

Foreign Policy Principles: An Islamic Sufi Approach

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Abstract

Purpose: Governing principles of the world countries' current foreign policies are based on nationalism and in the realization of this aspiration, human rights in other countries are less considered and demands of national interests on other issues is surpassed. Islam, in principle, is in opposite to this approach. However, national interests are important in Islam, but Islam does not try to achieve this target in price of destruction of other countries and rights violations of their peoples. Interests of Islam's government are based on expediency of humankind as a whole and in its foreign policy should be arranged in a way to fulfill this target. In this regards the basic principles of foreign policy in Islam based on Sufi standpoint are introduced.

Design/methodology/approach: Islam aims to improve humanities based on moralities and spiritualities. Some principles for reaching this goal based on Islamic Sufism standpoints are provided.

Findings: 32 principles are introduced.

Research limitations/implications: Comparative researches in other religions' Gnosticism will be helpful.

Practical implications: These principles can be used for applied debates in the field and be ended to new international regulations.

Social implications: Delicateness, truthfulness, and righteousness of Islamic Sufism, may turn the attentions of scholars and researchers to this viewpoint, and a new set of regulations to be codified.

Originality/value: Political scientists have not touched the topic from a Sufi point of view. This paper brings this approach to a new challenging arena for those who are engaged in.

Keywords: Foreign policy, Islamic Sufism, Mysticism, Gnosticism

Paper type: Conceptual paper

Preface

States' foreign policy usually specifies the attitudes and confrontations of a state towards other states. At today's world, the foreign policy-making of states is based on their interest necessitations, whereas, the attitude of Islam in this regard, is quite different. The main objective of Islam is humankind's transcendence rather than transcendence of Islam's country. As a matter of fact, Islam has not come into existence just for Arab ethnics or Persians of Middle East countries. Islam has come, just as a father, to extend its mercy and grace over all human beings. On the other hand, the benefits emanating from humankind's transcendence is so great that Islam's country would automatically get benefit from it. Moreover, this benefit is more than that time which just Islam's country enjoys her maximum interests solely. This theory (viewpoint) has a delicate discussion, which is based on mathematical reasoning, but we are not going to deal with here. Anyhow, maximizing the interests of just one state is less than maximizing the interests of the same state that is emanated from maximizing the interests of humankind. Nearly most politicians of the world are making the same mistake and follow just obtaining the interests of their own party or group. Anyhow, in this chapter we are going to deal with principles of Islamic

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foreign policy, which in connection with previous and subsequent chapters, the spirit of Islam's attitude towards other nations and states could be construed.

1- Principle of: Coinciding the Islam's expediency with the humankind's expediency

It has been frequently observed that, while discussing about Islamic foreign policy, the Islam's country is defined just the same as conventional states in the world, as if she is seeking to safeguard its own national interests. The conventional states in the world always make their foreign policy in such a way that in contrast to the other nations' interests could maximize their own national interests. In Islam, the terms of nationality and ethnicity as well as national and ethnic interests do not conform to the conventional definitions. Islam follows that kind of policy which secures the expediencies and interests of the whole humankind, and as we will mention it later on, Islam belongs to all humankind rather than Muslims alone. Islam is divine Mercy, sent down in the earth, to cover all creatures and especially all human beings around the world.

On this basis, the expediency of Islam and Islam's country coincide with expediency of humankind. There is only one exception to the said rule and it is while other states intend to transgress the inviolable border of Islam through practical war operations. That is to say, if they take aggressive measures, then the Islam's expediency would be superior to the aggressor's expediency of aggressive state, and Islam shall as hard as possible, confront with the aggressor. As it will be mentioned later on, the confrontation would be so hard that never permits another rebellion being carried out by the aggressor. With the exception of the said issue, the expediency of Islam coincides with the expediency of every one of human beings. Since Islam has been sent down for all human beings and all creatures are regarded from unique point of view, and all of them are believed to be creatures of the One who has sent down Islam, therefore all human beings are dearest, beloved creatures of the Unique Nurturer. And if they have not endeavored to obey Almighty God, the messenger of Allāh (S) and the Holder of Authority from among themselves, and are abandoned and forlorn, it would not mean that they are of lower classes in creation. On the contrary, their abandonment would be a good cause, that Islam should have shown more compassion and affection toward them. For example if a child does not obey his father, then the father would have more trouble, hardship to protecting, and taking care of his child. In Islam, taking care of the said forlorn is the obligation of viceroy of God in the earth, the prophet (S), divine guardian, or divine executor, who have the position of paternity over the creatures of God. Which said (Al-Baqarah II, 30): **“I am about placing a viceroy in the earth.”** This verse (as to the Arabic grammar) is a noun based sentence and the word **“placing”** is a constant adjective which both of these points indicate continuity of **“placing viceroy”** in the earth. This viceroy is the prophet or Holder of authority (Divine Master of Affairs) who are viceroy of the whole world. The abovementioned verse is addressed to the angels for introducing Adam (A) who was the only viceroy in the earth at the time. The authorization issued by Adam (A) to other persons, created several chains of authorizations and the Holders of authority in the earth, consequently divine viceroys are dispersed throughout the world and for each nation and folk there exist a guide and a messenger, which said (Al-Ra'ad XIII, 7): **“And for every folk there is a guide.”** And (Yūnus X, 47): **“And for every nation there is a messenger.”** And the most meritorious² and ornament of the said viceroy is the Honorable Messenger of Islam (S) and the successors of the chain of authorization from Adam (A) up to Muhammad (S) and from Muhammad (S) to the Upholder, Lord of our age who is alive at any time and stationed at the throne of divine successorship and will exist also in future. In addition, this successorship cannot be usurped and/or be changed. It will be constituted just by Almighty God and the Holder of authorization.

In a comment on the verse (Tā-Hā XX, 86): **“Then Moses returned unto his folk angry and distressed”** it is written³: **“The prophets are all just as kind fathers for their community and the people of community are their beloved children. Their belief is regarded as their perfect health and deficiencies in**

² (Al-An'ām VI, 165). It is addressed to Honorable Messenger **“Say (from the previous verse): He it is who has placed you as viceroys in the earth and has exalted some of you in rank above others.”**

³ "Bayan-a-Sa'adah-fi-Maqamat-al-Ebadah", volume 9 p. 248.

belief or lack of faith indicate their illness or death. The mood and status of a prophet as to the health, illness, or death of his community is the same as mood and status of an affectionate father towards his children. Certainly the kindness and affection of prophet is much excessive than a father.”

Anyhow, the said viceroy who is representative, governor, and obligatory successor of Almighty God in the earth is appointed for all people in the world. In addressing to David (A), it is said (Sād XXXVIII, 26): **“O David! Lo! We have appointed you as viceroy in the earth; therefore judge (rule) among men according to justice.”** In this verse, David (A) is instructed “to judge (rule)” which has the meaning of governorship and also arbitration, and object of the verb is humankind so that it is not specified for Muslims or the followers of David (A). It means that O David we have appointed you as governor in the earth and the people in the world are under your governorship. So, you should rule and make decisions and judgments according to justice. So that, with regard to the meaning of the said verse, which sets people of the world under the paternity and governorship of divine viceroy in the earth, we may conclude that Muslim’s expediency coincides with human beings’ expediency, therefore Islam following this approach, should make its foreign policy. This principle is regarded as one of the most important principles in foreign policy of Islam’s government. On this basis, the expediency of human beings is the same as Islam and Islamic government’s expediency.

Probably the believers of other religions might raise an objection that, the said subject could also be applied to all religions, because the religions belong to whole humankind and this subject is not an exclusive issue for Islam. We admit that it is certainly a correct statement to say that all true religions have been sent down for this purpose and the prophets are also appointed to achieve these objectives. But with respect to this objection, we have to mention that each one of the prophets is successively more perfect than the previous one. This is a standing rule that the Existence (The world) is moving towards progression and perfection, so that prophet, who is appointed, by taking the time of appointment into consideration, should be more perfect than or at least equal to previous prophet. On the other hand, all prophets are trained by previous prophet and divine guardian or divine executor, and the trainee possesses both the rank of the instructor and his own altogether. In Glorious Qur’an, it is said (Al-Baqarah II, 106): **“None of our Decrees do We abrogate or cause to be forgotten, unless We substitute something better or similar, (O, man) do you not know that Allāh is powerful over all things?”** That is the reason why Shiites believe in the Messenger of End of the Time.

The above said reasoning indicates that there is no difference between the prophets as to their main objective. But any of the prophets, with regard to their ranks and the requirements of place and time and also the talents of human beings, have brought laws and regulations, which are suitable for that age. That is the reason why religious law of Moses (A) was ratified by Jesus (A) who said (New Testament, Mathew, chapters 5, 17): **“Never think that I have come to abrogate Torah and written work of other prophets. I am not here for abrogation. I am for perfection.”** Jesus (A) was one of the trainees of prophets who were subsequent to prophethood of Moses (A). Jesus obtained religious laws, mystic path and the truth of Moses from John (A) and the latter from Zachariah (A), hand-to-hand back to Moses. Muhammad (S) who reached this position was under training of the latest prophets of Christ’s religion. He was trained by Baradeh (A) (Abu-Talib) and the latter was trained by Abdol-Mottaleb (A). He was trained by Hashim (A) and the latter was trained by Abde-Manaf (A) back to Peter (A) who was trained by Jesus (A). Therefore, there is no difference between religions, and they are all appointed for a unique word, which said (Āle-Imran III, 64): **“Say (O, Messenger) O people of the scripture: come to the Word of (monotheism) which is common between us and you.”**

The religions are at a subsequential direction; therefore, to be stationed in a previous religion would be because of fanaticism.

2- Principle of: Islam appertains to humankind

Some lawyers are of the opinion that the origin of “the right” is based on the concepts of natural laws, which are emanated from the rules and laws governing the nature and the Being. Therefore, the theory of natural law has been shaped in this fashion. The sources of these thoughts and reflections could be clearly observed in true religions and divine scriptures. The maturity and growth of this course of

thinking could be traced back to ancient Greece. Surveying the said course of thinking and comparing it with religious instructions and teachings, reveals that each subsequent prophet has been more perfect than the previous one, consequently by careful consideration of the requirements of a special period of time and qualifications of human beings within the nature's container and its laws, the prophets have instituted or ratified certain decrees and rules and have caused the maturity of religious laws. That is to say, the religious commandments have been legislated in accordance with the nature and talents of human beings. That is the reason why the religion's precepts, due to their conformity with the nature and being based on wisdom, are suitable for all humankind. Specially the religion that possesses the comprehensive laws and regulations.

