the owner of my father Hanifa, who died in 804 AD, was close to the Caliph Harun al-Rashid, and there is no doubt that he benefited from his proximity to the court by providing advanced experiences in the diplomatic field. We will shortly discuss the details of what we say about it, but diplomacy in the golden age of Islam, even if it was absent as a term, was present and influential. The Islamic nation recognized the existence of neighboring countries and real relations emerged between the Islamic state emerging in the era of the Prophet and these states, and in the era of the Rashidun and the following caliphate. The idea of communicating with non-belligerent countries and building real diplomatic relations with them was reinforced. Accordingly, the researcher can define diplomacy in Islam as a set of rules and provisions that are consistent with Islamic law and that express the state's desire to deal with other countries in a way that achieves its interest in all cases and circumstances. Undoubtedly, diplomacy in this sense was not singled out in an independent research, but it was contained in multiple researches, and it can be sought in Islamic jurisprudence in many chapters, including the chapter on transactions, the provisions of jihad, and treaties. Perhaps the most chapter in which the jurists explained this issue was the chapter on dhimma and covenant, they elaborated on the conditions for granting dhimma to covenants and trustees and the difference between the people of war, the people of the covenant and the people of dhimma. The jurists have used the word wisdom in place of the word diplomacy, as they used the term literature of kings, the etiquette of behavior, the conduct of kings, the etiquette of covenants, the conditions of the covenant, and other terms.

Wisdom is defined as: doing what should be done in the manner that should be done at the right time. As others defined it by saying: It is the knowledge characterized by rulings, which includes knowledge of God, the Blessed and Exalted, accompanied by penetration of insight, self-discipline, realization of the truth, acting upon it, and preventing one from following whims and falsehoods, and the Wise is he who has that. This cannot be considered a definition of diplomacy, as they are general definitions that do not directly address diplomatic work, but diplomacy can be considered a branch of wisdom, or wisdom related to people's politics and international relations, and in this sense we will find a rich jurisprudence that presents many aspects of knowledge in this context.

Diplomacy in the Prophet's Era: Since the dawn of Islam, the Noble Qur'an has declared the universality of the message {And We have not sent you except to all of mankind as a herald and a warner, but most people do not know the earth} and based on the purpose of life and mutual awareness of the people of Islam. Guidance and practice is the will to establish and build sound international relations, regulated by the values of justice and equality established by the great principles of Islam. During his honorable life, the Messenger of God, may God's prayers and peace be upon him, presented a rich diplomatic jurisprudence by building responsible relations with the kings around the Arabian Peninsula. He also held the closest relations with the tribal leaders in the Arabian Peninsula, and carried with them the responsibility of cooperating to build the state on the land of the Arabian Peninsula after the Arabs had lived for centuries. Looting every greedy, alternating their colonization of the Persian East and the Roman West, and he managed through a diplomatic struggle accompanied by a real will to build the state by all available means of financial, military and social capabilities, until the Arab state was ready to inherit the historical civilizations in the ancient world within less than ten years. Likewise, the Prophet's biography is abundant in explaining the successes achieved by the Messenger of God, whether in the embassies of peace or in the embassies of war, and whether in relations of reconciliation or relations of confrontation, and it provides logical evidence that the origin of the relationship of the Islamic state with the world around it is balance, moderation, mutual interests, and respect for Human values and that the Holy Prophet used the finest arts of diplomacy to resolve conflicts and cut the causes of wars. Despite the nature of the intense confrontation that the message encountered in its early days from Arab paganism, then the direct confrontation with the Persian and Byzantine Empire and the accompanying wars and conflicts, Muslims succeeded in establishing balanced diplomatic relations, based on the principle of peaceful relations between states, and providing a continuous opportunity To resolve disputes by peaceful means, build responsible international relations, and contribute to the protection of coexistence and good neighborliness. Since the dawn of Islam, the Prophet, peace and blessings be upon him, established successful diplomatic relations with the Negus, King of Abyssinia, and with Al-Muqawqis, King of Egypt, and with them he exchanged gifts and delegations, and established strong relations with Christians Najran and Jizan, as well as with famous pagan tribes such as Khuza'a, King Akidar bin Abdul Malik Al-Kindi, and the Arabs of Al-Hira from Al-Manazira. The nature of the relations that the Noble Prophet, may God bless him and grant him peace, achieved in the diplomatic field can be monitored in various forms

Next:

Treaties of good neighborliness and friendship, as in his pact with the Negus.

-Strategic alliance treaties, as in the Khuza'ah alliance, and its alliance with the Aws and the Khazraj on the Day of Aqaba.

Non-aggression pacts, as in Wadan, El-Ashera, and Douma.

Armistice treaties, as in the Hodaybiyah Peace Treaty.