According to the abovementioned reasoning, religion of Islam does not pertain exclusively for Muslims. On the contrary, it belongs to all humankind. Islamic instructions are also for those people who are inclined to follow Islam and taking advantage of its instructions. In sūrah of Saba says (Saba XXXIV, 28): **“(O Messenger) We did not send you but as a guide to all mankind in order to give glad-tidings to the believers and to warn those who have gone astray, but the majority of the people are ignorant.”** And in another verse, it is ordered the Honorable Messenger that (Al-A'rāf VII, 158): **“Say (O Messenger) O men! I am sent to you all, as the Messenger of Allāh.”** To sum up this discussion we can conclude that, bountiful table of Islam is at hand and it is not specifically for Muslims or the believers. It is a general invitation to take advantage of this vast divine blessing. Through this standpoint, all humankind are honored by Islam. The cause and objective of advent of Islam is for all humankind. Therefore, Muslims have no right to consider themselves superior than other folks or nations. That is nothing to boast about. They should not guide others just by putting them under pressure. Due to this principle, it is said (Al-Anbiā XXI, 107): **“We sent you not save as mercy for the people.”** That is to say, the purpose of appointing Honorable Messenger was a mercy for all humankind rather than making trouble for them.

3- Principle of: Human being's dignity

In Glorious Qur'an, it is stated (Al-Isra XVII, 70): **“Verily, We have honored the children of Adam.”** While Almighty God honors the children of Adam, certainly every one of us as Muslims should also observe this dignity. No one has the right to degrade the children of Adam's dignity and/or humiliate them or treat them disrespectfully. On the basis of this principle, every individual of human community is taken as being honorable, and Islamic government is bound to respect the humankind, whether individually or collectively.⁴

On the basis of the said principle all humankind in the world are taken to be honorable by Islam and Islamic government, without taking their color, race, and/or nationality into consideration. This principle shall not permit to degrade and humiliate human beings in different ways and without due cause or legal permission. At present time and in current international relations, the great powers would degrade and humiliate undeveloped or hostile states and their citizen or would make a great show of reluctance towards them. These kinds of actions are rejected and forbidden in foreign policy of Islam's government. If there be any hostility with a foreign state, this hostility should not be extended to their citizens and/or take hostile confrontation with them, because they are the same children of Adam.

4- Principle of: Unity

Contrary to the standpoints of narrow-minded persons such as Machiavelli⁵ who established the foundation of government on the basis of discord and disunion, the principle of unity is one of the most indisputable principles of all true divine religions. It is the constituent element of religious and Islamic

⁴ See the comment on Articles 22-25 of Universal Declaration of Human Rights, His Excellency Hajj Sultan Hussein Tabandeh “Religious standpoints on Universal Declaration of Human Rights” pp 108-113.

⁵ Niccolo Machiavelli (1469-1529) from Florence the author of the book: “The prince” introduces a new policy for obtaining political aims namely to use cheating and deception and disunion as the means to the ends.

foreign policy and diplomacy. On the basis of the said principle, all humankind are placed in the impregnable fortress of the goodly saying (word) of **“There is no God but Allāh”**. They are all brethren and are entitled to equal and brotherly rights. Obtaining these rights is not based on religions, ideologies, and creeds of the people. Islam's government is bound to grant equal rights to all individuals and groups having different faiths, opinions, and religions. There is only one exception to this principle, which is applicable for restricting the aggressors from infringement of others' rights.

In Glorious Qur'an, apart from several verses in sūrah of Al-Taubah and other sūrahs, which are sent down about fighting against the aggressors to the limits of Islam, the tasks of Honorable Messenger (S) and Muslims towards non-belligerent disbelievers are generosity and respect. In the noble verse, which is addressed to Honorable Messenger (S), it is said (Āle-Imran III, 64): **“Say: O people of the scripture come to the word of (monotheism) which is common between us and you”**. It is ordered to His Reverend, to invite and summon everybody for unity under the aegis of the words **“There is no God but Allāh”**. According to the noble verse (Al-Baqarah II, 213): **“At the beginning, people were one nation; Allāh sent the Messengers as givers of glad-tidings and warners; and sent down (with them) the scripture with the truth to judge between men in whatever they differed”**. One of the aims of appointing the prophets is adjustment of disputes among people. In other words, the objective of appointing the prophets is establishment of unity between all people rather than the believers of a religion. The word **“people”** in the said verse indicates all humankind without any particularization. With regard to the Islamic foreign policy, it means that any kind of differences among human societies is considered to be disagreeable. The aim of great legislator is also settlement of disputes and establishment of **“one nation”** because at the beginning of the verse it is said: **“people were one nation”** and the prophets are appointed for revival of this unity.

In the inaugural message addressed to the “Conference on peace between religions”, it is stated⁶: **“... Religion is a specific matter that belief in it cannot be imposed by force. On the contrary, every one of us has chosen our religion knowingly and consciously. We, as Muslims have chosen Islam and we believe that Islam is the last divine religion and the most perfect of all religions. But this belief cannot be imposed on another person by force, because he/she should also do the inquiry and research until he/she definitely arrives at the same conclusion. Therefore, as long as the followers of different religions have not arrived at the same conclusion, for establishment of universal peace, all religions should be respected and considered to be important. And to achieve the desired end of unity of religions, the necessary facilities should be prepared for them to be able to continue their own inquiry ...”**

In sūrah of Al-Mumtahanah, concerning the way of behavior and friendship with ex-enemies says (Al-Mumtahanah LX, 7-9): **“It may be that Allāh will cause friendship between you and those whom you hold as enemies. Allāh is the Absolute Power, and Allāh is Forgiving, Merciful. Allāh forbids you not, those who warred not against you on account of religion and drove you not out from your homes, that you should show them kindness and deal justly with them. Lo! Allāh loves the justdealers. Allāh forbids you only those who warred against you on account of religion and have driven you out from your homes, and helped to drive you out, that you make friends of them. Whosoever makes friends of them- (all) such are wrongdoers”**.

The Reverend Messenger (S) in the “Farewell address (sermon)” says: **“O people, be aware that your Lord is just “The One” and your father is just one. There is no superiority of Arabs to non-Arabs and Non-Arabs to Arabs, blacks to reds and reds to blacks. The superiority and excellence is just through piety”**.⁷ The principle of unity can be clearly understood from this verse, which says (Al-Nisā IV, 1): **“O people! Be careful of your duty to your Lord, who created you of a single soul and from him created his mate and from the two of them created many men and women scattered all about; be**

⁶ The text of inaugural message of his Excellency Hajj Dr. Noor-Ali Tabandeh, MajzoobAlishah, to the Conference of Peace among Religions. (Foundation for Religious Harmony and Universal peace) (18-20, April 2005) New Delhi, India. Collection of essays on “peace among religions. Mysticism in Iran (journal), compiled and edited by Dr. Seyyid Mostafa Azmayesh, No 22, Haqiqat Publication, 2004, pp 5-9. by Hussein-Ali Kashani, pp. 125-136.

⁷ The exegesis of Al-Mizan, Allamah Tabataba'i, vol. 18, p 334. Ma'dan Al-Javahir, 21.

careful of your duty toward Allāh that by swearing to His Name you claim (your right) of one another, and be mindful to interrupt from your relatives”. Surely Allāh is the Ever-Watcher over your deeds” From the first part of this verse it can be inferred that all humankind due to the oneness of their father are all relatives. In the second part, by stating that **"not interrupt you're your relatives"** emphasizes that on the basis of the first part of the verse, all individuals in the earth - from the past up to present time - are relatives. In other words, the emphasis of this verse is on the principle of unity of all humankind in all times and places.

In another verse that is addressed to all people in the earth it is said (Āle-Imran III, 103): **“And hold fast, all of you together, to the cable of Allāh, and do not separate, and remember Allāh’s favor unto you. How you were enemies and He made friendship between your hearts so that you became as brothers by His grace, and (how) you were on the brink of the pit of the Hell-Fire and He saved you from it”.**

In subsequent verses of this sūrah by forbidding discord and division says (Āle-Imran III, 105): **“And you do not be as those who were divided and disagreed with one another after clear signs came to them, it is they whom there is a grievous chastisement”.** And in sūrah of Al-An’ām says (Al-An’ām VI, 159): **“Verily, those who divide religion and became sects (schismatics) you should have no concern in them; their affair is only with Allāh Who then (on the Resurrection Day) will inform them about what they used to do”.**

In sūrah of Al-Anfāl it is said (Al-Anfāl VIII, 46): **“And obey Allāh and Allāh’s Messenger and do not quarrel with one another, lest you may get weak-hearted and your spiritual power may go away; and be patient in Allāh’s way, surely Allāh accompanies the patient”.** Interpretation of this verse at the international level would lead us to this point that war among nations would cause, the capabilities and economic resources to be destroyed, which would result to the weakness of humankind, and would harm all people in the world. Whereas unity, with regard to the optimum allocation of resources from the economic aspects, will increase social welfare among all nations. Moreover, the additional inertia of this unity will result to extra productivity, compared with previous conditions, which means taking advantage of “economies of scale”. And this will be to the benefit of the whole humankind. Nations and people cannot get the real meaning of the said inertia. They are not aware that unity of nations and elimination of war would result to their exaltation. They are content with their illusion and cannot understand the concept of glad-tiding and warning of messenger of God, which is said (Al-Rum XXX, 32): **“And do not be of those who divided their religion and became sects, and also were happy and content with what they had received from the past”.**

5- Principle of: Prohibition of racial discrimination

The principle of prohibition of racial discrimination could be easily inferred from the other principles, but due to the importance of the subject, we are going to discuss it under this topic and in a separate section. In the noble verse in sūrah of Al-Hujurāt it is said (Al-Hujurāt XLIX, 13): **“O mankind! Verily, We created you all from a male and female and appointed for you nations and tribes until you may know. Verily the most honorable of you, in the sight of Allāh, is the most pious of you”.** From the said verse, it is clearly known that the nations and tribes, which are the origin of races and differences between them, cannot be the main factor for supremacy and superiority of the races. The only factor for honorability and excellence in the sight of Allāh is piety. The Honorable Messenger (S) says: **“O people! Your Lord is just one; the father of you all is Adam (A). Adam is created from clay, and the most honorable of you in the sight of Allāh, is the most pious of you. The Arab has no superiority over non-Arab save in piety”.**⁸

The results and effects of the said principle on foreign policy of Islam's government is that no privileges and/or restrictions should be considered for different races. One of the most notable cases, with respect to the said principle is measures taken by governments through formulating special allocations and selection of people from different races in process of immigration. The aims of this kind of

⁸ Behar-ol-Anvar, 73, 348, chapter 67.

discriminatory regulations are sometimes to prevent the integration of races resulting from immigration of different races and protecting the nobility of the race in the immigrant country. These kinds of allocations and other similar privileges and/or restrictions are prohibited in the foreign policy of Islam's government.

6- Principle of: Disdainful of idolaters

In Islam, the criterion of human dignity is piety, and it is on the said basis, which is said (Al-Hujurāt XLIX, 13): **“Verily the most honorable of you, in the sight of Allāh, is the most pious of you”**. Perhaps the reason behind this subject, which piety is the basis of human dignity is that human knowledge and comprehension can only be acquired through piety. That is to say, humanity and superiority of human beings are the very knowledge that results from piety. In Glorious Qur’an it is stated (Al-Baqarah II, 282): **“Observe your pious duty to Allāh, and (then) Allāh will teach you”**.

Therefore, as it is noticed, in the sight of Allāh, the human superiority and supremacy in preference among human beings, is distinguished with the measure of piety because, he who is the most pious, he is the most knowledgeable. It is likely that there be a non-Muslim who due to his piety would be considered as a real Muslim and there be a Muslim who due to having no piety not to be considered as a Muslim. On the other hand “piety” cannot be acquired unless through deep thinking about his self and other beings. When, one through deep thinking finds out that the existing order in the universe is not baseless and causeless and everything is situated in its right place and follows its relevant rules, then he would be afraid of his own actions and behaviors and attempts to make some changes and reform in them, consequently he would acquire the “piety”. So that, thinking, piety and knowledge are inter-related and religions are sent down for humankind's enlightenment. And the attempts of prophets, divine guardians and divine executors have been and still are just to enlighten the people’s mind.

Some people are of the opinion that establishment of rules of distinction and believing in superiority of Muslims to the idolaters is somehow an oppression and humiliation of non-Muslims. In this respect it should be mentioned that the above said statements are resulting from a wrong inference of the whole discussion. Because whoever says **“there is no God but Allāh”** even though he lies, he should be called a Muslim and should be entitled to all rights, which a Muslim has in Islamic society. The severity concerning some rules of fixed punishments (Hodood) and blood money (Diyat) against idolaters are legislated to make pagans think about their narrow-mindedness, and at least by encouraging them through their interests to worldly affairs and fear from punishment, to avoid worshipping statues, which are made of stones, woods, metals and/or Jewels as their God. And then by thinking about the book of creation and creator have new motives to study about this world. Perhaps, this is the best method to reform the antiquated and old-fashioned people to thoughtful persons; otherwise, they would remain at the same stage of antiquated conditions. Therefore, Islam on the one hand, by way of opposition and threatening would endanger this kind of narrow-mindedness and on the other hand by way of accepting them easily just by uttering the words of “monotheism” even though it be a lie invites the idolaters to accept the oneness (of God). This method, namely using both repulsion as threatening and attraction as encouragement follows this end that one is placed between two forces of repulsion and attraction to make him move towards salvation as soon as possible. This is the best nurturing and training method the holy Prophet of Islam (S) has had in his mind.⁹

Taking severe measures and disdainful of idolaters and threatening them to leave their inadmissible and antiquated beliefs is easily shown in the first verses of sūrah of Al-Taubah. The rough words and verses in this regard, in one hand is a grave threat and in another hand show a firm hope. From the educational psychology viewpoints, this kind of confrontation is considered to be one of the most important methods for reforming the thoughts and deeds of criminals. As long as severe measures are not taken, the criminals would never think and would never change their way of living. The foundation of Islam is based on thinking, and Glorious Qur’an in all parts of it, invites humankind to thinking. From the

⁹ In the book of religious standpoints on Universal Declaration of Human Rights, in relation to the abovementioned discussion and while giving explanation to Article one of the said Declaration there are detailed explanations. His Excellency Hajj Sultan Hussein Tabandeh. Religious standpoints on Universal Declaration of Human Rights, pp 38-44.

beginning, the Holy Qur'an commands to recite the "Name". This recitation is nothing but thinking. "Name" is everything, which indicates what is named, that is to say, the Essence of Almighty God. On this basis the noble verse of "In the name of Allāh the Beneficent the Merciful", is repeatedly revealed and sent down. By deep thinking about the "Name" and seeking assistance of "Great Name" who is the perfect human being and God's viceroy in the earth, one can acquire the grades of humanity. Anyhow in this regard¹⁰ it is said that (Al-Taubah IX, 1-8): **"Disdain and freedom from obligation (is proclaimed) from Allāh and His Messenger towards those of the idolaters with whom you (Muslims) have made a covenant. Travel freely in the land for four months¹¹, and know that you are not able to escape Allāh, and that Allāh will confound the disbelievers. And this is a proclamation from Allāh and His Messenger to all people on the Day of the Greater pilgrimage that Allāh is free from obligation to the idolaters and (so is)His Messenger. So, if you repent, it will be better for you but if you are averse, then know that you are not able to escape Allāh. Give tidings (O Muhammad) of painful chastisement to those who disbelieve. Excepting those of the idolaters with whom you (Muslim) have a treaty, and who since abated nothing of your right nor have supported anyone against you. (As for these), fulfill their treaty to them till their term. Verily, Allāh loves those who keep their pious duty (unto Him). So when the sacred months are passed,¹² then slay the idolaters wherever you find them and seize them, and besiege them, and wait for them to capture them in every corner. But if they repent and establish prayer and pay the poor-due, then leave their way free. Verily Allāh is Forgiving, Merciful. And if anyone of the idolaters seeks refuge in you (O, Muhammad) grant him, so that he may hear the word of Allāh, then escort him to where he can be secured. That is because they are a people who lack knowledge. How can there be a covenant with Allāh and His Messenger for the idolaters? Except those with whom you made a covenant near the Sacred Mosque (The Inviolable Place of Worship). So long as they are faithful to their covenant, you too be faithful to your covenant. Verily Allāh loves those who keep their pious duty. How (can there be a covenant with them) whereas when you are over powered by them, they do not regard the ties, either of kinship or of covenant with you? They please you with nice words with their mouths, but their hearts are aversed from you; and most of them are rebellious and corrupt"**.

7- Principle of: Islamic Internationalism versus states' Nationalism

Nationalism is regarded as a term, which is employed for strengthening the national and cultural unity and historical identity of nations.¹³ This standpoint is so prevalent that all nations in the world believe it to be self-explanatory.¹⁴ As to the political aspects of nationalism, it has become a desired means for justification of states' actions/politics in the world. The political nationalism in authoritarian and totalitarian regimes has made them able to impose themselves on neighboring countries as well as on their own people. Islam by weakening the concept of nationalism and racial, ethnical, and cultural differences attempts to incline people towards principle of equality and omission of superstitions originated from so-called differences between ethnics, races, groups and tribes. Glorious Qur'an calls all human beings as brothers and say (Al-Hujurāt XLIX, 13): **"O mankind! Verily, We created you all from a male and female and appointed for you nations and tribes.** (But this is not a factor of your superiority over others. It is a factor to make you think and get better understanding). **Verily the most honorable of you in the sight of Allāh is the most pious of you"**. Since all humankind are brothers, therefore the illusory borderlines which are established by governments to protect their own benefits, and superiority over other nations, is worthless and barriers in the path of human brotherhood. It is worthy to mention that elevating the illusory nationalistic feelings, is a common trick played by government to continue their governance over the nations. National anthems, military marches, national glories,

¹⁰ This sūrah is also called "Bara'at" its meaning is "disdain" which is mentioned in the first verse.

¹¹ It is addressed to the idolaters, which had violated their promise.

¹² The four months of Rajab, Zilqa'dah, Zilhajjah, and Muharram were those months for idolaters as the respite.

¹³ Sariā-ol-Qalam, M. (1992) "Development, Third world and international system", Sefid Publication, 2nd ed. p. 15.

¹⁴ Moqtader, Hooshang (1991) "International policy and foreign policy", Tehran Mafhoos Publication p. 56.

historical superiority, ethnical distinctions, cultural excellences and other similar issues are all different methods applied by governments to play tricks and fool the nations, as a result to strengthen the illusory distinctions between their people and other nations to be able to rule longer and easier. Otherwise, what is the difference between two persons that one of them is born in this side of the borderline and has obtained the nationality of certain country and another one who is born, in a short distance away, in the other side of the borderline and has obtained another state's nationality. These two persons may take part in a war between the two countries and try to kill their brothers who think they are from another country. All these happenings occur just for this very reason that they are born in different places, which are situated in a short distance away from each other. Islam and all true religions are sent down to eliminate these kinds of superstitions, which are common between people.¹⁵ Delusions, which have been the cause of establishment of political borderlines and national and ethnical differences, are all of this kind of superstitions. MacIver in his well-known book of "The web of government"¹⁶ after giving full and detailed description about this subject matter that no person has more strength than another one, declares that the basis of statesmen's power is to create differences and ethnical distinctions between their nation and other nations and also creating differences among their own people just through different customs and traditions and ceremonies resulting discord among different groups and rule over them easily.

Islam does not approve this kind of ambition and hegemonism. In Glorious Qur'an, it is addressed to holy Messenger (S) that (Al-Ghashiah LXXXVIII, 22): **"You are not a compeller over them"**. Islamic internationalism is not established for domination and hegemony over humankind. Because domination and ruling over human beings is one of the most worthless and even most unpleasant things in Islam. It is just applicable in Islam for transcendence of humankind and humanity. Therefore, endurance of difficult situations and sufferings of a governor is not due to enthusiasm for ruling, but because there is an order in this regard which said (Hūd XI, 112): **"So stand on the straight path as you are commanded and so do the ones who turn to Allāh with you, and transgress not (that is to say do not get tired and never leave your mission)"**. The honorable Messenger (S) repeatedly would say that "this command in sūrah of Hūd has acted as a heavy burden on me".¹⁷

8- Principle of: Prohibition of national boasting and seeking national superiority

The political and cultural issue of national glorification and/or seeking national superiority is one of the most prevalent and important controversial topics among the nations. A survey of the social and political behaviors of the states shows that, there are various forms of this kind of boasting among different nations, which by enhancement of economic power and domination over smaller countries it is going to be increased accordingly. The said national boasting and considering that one's nationality to be superior than the other nations, is so dangerous that some people argue that the first and second world wars originated from this kind of seeking ethnical-national superiority. For example, the United Forces and especially Germany by invoking the issue of ethnical superiority of German's Arian race started invasion against the whole world. Other wars, which have taken place in the earth, more or less and in one way or another have originated from this kind of boastings and seeking superiority.