Treaties that resulted in diplomatic and political recognition, as in the Treaty of Hodaybiyah.

Peace treaties as in the treaty of the Christians of Najran.

Diplomatic marriage and its impact on reconciliation between tribes.

And we will detail important aspects of the wise prophetic diplomacy during the chapters of the book, and in particular during his successful embassies for which he chose the best diplomats and supervised their performance, and refer here to the book of administrative arrangements for the prophetic state by the scholar Abdul Hai Al Kettani, who devotes long chapters to explaining the diplomatic aspects in the biography of the Holy One. And the diplomatic assets he taught people and settled in the custom of international relations after him. It should also be noted that the Noble Prophet, may God's prayers and peace be upon him, also achieved important diplomatic gains through what was termed as political marriage, and this type of marriage was common in the Middle Ages, and it must be said that the The Holy Prophet never resorted to this type of marriage in the life of Mrs. Khadija, may God be pleased with her, who is the mother of his children and his life partner, but within the framework of the leadership of the state in Medina, he married several times, and many of this marriage had a direct impact on reconciliation between the Arab tribes or easing Excessive grudges and hatred, including his marriage to Ramlah bint Abi Sufyan, who is the leader of the polytheists in Quraysh, and it was a direct message of affection to the leaders of Quraysh to abandon their war on Islam, and her engagement through the Negus was another message in demonstrating the extent of the spread of the message among kings and the Quraysh's need to build good relations with the Messenger And the message. Likewise, his marriage to Juwayriyah bint Huyay bin Akhtab, the leader of the Jews after the Battle of Khaybar, had a great effect in preventing the enslavement of the losing Jews after Khaybar. New relations based on this generous intermarriage.

During the Umrah of the Judiciary, while the people were performing their rituals, the Messenger of God, may God's prayers and peace be upon him, was interested in achieving a great surprise, namely his marriage to Maimouna bint Al-

Harith and his insistence anew on the intermarriage of the houses of the Quraysh who rejected Islam. The expression used in the biographies is the wisdom of the Holy Prophet in his marriage to the daughters of Arab leaders, and it is okay to say that what is meant by wisdom here specifically is this diplomatic aspect, which brought great benefit to people and reconciliation between tribes.

Diplomacy in Islamic History:

The period of the Rightly-Guided Caliphs had to accomplish the great merit represented by the conquest of the Arab countries, and ridding them of the foreign colonizer, whether the Persian or the Rumi. Colonialism is a religious and national duty, sanctioned by all legislations and customs. Therefore, the caliphs contented themselves with sending messengers to communicate specific positions against these tyrannical leaders of the Persians and the Romans. Al-Ashaath bin Qais, Furat bin Hibban, Mercury bin Hajib, Hanzala bin Al-Rabee', and Amr bin Maad Yakrib. During this time, diplomatic relations in the known sense were not established with these countries because they were occupying countries, and they were required to be expelled from the land of the Arabs, not to establish diplomatic relations with them, and so it was. However; It is possible to monitor a number of the activities of the Rightly-Guided Caliphs in the diplomatic field, including what Dr. Buabadah referred to by saying: Omar Ibn Al-Khattab also cared about the messengers and established a Diwan of the Messengers, which includes the messages that come to him through the messengers, and he adopted the means of justice as the best means of settling disputes, and the example of the covenant given by Omar Ibn al-Khattab to the people of Jerusalem is the best historical document representing the rules of international humanitarian law. Othman bin Affan allocated certain sums of money from the treasury to receive foreign messengers and cover the expenses of their stay. Despite the development witnessed by international law at the present time, the state does not bear the expenses of establishing foreign missions in its country.

After the conquest of the historical land of the Arabs was completed, and the Roman and Persian colonizers were expelled from it, and the Romans returned to their country, Islamic diplomacy flourished again, and the need arose to build good neighborly relations with neighboring nations, especially since a number of the caliphs did not see going far in the conquest. On the authority of Omar Ibn Al-Khattab, he said: We counted for the people of Iraq their blackness and Ahwaz, and I wished that there was a mountain of fire between us and Persia that we would not reach them and they would not reach us, and had it not been for the repeated aggression from Persia and its insistence on re-occupation of Iraq, successful diplomatic relations would have been established between the Persians and the Caliph of the Muslims, Umar, but Al-Khattab. However, the repeated attacks pushed new armies led by Al-Ahnaq bin Qais to Persia.