The illusion of superiority emanates from ignorance and unawareness. Because, if we think it over attentively, we will understand that all of us are the creatures of one creator and no one has superiority over the others. We are all brothers and the existence of tribes, nations, countries, nationality and other characteristics and peculiarities would not be the cause of superiority and boasting. We are all equal in the sight of Allāh and the most honorable ones in the sight of Allāh, are the most pious ones (Al-Hujurat XLIX, 13). Glorious Qur'an says (Al-Nisā IV, 36): **"(O men) Worship Allāh and ascribe nothing as partner unto Him, and show kindness unto your parents, relative, orphans, the needy, the**

¹⁵ Dr. Hajj Noor Ali Tabandeh, (2000). "Cultural Iran, political Iran", an essay, Iran mysticism (Irfan Iran), journal. No. 3 pp. 8-14, Haqiqat Publication, Tehran.

¹⁶ R.M. MacIver, The web of government, (rev. ed. 1965); translated to Farsi by Ali Kani, printed by Institute of Translation and Publication of Book, 1975, Tehran.

¹⁷ Al-Shura XLII, 15, **"And so you invite them (to this religion of Islam) and be firm and steadfast about it, as you have been commanded"**.

neighbour who is a near relative, the neighbour who is a stranger, the very close friend, the wayfarers and those slaves whom you own. Verily, Allāh does not like the boastful and arrogant". The definition of the term "boastful" in the said verse is described as follows: "boastful is the one who thinks of himself as great and distinguished person and the others as inferior and object persons".¹⁸ From theosophical standpoints, generalizing the concept of this noble verse to the nations, leads to no difficulty. Its purport could be accepted as a principle to treat other nations in international relations.

Arrogance and egotism is one of the most blameworthy and reprehensible sins. In different occasions and in various ways, several verses have been expressly sent down about it in Glorious Qur'an. This arrogance is introduced through blameworthy manifestation of Iblis egotism, who by seeking superiority over Adam (A) refrained obeying divine commands. Arrogance, in various stages means to believe oneself is superior to other creatures, which is reprimanded in Glorious Qur'an and says (Al-Ahqāf XLVI, 20): **"On the Day when the disbelievers are exposed to the fire they will be told: "You benefited from good things of the world and you enjoyed your life fully. So this day you will be recompensed with a disgracing chastisement because you without due cause behaved arrogantly and made mischief and corruption in the earth"**". The term "earth" which is used in this verse means that no country or special zone is excluded, therefore, the people throughout the world are treated equally. And in sūrah of Al-Mu'min, it is said (Al-Mu'min XL, 75-76): **"This chastisement is because you had been busy merry-making and exulting in the earth uprightly. Now enter the gates of Hell to abide there in forever, and it is the worst abode of the arrogant"**. The Glorious Qur'an ascribes arrogance, egotism, and haughtiness to those people who do not believe in the Hereafter. And says (Al-Nahl XVI, 22-23): **"Those who do not believe in the Hereafter, their hearts refuse to know the truth (of Allāh's Unity) and they are rebellious and arrogant. Assuredly Allāh knows that which they keep hidden and that which they proclaim. However He does not like rebellious arrogant"**. And says (Al-Hadid LVII, 23. Also Al-Nisa IV, 36): **"And know that Allāh does not like the arrogant boasters"** And it is Luqman's advice to his son in Glorious Qur'an which says (Luqman XXXI, 18): **"And (O my son) do not turn your face away from people out of the arrogance: not walk in the land exultingly; verily! Allāh does not like any self-conceited boaster"**. And says (Al-Isra XVII, 37-38): **"And do not walk in the earth arrogantly; verily you can neither tunnel through the earth nor reach the heights of the mountains. All of those which are mentioned are bad and therefore hateful in the sight of your Lord"**. And on the contrary says (Al-Furqan): **"The (faithful) bondmen of the Beneficent (Al-Rahman) are they who walk upon the earth modestly and when the foolish ones address them answer: peace. And says (Al-Qasas XXVIII, 83): "We have appointed paradise as the Last Home for those who did not intend oppression and corruption in the earth, and therefore the best end belong to the pious."** And also says (Al-Hajj XXII, 34): **"Give good news to the humble worshippers"**. As it is observed in most aforesaid verses, the term "earth" is mentioned. Therefore, on the basis of our previous description, the protection of equality and brotherhood in relation to other nations in the world is the practical instructions of Islamic community and Islamic government. In sūrah of Al-Fātir without any exception, it is addressed to all men that (Al-Fātir XXXV, 15): **"O, men! You are all in need of Allāh, and Allāh is praiseworthy, self-sufficient"**. It means that all people in this planet should know that they are all in need of Allāh, and Allāh is the one who has no need at all. He is praiseworthy and you are not deserved to be praised. So that do not be boastful. While one is in need, so how can there be any room for boasting, praiseworthy, and seeking superiority.

9- Principle of: Peaceful coexistence

One of the most important principles, concerning the relationship of Islam and Muslims with other people, is the principle of peaceful coexistence. This principle applies to the smallest unit of the society namely, the family and neighbors and then foreign neighbors and lastly to all countries throughout the world. Nearly most Islamic jurisprudential rules, with reference to the neighbors could be extended to the international relations. It is said (Al-Nisā IV, 13): **"Show kindness unto your parents, relatives,**

¹⁸ "Bayan-a-Sa'adah-fi-Maqamat-al-Ebadah", volume 4 translation, p 66.

orphans, the needy, the neighbor who is a near relative, the neighbor who is a stranger, the very close friend, the wayfarers, and those slaves whom you own. Verily! Allāh does not like the boastful and arrogant".

The principle of peaceful coexistence with other states is the basis of “relationshipness” expansion of Islam. In other words, this principle is the basic grounds for subsequent expansions of Islam. Because there should exist necessary means for association of nations with one another until the people of the world, become acquainted with the virtue of Islamic rules and then sincerely convert to Islam. Some people are of the opinion that Islam is a religion of fighting, invasion, and transgression¹⁹, which is not a true conviction. In some periods of Islam’s history and especially at the time of the honorable Messenger (S), which has been practically the period of materialization of Islam,²⁰ all fighting have taken place as defensive measures or recovering and vindication of rights. These fightings have never happened for aggression or infringement of others’ rights. Having this standpoint in mind, namely, preparation of some grounds for expansion of Islam, the following verse that is addressed to honorable Messenger (S) would find its real application, which said (Yūnus X, 99): **“Can you (O Muhammad) compel people against their wishes to become believers?”**

In the following verse, the concept of peaceful coexistence, even in its idealistic form, is mentioned as says (Al-Mumtahanah LX, 7): **“Perhaps Allāh will (in future) cause friendship between you and whom you hold as enemies”**. From the said verse, this rule could be construed that all Muslims should attempt to remove the barriers of enmity established between them and their enemies, which is a major hindrance of friendship.

10- Principle of: Friendship with nations and folks

Religion is founded on love and amity, which is said: "Is it not religion other than love and friendship?"²¹ Friendship has different stages, and on various grounds shows its special representation. The believers’ friendship with people and different groups, after love unto Allāh, prophet, divine guardians and divine executors, takes the following sequence as to their importance:

1. The believers (those persons who have taken oath of allegiance, whether special or general oath, in the order of honorable Prophet (S) or in the order of other divine religions).
2. Muslims (those persons who have taken a general oath of allegiance).
3. Muslims who are stationed within Islamic nations (those persons who without taking oath of allegiance live within Muslim’s societies or due to their parents who are Muslims or the society where they live are called Muslims).
4. The people of scripture (Jews, Christians, Mandaeans, Zoroastrians, and other orders of divine religions).
5. The people of scripture who are the mockers.
6. Idolaters (those persons who take other things as partner to Almighty God, and worship them as their Lords such as things, human beings, and animals).
7. Disbelievers (Those persons who do not believe in Almighty God).

¹⁹ Khadoori, Majid (1956) "Peace and war in Islam", translated to Farsi by Saeedi, Tehran, Eqbal Publication. Also Charles de Montesquieu (1752), The spirits of Laws, Translated by Thomas Nugent, revised by J. V. Prichard. Based on edition published in 1914 by G. Bell & Sons, Ltd., London. In comparison of Islam and Christianity, he was of the opinion that religion of Islam was imposed on people just by force of sword, and because its foundation was based on force therefore, it has caused severity so that the spirit and moral of the people is tough. This doubt and confusion is generally resulted from the point that they think the real Islam is what they know about the era of the first Three Caliphs or other cruel (tyrant) caliphs. Whereas it is a paralogsim and false reasoning.

²⁰ At those periods of times when the Muslims’ territories were under ruling of elected Three Caliphs and cruel caliphs the situation was not the same. The said governments cannot be included in category of Islamic government. In other words in a territory the government and nation might be Muslim and the Islamic laws be enforced, but this could not be called Islamic government. There might also the government, people, and laws be Christian or Jewish but it should not be called a Christian or Jewish government. We may call a government really a religious government when the viceroy of God be placed as the head of the government and the Divine Holder of Authority, which is determined by Almighty God, take the governmentship.

²¹ Al-Kāfi 8,79.

In other sūrah says (Al-Mā'idah V, 57-58): **"O. you who believe! Do not take for friends those who take your religion as a mockery and fun, whether they be the people of the scripture or the disbelievers, and fear from the disobedience of Allāh; if you are true believers. And when you proclaim the call to prayer, they take it but a mockery and fun; that is because they are people who do not use their reason"**. This verse is about Jews and Christians, which have been mentioned in previous verses, as it says (Al-Mā'idah V, 51): **"O, you who believe! Do not take the Jews and the Christians as friends, they are friends only to one another; and if any among you takes them as friends, then surely, he is regarded as one of them. Verily, Allāh does not guide the wrong doers"**.

Anyhow, if there exist some words about refraining from being friends with the people of scripture it would be about those groups which have hypocritical and mocking behaviors towards Muslims, otherwise in sūrah of Āle-Imran it is said (Āle-Imran III, 113-114): **"Yet they are not all alike; part of the people of the scripture stand for the right and recite Allāh's words of revelation in the watches of the night and they prostrate in adoration. And they (also) believe in Allāh and in the Last Day, and enjoin goodness and forbid evil and they compete to do good deeds and they are among the righteous"**. And in the same sūrah says (Āle-Imran III, 199): **"And there are certainly among the people of the scripture those who believe in Allāh and what has been sent down to you, and what has been sent down to them. Men humble to Allāh, they would not sell Allāh's words of revelation for a mean price; for them there is a reward with their Lord"**. And with reference to the Jews it is said (Al-Nisā IV, 162): **"But those among them who are firmly rooted in the divine knowledge and believe in what has been sent down to you and what was sent down before you; and those who perform prayers regularly and pay poor-dues and believe in the Day of Resurrection, to all of them, We shall surely give a great reward"**. And as a general rule it is said (Al-Mā'idah V, 69. Repeated in sūrah of Al-Baqarah II, verse 62): **"Surely, those who believe (in Islam) and those who are the Jews and the Sabians and the Christians and whoever believes in Allāh and the Last Day and do good, no fear shall be upon them and nor shall they grieve"**. Moreover, it is said (Al-Ahqāf XLVI, 13): **"Verily, those who said: "Allāh, the One is our creator" and remained steadfast about their Faith, on them shall be no fear nor shall they grieve"**.

11- Principle of: Protection of all nations' and states' interests whether in their presence or absence

Islam's Government is the protector of the interests of all nations and states in the world. Such a protection of interests is performed apparently or secretly, whether in the presence or in the absence of them. Refraining to protect others' rights is considered as betraying them. It is said (Yusuf XII, 52): **"I did not betray him in his absence, verily; Allāh does not give way to the guile of the traitors"**. The said verse clearly stipulates prohibition of betraying the others' interest in their absence. Therefore, while protecting others' interests in their absence is obligatory, it is obvious that it would be obligatory in their presence.

The said concept could be construed from the following verse which says (Al-An'ām VI, 152): **"And do not approach the property of an orphan unless it is in the best manner till he attains his maturity, and give full measure and full weigh with justice; We do not task any soul beyond his ability, and when you speak, be just, though it may be against your relatives' benefit. And fulfill Allāh's covenant. Thus does Allāh enjoin you by those decrees (about your duties). So that you may be mindful"**. According to this verse, Almighty God enjoins that: Do not approach the property of an orphan in the absence of his maturity and while he/she lacks required perception. And in the absence of the purchaser, do not give him less than what is due, in measurement and weight. Do justice whether he be present or absent. The said obligation should be performed to the extent of Muslims' abilities. When you are speaking or judging, you should not act in a manner to acquire unjustified benefits for yourselves or your relatives. Including the said commands in the foreign policy of Islamic government and extending the subject to the international relations, seems to be clear and obvious. Since non-Muslim states and nations have not yet acquired the guardianship of the Holder of Authority, and are separated from spiritual father and divine guardian, therefore they are considered to be as orphans. So that different non-Muslim nations are also covered by the concepts of the said verse. Moreover, concerning the Islamic

government, the term "**relative**" mentioned in the said verse corresponds with the Islamic community, whose people are relatives of Muslims whether they live in their homeland or other places. Thus, Islamic government is bound to protect the interests of all states and nations throughout the world – even non-Muslims –, in their presence, or in their absence. The Islamic government has no right to infringe others' right just for protecting the interests of its own nation.

There are exceptions to the said principle. Defense against the aggression of other nations is an exception. Another exception is where there is an oppression and cruelty which the oppressed has the right of objection through shouting. In Glorious Qur'an, it is said (Al-Nisā IV, 148): "**Allāh does not like the shouting of evil words except by one who has been oppressed**". In this case protecting the interests of oppressed and confrontation with the oppressor is one of the tasks of Islamic government, which is said (Al-Nisā IV, 75): "**And what is it with you that do not fight in the path of Allāh and for those who being weak and oppressed among men, women and children who cry "O, our Lord, rescue us from this town whose people are evildoers and tyrant and appoint for us from your presence a guardian and a protector"**". Seeking help in the matter of religion is included to the said exception, which said (Al-Anfāl VIII., 72): "**And if they seek your help in the matter of religion, it is your responsibility to help them.**"

12- Principle of: Trustworthiness

Principle of trustworthiness is one of the special issues of public and private international law at present times. During wartimes, some countries deposit their properties and even their military equipments such as airplanes in some other states. In peacetimes also properties of many states as financial assets are deposited in their own banking accounts in other countries. The said properties belong both to the individuals as well as to the states, therefore, their being as a trust and restoration to their owners are confirmed. In Glorious Qur'an and in the following verse the restoration of deposits are commanded, as it is said (Al-Nisā IV, 58): "**Verily, Allāh does command you that restore deposits to their owners, and when you judge among people you should judge with justice**". The meaning of the verse is that whenever there is a special right with a person, it is considered to be as a "deposit" which should be delivered back to the society or individual who is its owner. Having this subject in mind, it should be investigated justly to find the right owner and restore the right.

In another verse as to the qualifications of believers, it is said (Al-Mū'minūn XXIII, 8): "**And the believers are those who return their deposits and observe their covenants**". The Islamic instructions are based on this principle that various properties, which belong to the states and individuals and are deposited with Islamic government and Muslims should be returned to their owners. To refrain from returning the deposits whether being guidance and leadership of people or interference with the affairs of people, Muslims and believers, from the lowest religious missions up to the highest positions that is the position of great divine successorship are among these kinds of deposits. At the time of advent of Islamic government, all said positions should be placed at the control of prophet, divine guardian and/or divine executor. If anybody acts according to his own preference would be subject to the rule of breach of trust. That is why it is said (Al-Anfāl VIII, 27): "**O you who believe! Do not betray Allāh and Allāh's Messenger, nor misuse knowingly properties entrusted to you**".

13- Principle of: Prohibition of impeding the benevolence

The said principle is one of the kinds that does not authorize the Islamic government's officials withhold charitable affairs in the international scene, or make hindrances to charitable measures of the other states. The following noble verse is an indication for reprimanding the "impeding the benevolence" which says (Qāf L, 24-25): "**Cast into the Hell any rebellious disbeliever. The one who hindered others from doing charity and was transgressor**".

The said principle should be taken into consideration during international negotiation and decision-making process, where the representatives of different states are deliberating to make decisions and take actions against a state or states. The prevailing method used by states, usually is that, by considering their own definite and/or probable benefits at present time or in the future, attempt to apply all available

bargaining and negotiating power, to restrict other states benefits in favour of their own advantages. Regretfully this international avarice and stinginess is very common among politicians of different states who believe that, if other nations be kept underdeveloped then it would be to their advantage, that is why they become a hindered of good. Whereas, this is basically a wrong idea, since development and economic growth of states is at stake and interdependent with development and economic growth of other states. In this case, the international policy of Islamic government concerning all nations and states in the world is to remove all quantitative and qualitative impediments and barriers regarding their economic, political, cultural and social growths and developments.

14- Principle of: Imperfect political neutrality

Neutrality could be defined as, not to interfere with international relations among two or more states, or not to set out official position for or against one or more states. This definition corresponds, nearly with the term of "non-alignment" which is common in the international scene nowadays.²²

In Islam, position of neutrality is subject to special regulations. In this way that Islam, just the same as a father and/or guardian, possesses divine guardianship over the earth. This guardianship is extended on everyone of the human beings and all humankind are considered as the children of prophets, divine guardians and divine executors. Therefore, whenever they are under oppression and/or in need of protection, they will be protected and whenever they attempt to oppress other people, they will be confronted and fought against. So that Islam adopts the position of neutrality but in the form of being "potentially active". That is to say, whenever oppression gets to its extent that requires interference, then Islam will take the position of active. When there are many people under oppression then it would not be acceptable for Islam to remain neutral towards the oppressed and the oppressor. Of course, it should be noted that when we are speaking about Islamic government it means that the Government is under the control of The Lord of the Age (A) or his representatives who are authorized by him to take this position, not those who are elected by vote of people or councils. On the contrary, the Leader must have received the clear and authentic command issued by the impeccable in a serial manner (that is one authorized by previous person and the latter be authorized by his precedent up to impeccable).

Neutrality in war means to be in the position of a third party or supervisory member in the war, which would not be one of the belligerents. The defensive regulations in war is another subject, which will be discussed in another chapter. The peace covenants concluded at the time of Honourable Messenger of God (S) have been the same as a non-aggression covenant. They did not mean to take the position of a third party.

15- Principle of: Negation of protectorship and authorization of protection

On the basis of the said principle, the Islam's Government would never be under trusteeship or protectorship of another state. With regard to the international laws and regulations, a state is called a protected state (protectorate) where by virtue of the terms of an international agreement, she establishes a political and legal relationships with a powerful state, consequently the protected state while maintaining her international status and personality, in some aspects will be under the control of the another state which is called protecting state. The administration of foreign affairs and supervision on parts of her internal affairs will be handed over to the protecting state. The individual international agreement concluded between two states shall determine the limits of authorities and powers of the protecting state concerning the administration of foreign affairs and internal affairs of protected state.²³

The Islam's Government shall never be under control and protectorship of any other states. On the contrary, it is the Islam's Government, which stands as a protecting state in relation to other states. The universal guardianship in Islam that is occasioned by the expressly stated authorization is considered to be the guardian and protector of all humankind and takes all human beings under his protectorship. He is the

²² For more information about principle of neutrality and non-alignment, which is a kind of neutrality, see: Abdul-Ali Qavām (2002). "Principles of foreign policy and international policy", SAMT organization, Tehran.

²³ See: Safdari, Public international law. Volume 3, Tehran University, pp. 549-552.

viceroy of Allāh who is God's remainder on the earth. He is the Lord of the Age and successor of Honourable Messenger of God (S) and mediator of divine blessings to human beings. He is domiciled at the borderline the "World of inevitable existence" and the "World of possible existence". He attains the Almighty God's blessings with one hand and gives them to the human beings with other hand. This divine guardianship is quite different from the "jurisconsult guardianship", which is discussed in nowadays. In relation to this viceroy of Allāh, the human beings are stationed in different stages as disbelief, paganism, islam (obedience), faith, and benevolence. Whosoever does not know him, is in the position of disbelief or the one who is under the veil of disbeliefment. Whosoever obeys him along with another one or himself is in the position of paganism. Whosoever is under his command is a Muslim. Whosoever really knows him is in the position of faithfulness. And whosoever kills his selfishness and is drowned into his deity, is in the position of benevolence.²⁴

16- Principle of: Non-intervention in other states' affairs

The principle of non-intervention in the affairs of other states is one of the requirements of constitutional law, which is based on independence of the states. All states have the right of self-determination and nobody has the right to determine and/or design her affairs. On the basis of unquestionable principles of public international law, no state has the right to intervene, directly or indirectly, in the internal affairs of another state. The constitutional rights of the state consist of safeguarding and protection, independence, equality, mutual actions and world trading, which nearly most jurists (lawyers) confirm the said principles and consider them as definite and indisputable rights of the states.²⁵ There are some exceptions to the said general rules which the states, under the pretext of these exceptions intervene in the internal affairs of another state such as: where a state disregards the principles of international law, or puts pressure on foreign nationals resulting to their detriment and harm, or lacking the required rules of procedure for safeguarding the rights of foreign nationals. These kinds of intervention normally take place by drawing the attention of international public opinions to the subject, and even in some occasions, it may take place through launching international military.