Likewise, the position of Omar bin Abdul-Aziz, who favored the spread of the call and guidance through the argument, was well known, and the proof was more than domination and authority, and his great word was famous: God sent Muhammad as a guide and did not send him as a tyrant. Active diplomatic relations were well known between the Umayyad and Byzantine caliphs, and among them was Abd al-Malik bin Marwan, who sent Judge Sharaheel al-Shaabi, a famous vassal to the Byzantine Emperor Justinian II. Emperor Justinian praised al-Shaabi's tact, wisdom and embassy. Harun al-Rashid was also famous for his diplomatic successes, including the peace treaty he established with the Byzantine Empress Irene, and the ensuing mutual peace. Then he angered her with her successor, Emperor Nikephoros, who vetoed the treaty, so Harun al-Rashid invaded and seized the city of Heraclius, east of Constantinople, from the land of today's Turkey, which is the city in which the Roman emperor was drained, then he obliged him to pay tribute, and Aaron turned in his diplomatic relations to the Western Roman emperors (the Franks) who started with Charlemagne in Aachen, Germany, and Aaron Al-Rashid sent a delegation of envoys, with them many gifts and scientific Islamic innovations, including the mechanical clock including the game of chess, and in turn, Charlemagne and his entourage expressed their admiration for these valuable gifts, and for the inventions, civilization and progress that Muslims reached at that time.

These relations later developed and had their origins and traditions, and reached the point of economic cooperation and cooperation in resolving disputes, as indicated in a letter addressed by the Roman Emperor Theophile 829 AD to the Abbasid Caliph al-Ma'mun regarding the exchange of prisoners and the restoration of economic life between Muslims and Romans, and it stated in that message: "I have written to you calling for pacifism, desiring the virtue of truce, so that we may put the burdens of war on our behalf, and each one be a wali and a party, with the connection of the facilities, the space in the shops, the release of the captive, and the safety of the road. Caliph al-Ma'mun responded to the request of the Byzantine emperor; So that life between the two parties would return to its normal course, and the bearers of those letters were allowed to visit the concentration camps of prisoners; To make sure of their good treatment, and to get to know each of them, and one of the purposes of Islamic diplomacy was to try to know the strength of their neighbors, and the extent of their strength, and to verify the validity of the request of the other party for the salt, or for truce, or the exchange of prisoners, as there was correspondence between Al-Mamoun and the King of Rome, and he had memorized it. Al-Ma'mun wrote to him asking him to finish what he chose from the old books stored in the Roman. The Romans, Muhammad, Ahmad and Al-Hassan Banu Shakir Al-Munajj were those who were responsible for the production of books, and Qasta bin Luqa Al-Baalbaki had carried something with him, so he conveyed it to him. Al-Mamoun wrote to the king of the Romans asking him for permission to save what he chose from the ancient sciences stored in the lands of the Romans, and he answered that after refraining, and Al-Ma'mun brought out a group of them for that, including Al-Hajjaj bin Al-Mutran, Ibn Al-Batriq, Salman, the owner of the House of

Wisdom and others. So they took from what they found what they chose, and it was said that al-Ma'mun used to give him a weight of gold what he would transfer from books to Arabic, like for like.

It was the mission of the ambassadors to know the state of the roads and places where there are meadows, grasses and weeds for fodder, as well as the strength of the army and its supplies in numbers and equipment, in defense and attack, and to know everything related to the affairs of foreign countries from personal and public aspects, just as Islamic diplomacy in the Abbasid era was envisaged from its embassies for scientific purposes. In this context, al-Ma'mun used to buy books of wisdom from the Romans through ambassadors and delegates representing the caliph, and they sent valuable books to Baghdad, where they would be translated into Arabic through the House of Wisdom.

An example of this is that the Caliph al-Ma'mun learned that there was a famous mathematician in Constantinople, so he sent to the Byzantine Emperor Theophile a special embassy carrying a personal letter asking him to allow Professor Leo to come to Baghdad for a short period. The Byzantine state should make permanent peace, and he gave a gold coin in return." However, the Byzantine emperor refused this generous offer; Because some of the scholars' researches were considered state secrets in that era. During the Abbasid era, diplomatic relations were established between the Abbasids, Rome, the Kingdom of the Bulgars, India and China, in addition to Constantinople and the Franks. The Abbasids knew the system of ceremonies and the reception and celebration of messengers, if they assigned the ambassador and his companions to a full reception at the borders and escorted him until entering the capital. The Persians of the Abbasid state set a date with him to meet the Caliph (the Commander of the Faithful), and when he gets to meet the Commander of the Faithful, he presents him with the book of his master (the head of his state), and then the gifts he brings to him. Among the activities of Arab scientific diplomacy was the work of the Abbasid Caliph Al-Wathiq Allah (832AD-847AD), who sent a delegation to the Byzantine Emperor Diocletian to visit the cave mentioned in the Holy Qur'an.