The basic rule in Islam is mutual action and non-intervention in the affairs of 4 states, but with regard to some other principles, the abovementioned rule bears several exceptions. For example, where there is a group of people who are under the cruelties and oppressions, Islam is bound to protect them, without taking into consideration that the said group is domiciled in another state. This general principle in Islam, namely protecting the oppressed ones, could be contradictory and in violations of many common principles in international relations. Even if deprived or weakened groups, which are not considered as oppressed people, demand the assistance of Islam's Government, they will not be unresponded. It is addressed to Honourable Messenger of God (S) that (Al-Duha XCIII, 9-10): **"Therefore do not refuse helping the orphans and do not repulse the beggar"**. Certainly, the aforesaid exceptions could be enforceable where numerous conditions are ascertained. These requirements are enumerated and explained in Islamic jurisprudence.

17- Principle of: Obligation for liberalization of oppressed people

As to Islam's point of view, all individuals are personally responsible. The Honourable Messenger of God (S) said: "All of you are to observe and all of you are responsible as well".²⁶ When groups of people are under oppression, then the Islam's Government is bound to protect the aggrieved and oppressed people. Islam's Government has responsibility to remove the cruelties imposed on those people who are weak, even by fighting. Glorious Qur'an says (Al-Nisā IV, 75): **"And what is it with you that**

²⁴ For more information about this personality see: "Instruction and education from the standpoints of Shahid Thani and Imam Khomeini (1984). Translated by Ahmad Fahri, Rejā Cultural Publication Center. Volume 3, Oct. 1984. Offset printing, Allamah Tabātabāie, pp. 17.

²⁵ See, Arsanjāni, H. (1963) The Sovereignty of states, Jibi Publications, Tehran. And also Safdari, M.(1961), Public international law, Tehran University Publications.

²⁶ Behar-ol-Anwar, 72, 38, chapter 35.

you do not fight in the path of Allāh? And for those who being weak and oppressed among men, women, and children who cry: our Lord! Rescue us from this town whose people are evildoer and tyrant, and appoint for us from your presence, a guardian and a protector". There is a surprising question in this verse about the stop of fighting instead of uprising and removing the oppression from the people who are under the oppression of the governor of a town (or a country). There is no indication about the religion of the aggrieved in this verse; therefore, it includes all humankind. This verse is concerned about those people who demand the oppression be removed from themselves. Whether they know their Lord or not know him. Whether their Lord be addressed as present addressee or as absent one.

As a general rule it is obligatory to assist, where there is a demand of seeking help in the matter of religion, which says (Al-Anfāl VIII, 72): **"But if they seek your help in the matter of religion, it is your responsibility to help them"**. Exceptions to this verse are about those covenants, which have already been concluded. We will discuss about them in another section. At present time the same assistance is produced in launching international military campaign under the pretext of liberalization of nations, which should follow a rational order and on the basis of international laws and international agreements, otherwise the said principle would act as an excuse by powerful states to invade the small states under the pretext of liberalization of nations. The similar case has taken place after the collapse of former Union of Soviet Socialist Republic (USSR) and alteration of bipolar power system into monopole system of power at the international political scene. Anyhow, Islamic government has its own standpoint on the subject that is to say, protection of the rights of the oppressed people.

18- Principle of: International protection of minorities

The phenomenon of minority segregation and distinction has mostly had religious aspects and objectives throughout the history. These kinds of pressures have always been brought by groups of ignoramuses and religious formalists against other religious sects or other religions. And there still exists this problem more or less, among all nations and societies of the world. Some groups of common people, instigated by so-called-clergymen, who are secretly guided and controlled by political and economic powers, continue to persecute the (religious or ethnical) minorities.

The issue of freedom of religion had been taken into consideration in conventions of Vestfalia and Vienna in 17, 18, and 19 centuries. After Crimea war and in pact of Paris (1856) it was stipulated that there should be no discrimination against citizens of a nation with regard to their religions as well as their races. In Berlin convention (1878), freedom of religion of citizens is expressly recognized. In third conference of League of Nations (1922), the religious, lingual and ethnical minorities were all recognized and protected and it was stipulated that the minorities have the right of exercising their religious services as long as they are not against public order and good character quality. The minorities should have the right of enjoying political and civil rights as other citizens of state and should have right to use their own language, other than the official language of the state, in their private, commercial, religious, journalistic and judicial relations. They should have the right of establishing and managing charitable, religious and social institutes and establishment of schools, training and educational institutes to educate their own language in the said institutes and schools. They should have the right of having citizenship and nationality of the state, where they are stationed and domiciled. Mutually, the minorities are under obligation to be loyal to and cooperate with their respective government.

After World War I, it was prescribed in all conventions that to guarantee the respect and observance of minorities' rights, the states should stipulate the protection of minorities' rights in their constitution, and League of Nations would observe the performance of these obligations. Therefore, the member states of the League of Nations were specifically bound to take special attention for observing the regulations of conventions concerning minorities. In any case, each one of the member states and the members of minorities had the right to draw the attention of the Assembly of the League of Nations to the breach of covenants concerning minorities, and by submitting their written complaints to the Secretary General; he would have been bound to send them to the Assembly of the League of Nations. The permanent International Court of Justice had the duty of adjustment and settlement of disputes between concerned states and the members of the Assembly of the League of Nations regarding the regulations of covenants

concerning minorities.²⁷

After World War II, the General Assembly of United Nations in its first session announcement declared: "It is to the best interest of the human society to put an end to the persecution of humankind and racial and religious discriminations". Based on the said recommendation, the Commission on Human Rights and sub-commission on protection of minorities' rights and prevention of discrimination commenced its work in 1947. The Universal Declaration of Human Rights is the achievements of this commission.

In Islam, the minorities' rights are propounded through a special viewpoint. This viewpoint is based on promotion of human thoughts. In Islam, the minorities are divided into several groups:

1. The first group is idolaters who worship the statues and idols as their creator. Islam disdain for this group. This would be an encouraging factor to make them leave their antiquated thoughts. Whenever they stop worshipping the idols then they would become the same as other groups. In the section of "showing disdain for idolaters", we discussed thoroughly about this subject matter.
2. The "people of the scripture" take part in all social, political and economic affairs of the society, but because the Islamic government shall protect their life, property, chastity and reputation therefore they have to pay pool-tax which is the charges of their protection and during the war they will be excused from military services and taking part in fighting. This group just by "Islamic confession of faith", even if lying or by way of hypocrisy, would be considered as Muslims and never would be treated as the members of minorities. Because one becomes a Muslim just by confession that there is Allāh and Muhammad is the Messenger of Allāh. Islam is quite different from the belief. Islam will secure the social, political and economic rights but "faith and belief" is a spiritual and hearty matter, which shall be attained just through truthfulness and purity of heart.²⁸
3. The third groups are the slaves which Islam through its encouraging regulations has attempted to reduce the numbers of this group and remove the cruelties imposed on them. A thorough discussion on abolition of slavery is found on its concerned section.

Apart from the aforementioned cases no other forms of minority is known by Islam and Islamic law. This seeming discrimination is just for encouragement of ethnics and minorities to move them toward thoughts' promotion. However, as conform with minorities' rights in Universal Declaration of Human Rights and also the resolutions taken in the second Universal Conference of Human Rights²⁹ (in June 1993) Islam is in agreement with removal of racial discrimination, anti-foreigners actions and other forms of inequalities concerning national, ethnical, religious and lingual minorities as well as giving them equal social, political and economic conditions. The freedom of the said groups in their beliefs, conscience (opinions), traditions, customs, religions, languages, ethnicities and nationalities upon their own viewpoints and wills is definitely ascertained. The only restriction is, overtly committing sinful conducts and infringement of others' rights.

International protection of minorities with regard to defense and protection of oppressed people is one of the obligations of Islamic government, which is discussed in the concerned section.

19- Principle of: Inapplicability of slavery and slave trade at this age

Slavery is a highly publicized issue against Islam, which the opponents and adversaries mostly invoke to show Islam's inclination in preference of freeman to slaves. His Excellency Hajj Sultan Hussein Tabandeh in a comment on religious standpoints on Universal Declaration of Human Rights, have explained this special subject.³⁰ His Excellency Hajj Dr. Noor-Ali Tabandeh has also given an explication

²⁷ See: Safdari, Muhammad, (1963). Volume 3, pp. 223-238.

²⁸ In Al-Hujurat XLIX, 14-15 it is said: "The desert dweller Arabs say: "We believe". Say (O, Messenger): "You have no faith, so you only say: "We are submitted to Islam", since faith has not yet entered into your hearts, but if you obey Allāh and His messenger, He will not decrease anything from the reward of your deeds; verily, Allāh is the Merciful Forgiving. The true believers are those only who believe in Allāh and His messenger and afterwards doubt not, but strive with their wealth and their lives, for the cause of Allāh. Such are the sincere".

²⁹ M. Jalal-ed-Din (1995). Public international law and the principles of international relations. Vol. 1, pp. 406-442.

³⁰ Religious standpoints on Universal Declaration of Human Rights; 2nd impression 1975, Tehran, Salih Pub. pp. 45-51.

of the said subject in response to an inquiry of a professor of York University of Canada. In his essay, the issue of "slavery in Islam" has been explained and analyzed with regard to the social evolution of Islam.³¹

Anyhow, the Islam's standpoint on the issue of "slavery" could be categorized into two main subjects. The first one is about captives (prisoners of war) who have fought against Islam, therefore they would be considered as slaves. The second one is the encouragement of all Muslims to liberate the said slaves. Concerning the first part, it should be noted that the living conditions of captives were an important issue in early Islam. Because it was impossible to send back the said captives who had fought against Islam to their homeland prior to the settlement of all disputes. Because they were able to take arms and make another invasion. On the other hand, they could not be left without any subsistence. However, there had been no penitentiary or prison to keep them and supply their necessities of life. Therefore, the most desirable method was to put them at the Muslims disposal, so that they would have a job, secondly their food and place of living would be provided, and thirdly they would be under constant surveillance, not to make any trouble again. The social rights of captives were sometimes half of the others, for this reason their punishments (Hodood) were also halved in return. In this connection it is said (Al-Nisā IV, 25): **"And whosoever of you who has not the means to marry free-believing women, may marry believing girls from among those (captives and slaves) whom you own and Allāh is the knower of your faith; you are fellow-creatures; then wed them with the permission of their own masters and give them their marriage-portion according to what is reasonable, provided that they are chaste, not adulterous nor taking boyfriends; and after they have been taken in wedlock, if they commit adultery, their punishment is half of that for a free woman. This (type of marriage) is for those men among you who are afraid of committing sin of adultery, but it is better for you to practice self-restraint, and Allāh is the Merciful Forgiving"**. This standpoint is quite different from the invasions and night-attacks of Arabs against other tribes to take possession of their properties and make their individuals as slaves. Islam has used this phenomenon and the custom of slavery to protect the life of both friends and enemies.

As it was already mentioned, the other part of the said category was encouraging the Muslims to liberate the slaves. That is to say to cancel the guardianship of their masters and give them social rights the same as other citizens of the society. Encouragement of Muslims to liberate the slaves and declaring liberation of slaves as an atonement of several sins could be understood from the following verses. In sūrah of Al-Baqarah it is said (Al-Baqarah II, 177): **"It is not (the only symbol of) righteousness that you turn your faces towards the east or to the west but true righteousness is to believe in Allāh, and the Day of Judgment, and the angels and the book and the messengers and also spend one's wealth, despite of love for it, (by giving it) to the kinsmen, to the orphans, and to the needy, and to the wayfarers, and to the poor who beg, and to ransom the slaves, and to perform prayers, to pay alms; and those who fulfill their promises when they make them and those who are patient in extreme poverty and ailment and at the time of war, such are the people who are truthful and they are indeed the pious"**.

In sūrah of Al-Mā'idah says (Al-Mā'idah V, 89): **"Allāh will not punish you for what is unintentional in your oaths, but He will punish you for your deliberate oaths: Expiation is feeding to poor persons on a scale of average of that with which you feed your own family or clothing them or freeing of a slave; but whosoever cannot afford (none of these) then he should fast for three days successively. That is the expiation for the oaths you have sworn, so keep to your oaths. Thus Allāh makes clear to you His words of revelation, so that you may be grateful"**. It says (Al-Taubah IX, 60): **"Verily, alms are only for the poor and the needy and those who collect them, and those whose hearts are to be reconciled, and the ransoming of the slaves and for those in debt and in the way of Allāh and for the wayfarers; it is a duty decreed by Allāh. Allāh is Knower, Wise"**. In other sūrah says (Al-Mujadalah LVIII, 3-4): **"And those who do Zehār their wives but then change their mind about what they uttered by their tongue, they are liable to expiation of freeing a slave before they**

³¹ The complete text of this essay is printed in the journal of Iran's Mysticism. Collected and compiled by Dr. Seyyed Mostafā Azemayesh, No. 19, Haqiqat Publication, 2004, under the title of "Slavery in Islam" pp. 10-18.

approach the wife physically; this is a religious admonition to you and Allāh is well informed about what you do. And a person who cannot find a slave to set free, must go on fast two months successively before they touch each other, but if a person is sick and cannot fast, he should feed sixty of the poor; this is in order that you may find faith for Allāh and His messenger". It was customary among Arabs that if a man addressing his wife said: "you are like my mother" the marriage intercourse between them would become forbidden and prohibited. This custom was called "Zehār". Islam while negating this superstition in pervious verse declares (Al-Mujadalah LVIII, 2): **"Those men who do Zehār with their wives, should know that those women are never their mothers; none can be their mothers except those who gave birth to them. And indeed they utter an evil and a lie. And verily Allāh is Forgiving, Merciful"**. Islam has endeavored to instruct those people who do Zehār with their wives that not to pay attention to this kind of superstition, which makes trouble for them and their family as well. Moreover, has made them to pay atonement which shall be used for improvement of the slaves' conditions and poor people, that is to say the atonement is used to liberate a slave and/or to feed the needy. In sūrah of Al-Balad says (Al-Balad XC, 12-13): **"What would make you know what is "Al-Aghabah". It is to free a slave"**. And in sūrah of Al-Nisā says (Al-Nisā IV, 92): **"A believer should never kill a believer unless it is by mistake; and whosoever kills a believer by mistake must set free a believing slave and blood-wit should be paid to the family of the killed person unless they remit it as a free-will offering. If the killed persons belongs to a people at war with you and he is a believer, then setting free a believing slave is a duty. And if the killed person belongs to a people with whom you have treaty, then the blood-wit is to be paid to his family and the slayer shall set free a believing slave. And whoso finds this beyond his ability, two month fasting successively by way of repentance to Allāh (is ordained) for Allāh is Knower, Wise"**. In the same sūrah says (Al-Nisā IV, 36): **"... And do good to your parents, relatives, orphans, the needy, the neighbor who is near relative, the neighbor who is a stranger, the very close friend, the wayfarers and to those slaves whom you own. Verily Allāh does not like the conceited arrogants"**. In other verse of this sūrah says (Al-Nahl XVI, 71): **"Allāh has preferred some of you above others in sustenance, but those preferred ones do not share their provision to those slaves they own, so that they be equal in that respect. Is it the bounty of Allāh that they deny?"** In sūrah of Al-Nūr has ordained (Al-Nūr XXIV, 32-33): **"Make the single or unmarried people of the family marry and also the male or female servants (slaves); if they are poor Allāh will bestow them the means in abundance, since Allāh is the knowing Bounty-Bestowed. Those who cannot find the wealth and means for marriage they are enjoined to keep themselves chaste until Allāh grants them bounty out of His grace. And those of your slaves who ask for a written contract for their freedom, provide it for them if they are nice and reliable and also give them out of the means, which Allāh has bestowed upon you. Also do not force your maids to prostitution when they are chaste just in order to benefit from the perishable goods of this worldly life; and if the slave-girls do such filthy act under compulsion, Allāh is the Merciful, Forgiving"**.

20- Principle of: Unity for the truth

The said principle indicates an important issue in foreign policy of the state and international relations during the history of humankind. It has always been observed that different unions established among groups of states, whether military, political, economic, and commercial, are based on and follow two general goals. The first goal is increase of efficiency of gaining benefits among member states of the union and the second goal is increasing the benefits or preventing the losses caused by non-member states. Most of these unions are established on a geopolitics morphology basis, which the neighboring factors have been the main causes of homogeneity and enjoyment of common interests, culture, manner, race, language, customs, and traditions and so on.

The various unions, which are established on the basis of the said two goals, are always attempting to maximize the collective interests of member states. According to the Islam's standpoints, the establishment of these unions shall be only acceptable when the rights of other states are not to be violated. Entering in a treaty or being a member of a union for exercising cruelty and oppression against

another weak state is not authorized. Islamic government is supporter of its friends and non-belligerent enemies' interests, whether being present or absent. And also if the belligerent enemies set aside their arms of fighting, and by uttering the words of: "There is no God but Allāh" they would be liable to be under shelter of Islam, even if they perform it hypocritically. It should be mentioned that although the life, property, family, and honour of the latter are under protection of Islamic government but they shall not be considered as friends of the believers, unless by gaining faith which is another stage after accepting Islam as their religion, which happens by swearing special oath of allegiance. If the aforementioned weak state being among the groups of the believers, then according to the following verse God will be their supporter (Al-Hajj XXII, 38.): **"Verily, Allāh will defend the believers against³² their enemies; verily, Allāh does not like the ungrateful traitors"**. And also says (Āle-Imran III, 161): **"It is not for any messenger to betray his followers"**. And the believers are ordained (Al-Anfāl VIII, 27): **"O, you who believe! Do not betray Allāh and Allāh's messenger nor misuse knowingly properties entrusted to you"**. That is to say, when the Islamic union is established nobody should betray it. In sūrah of Yusof, it is said (Yusof XII, 52): **"I did not betray him in his absence; verily Allāh does not give way to the guile of the traitors"**. Extending the concept of this verse to international level will prohibit unity and/or any betrayal activity against others. Almighty God prohibits the honorable Messenger (S) showing hostility in favour of the traitors. In Glorious Qur'an, it is said (Al-Nisā IV, 105): **"Do not be a pleader for the treacherous ones"**. That is to say, you should not show enmity towards others just by untruthfully establishing union with traitors. If a state by establishment of treacherous union acts against Islam's government, then taking mutual actions (reprisals) would be the command of Allāh. It is said (Al-Anfāl VIII, 58): **"And if you fear treachery from any people, throw back their covenant to them on terms of mutuality, for Allāh does not like the treacherous people"**. And to betray messenger of God means to betray God and it is said (Al-Anfāl VIII, 71): **"But if they intend to betray you, no wonder, since they have betrayed Allāh too"**.

The command of Glorious Qur'an for being in co-existence and unity with the right, could be understood from the following verse (Al-Taubah IX, 119): **"O, you who believe! Fear from Allāh and be with the truthful"**. That is to say, in case of necessity of any supporting, backing and unity, this co-operation and accompanying should be with the truthful.

Extending this principle to international level shall lead to establishment of a universal unity which would be able to stand against the wrong doing states and be a guarantee for enforcement of international law. This unity is to put the concept of the following verse into action, which says (Āle-Imran III, 64): **"Say (O, Messenger): O, people of the book! Come to the word (of monotheism) which is common between us and you"**.

21- Principle of: Prohibition of committing injustice and its aiding and abetting

The said principle is one of the fundamental principles in Islam. The literal meaning of injustice (atrociousness, oppression) is "to place a thing in a position other than its main place".³³ To sum up the concepts of "right" and "injustice" it should be noted that the maximum and full exploitation of resources is called "right", and productivity under the capacity of resources would be regarded as "injustice".³⁴ According to Qur'an's definitions, the criterion of "full exploitation" is called divine limits. The scale of "divine limits" is social explanation of "full exploitation". In Glorious Qur'an, it is said (Al-Baqarah II, 229): **"And those who exceed and transgress the limits, ordained by Allāh, then such are indeed the**

³² Al-Taubah IX, 71. **"And the believers, men and women are supporters and helpers of one another"**.

Al-Taubah IX, 23. **"O, you who believe! Do not take for supports, your father, and your brothers if they prefer disbelief to belief; if any of you does so, then he is also regarded as one of the disbelievers"**.

³³ Ragheb-Isfahani, "Placing the thing in other than its position", Beirut, Lebanon. p. 326.