The Caliph Al-Mutawakkil Nasr bin Al-Azhar also sent his ambassador to the Roman Emperor Michael III to study the issue of the exchange of prisoners and the acceptance of redemption between Muslims and the Roman state. This ambassador succeeded in his mission and ransomed 2,300 Muslim prisoners who were in the country of the Romans. He was famous among the ambassadors, Yahya al-Ghazal, who worked for Prince Abd al-Rahman II, the Umayyad, and he held several successful embassies, the most famous of which was with the Byzantine Emperor Theophilus and his wife Theodora. For that and apologized to him for forbidding alcohol. Then he set up another embassy in Denmark, where he met Norman King Norcaius in 844 AD and was able to conclude a peace agreement that ended a conflict that was about to erupt between Europe and the Muslims in Andalusia. After that, the various embassies became famous among the Hamdanids, the Akshidids, the Seljuks, the Zangids, the Ayyubids, and other Islamic countries that endeavored to establish stable relations with neighboring countries.

However, studying the history of diplomatic relations and their development requires independent research, and we would like to point out here that this type of diplomatic relations was present throughout Islamic history, in conditions of war and peace, and it is the clearest evidence that Muslims throughout history were seeking good diplomatic relations with their neighbors. They did not see jihad as a declaration of war against the world. Rather, they saw jihad as a preventive war imposed by necessity to protect the nation from its lurking enemies.

Results

The following is a brief summary of the most important findings of the study:

- Islam endorsed the principle of friendly relations between states, as well as mutual recognition of sovereignty between them. The study provided evidence for that from the Qur'an, Sunnah, the work of the nation and its history.
- Emphasizing that the origin of the relationship of the Islamic nation with other nations is peace and not war, and discussing opinions that went to the contrary.
- A reference to the details of diplomatic issues in the books of Islamic jurisprudence, and this is distributed in the chapters on jihad, covenant, dhimma and reconciliation in the books of jurisprudence.
- The principle of reciprocity is sanctioned by Islamic Sharia and today is governed by diplomatic norms, and the nation is commanded to abide by it in its diplomatic relations, and it is not permissible to abandon it except in the context of the real interest of the nation.
- Studying a model of the great diplomatic performance of the Messenger of God, may God bless him and grant him peace, through his dealings with a Christian country in the Arabian Peninsula, which is the province of Najran.

The diplomatic achievement that has been achieved for mankind and contributed to the regulation of relations between the two countries Eliminating the causes of wars is a general human achievement and not a Western achievement, as some claim, and Islam has been and still is an essential partner in this civilizational achievement.

- Islam does not support the principle of conflict between civilizations, but rather emphasizes and seeks dialogue between them, alliance, cooperation and integration for the good of all people.
- The clash of civilizations is an extremist American project and its counterpart from the eastern culture is to divide the world into two camps, and it is the responsibility of Islamic diplomacy to correct the distorted and false image of Islam and to clarify its active role and its essential contribution to establishing the values of constructive cooperation with all nations of the earth and the peoples of the world.

- The relationship of the Islamic nation with other nations must be based on the values of balance, moderation, similarity and equality, and not on manifestations of transcendence and breach of respect, nor on dependency or dependence.
- The Islamic nation and the peoples of the earth are neighbors on one planet, and the basis of the relationship is peace and cooperation, and this does not cancel the right of the nation to defend itself if it is exposed to dangers from outside.
- Confirmation of agreement in principles and objectives between enlightened Islamic jurisprudence, and what was stated in the preamble to the 1961 Vienna Convention on Diplomatic Relations between States, and the necessity to deal positively with the procedural details of these important international agreements.

Margins:

Classification and theory of social behavior: Towards a scientific framework for the study and development of human sociology. Muhammad Ziyad Hamdan. P.: 33. Modern Education House. 2015.

○ Surah An-Nahl. Verse: 71.

○ Surat Al Nisaa. Verse: 32.

○ See: Arab Economic Integration and Industrial Coordination: An Analytical Study. Hamed Obaid Haddad. Journal of the College of Arts - University of Baghdad. Volume 2012, Issue: 99 (February 28, 2012). pp.: 640-660.

Surah. Verse: 48.

Surah Hud. Verse: 118.

souret elbakara. Verse: 83.

See, for example, Al-Mughni's book by Ibn Qudamah Al-Maqdisi, in which jihad is a fight against people to bring them into the true religion, and he ordered the invasion of the People of the Book and the Magi without warning or notification. Singer Ibn Qudamah. C 10 p. 379.

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Surah Al-Ankabut. Verse: 46.

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See: Abu al-Faraj Ibn al-Jawzi (597 AH): the transcribers of the Qur'an, the Islamic University, vol. (1), Medina, 1988 AD, p. 173. Hebat Allah al-Maqri (410 AH): the abrogated and abrogated, the Islamic Bureau, Beirut, 1984 AD, p. 99.

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Surah Hajj. Verse: 39.

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