³⁴ The aforementioned description gives a comprehensive definition of the subject in question, which embraces several significations. Considering the new terminologies, the phrase of "position of a thing" corresponds with the meaning of following words such as, "optimal", "most efficient", "most applicable", "most desirable", "most transcendental" and "with the highest productivity" utilizing the thing. The term "resources" has also a vast signification. All potentialities and powers inherent in the nature of human beings and/or in a society are included in resources.

transgressors and oppressors". The optimal social behaviour in Islam is correspondence of acts and behaviours with divine limits. Explaining divine limits needs a full description, which is out of our present discussion, but to give a hint it should be said that Prophet (S) and Divine Executors (A) are scales and divine limits, and descending of Prophet (S) is Glorious Qur'ān, which is explanatory compilation of divine limits.

"Injustice" is a sin in Islam. In other words, loafing (work slowdown), low performance, and non-utilization of maximum yield from potentialities and power are regarded as transgression. For expressing gratitude unto Allāh because of His endowment, which has bestowed us, the maximum yield should be exploited from them, and to refrain from obtaining this maximum yield would be regarded as "injustice". In the noble verse of sūrah of Hūd says (Hūd XI, 116): **"And those who were unjust went after enjoyment of good things of the life, and they were corrupt and guilty"**. (According to the said definition) the unjust pace in a wrong path, which says (Lūqmān XXXI, 11): **"Nay, the unjust are in manifest error"**.³⁵ And says it is due to this injustice that (Al-Isrā XVII, 82): **"And it does not add to the unjust but loss after loss"**.

Therefore, "injustice" shall be placed among the crimes and offences and refraining to do justice will be called injustice and deserving punishment. It is said (Al-Shurā XLII 42): **"The way (of blame) is only against those who oppress mankind, and wrongfully rebel in the earth"**. And in another verse while addressing the unjust harshly says (Al-Zukhruf XLIII, 65): **"So, woe to those who were unjust"**. And in another verse says (Al-Baqarah II, 270): **"And the unjust shall have no helper"**. The latter verse admits the interpretation, which claims that there should be no assistance to the unjust.

These statements have apparent applicability in international relations and foreign policy of Islamic government. That is to say, the Islam's government shall perpetrate no acts against other nations or people, which is far from the "right" and close to the "injustice". In this case, it shall never assist those nations or people who are unjust towards other nations and individuals.

Military unions in recent centuries are apparent examples of the said problem, which several states had been united to transgress and violate other nations' rights. At the early of the century and the late of the last century, military campaigns of some states against different countries are all examples of the subject in question.

22- Principle of: Unauthorization of hegemony and rebellion

"Hegemony" in all its various forms is not authorized in Islam. That is why the honorable Messenger (S) is also prohibited from hegemony. In Noble sūrah of Ghashiyah, it is said (Al-Ghashiyah LXXXVIII, 21, 22): **"So, (O, Messenger) remind them since you are one to admonish. But you are not a governor (compeller) over them"**. And in another verse says (Al-Ra'ad XIII, 7): **"you are only a warner and to every nation there is a guide"**. These two verses are the sources of finding various subjects to discuss the matter. The main topic that could be propounded on this subject would be that, when the tasks of the Messenger of God is nothing but reminding and admonition and while the Messenger of God is not authorized to rule over the creatures of God, therefore the competency of other persons whether being scholars, jurisconsults, sultans, kings and so on for ruling over people would be surely obsolete and cancelled. According to the said verses, it is certain that nobody has the right to give a simple order on the basis of religious laws, during the period of occultation. Surely, no one has the right to allege the enforcement of Islamic laws and execution of Hodood and Islamic punishments or religious laws during the period of occultation. This kind of dominatory (legendary) guardianship is not authorized for anybody until the advent of the Upholder (May God hasten his glad advent). This is only the right of the Upholder of the progeny of Muhammad, and anybody who takes this position, by his own choice, to enforce the religious laws, shall have nothing but its evil consequences. In sūrah of Al-Qasas, it is said (Al-Qasas XXVIII, 83): **"We have appointed paradise as the Last Home for those who did not intend rebellion and corruption in the life of this world; and therefore the best end belongs to the pious"**.

On the basis of the said principle, the Islamic government is not authorized to seek hegemony over

³⁵ Maryam XIX, 38. **"But the unjust this day are in manifest error"**.

the Muslims or non-Muslims communities, in the scene of international relations whether in the peacetime or during the war. The story of conquest of Mecca is a good example to explain this subject matter. In this story³⁶ the Islamic behaviors towards a defeated enemy, which had fought against the honorable Prophet and his companions and had martyred many of beloved companions of His Reverend, during the fighting and/or while torturing them would be known and understood. Sa'ad-ibn-Ebadah, the commander of army of honorable Messenger (S) accompanied by a division of Islamic army, while entering Mecca started boasting and bragging that: "Now, it is the day of revenge. Today their women shall become our captives. It is the day that Almighty God abjected the tribe of Quraish". The honorable Prophet discharged Sa'ad-ibn-Ebadah from service, appointed his son, Qais-ibn-Sa'ad-ibn-Ebadah as commander in chief, and ordered him to announce that: "It is the day of mercy. A day which God has honored the tribe of Quraish". And then the honorable Prophet made the house of Abu-Sofyan, which was the origin of all persecutions and disturbances against His Reverend, as a secure place and said "whosoever takes refuge in the house of Abu-Sofyan will be secure".³⁷

Another meaning of hegemony can be understood from the verses, which are revealed about rebellion. For giving a definition about "rebellion" it is said: "The meaning of rebellion "Bagh'y" is absolute expansion of domination, sovereignty and presidency. Almighty God has confined it as unjust rebellion. The word "Bagh'y" in Arabic language is a derivative of the word Bagha-Baghyan, which means, "getting empowered".³⁸ In the following verse it is said (Al-A'araf VII, 33): **"Say (O, Messenger): The things that my Lord has forbidden are: "Shameful deeds, whether committed openly or secretly, and sins and unjust rebellion".** It is said (Yūnus X, 23): **"They rebel and disobey Allāh in the land wrongfully. O, mankind! Your transgression and hegemony (rebellion) is only against yourselves".** The reason why the effects of this kind of hegemony and transgression is against that very same people, is that according to the principles of microeconomics and through mathematical reasoning it could be proved that any kind of transgression or restriction shall cause the welfare of humankind society to be decreased. Therefore, in other sūrah it is said (Al-Nahl XVI, 90): **"Verily, Allāh commands you to establish justice and goodness (in the community) and generosity to your relatives, and He forbids all evil and dishonor deeds and rebellion against the Truth".** In ther sūrah says (Al-Shurā XLII, 42): **"Blame is on those who do wrong to the people and make mischief and rebellion through the land, for such people will be severe chastisement".**

61- Principle of: Disinclination to engage in hostilities

Contrary to most interpretations, Islam could not be called "the religion of war" as some people have propounded in their discussions. And if in some specific times, Islam had been obliged to be engaged in fighting, it would have been due to some special conditions, which we have mentioned them in various sections. In sūrah of Al-Baqarah while giving explanation over this viewpoint says (Al-Baqarah II, 84-85): **"And remember when we took your covenant (stating): "Shed no blood of your people nor expel one another from your homeland". And this you solemnly ratified, and to this you bore witness. But after that, it is you who kill one another, and expel a party of your people from their homes; and assist each other in sin and transgression against them, and if they are brought to you as captives you free them taking ransom, although their expulsion was forbidden to you. Do you believe in part of Scripture and disbelieve in the other part? So what shall be the recompense of those among you who behave like this except disgrace in this life and the Hereafter? They shall be consigned to the most grievous chastisement, for Allāh is not heedless of what you do".** And again in another place says (Al-Baqarah II, 216-217): **"Fighting is ordained upon you, though it is resented by you, but (it happens that) you resent a thing whereas it is good for you, and perhaps you like something whereas it is evil for you, and verily Allāh knows (what is best) while you do not know. They ask you (O, Messenger) concerning fighting in the Sacred Month. Say: fighting therein, is a**

³⁶ See: Moghazi Vaqedi, vol. 2, pp. 821-2, and also Ja'far Sobhani. The principles of Islamic government pp. 597-8.

³⁷ Amin-ol-Islam Tabarsi, 108, p. 106, Publication of Dar-ol-Kotob Islamiah, Qom.

³⁸ "Bayan-a-Sa'adah-fi-Maqamat-al-Ebadah", volume 5, translation, under the verse 33, sūrah of Al-A'araf, p. 280.

grave sin, but it is a graver sin in Allāh's sight to prevent mankind from following the path of Allāh; to disbelieve Him; to prevent access to the Sacred Mosque; and drive out its inhabitants. And polytheism is worse than killing. And disbelievers will never cease fighting you, until they turn you back from your religion, if they can".

In spite of hideousness and ugliness of war, its necessity to prevent the corruption cannot be denied. In sūrah of Al-Baqarah it is said (Al-Baqarah II, 251): **"And if Allāh did not repel some people by others, the earth would have been full of mischief"**. And in another verse in sūrah of Al-Hajj says (Al-Hajj XXII, 40): **"They were expelled from their home unjustly because they said: "Allāh is our Lord". Had not Allāh to stop the aggression of some people by other persons, they would have destroyed monasteries, synagogues, churches and the mosques where Allāh's remembrance is commemorated abundantly"**.

As a general rule, the wars are divided into four different types such as, Islamic Holy Wars, defensive wars against aggressions, helping the oppressed, and seeking succor for religious purposes. Declaring Holy Wars and responding to those who seek succor for religious purposes are peculiar to the prophet and the Upholder of the family (successor) of Muhammad (S) (The Master of Affairs), and no other person has such a right. The second and third types namely defensive actions against the aggressors and helping the oppressed are obligatory to all persons. In other cases, no one may, under any pretexts, to transgress other ones, no matter what their religions and/or ideologies are. It is even forbidden to excommunicate the people let alone attacking or transgression.

23- Principle of: Prohibition of aggression and permission of defense

The instruction of Glorious Qur'ān is reconciliation and peace amongst the nations. A close study on wars, which have been occurred in the early Islam, reveals that the honorable Messenger (S) and his companions had fought just to recover their rights. There has been no war at the time of the honorable Messengers (S) (whether he has been the commander of the army, or not to be present at the scene of the battle) without taking this aspect of the issue, namely, the aim and objective of fighting has been recovering and restoring the rights of Muslims into consideration, which have been infringed through the oppression. Campaign against oppression is authorized in Islam. On this basis the Glorious Qur'ān says (Al-Hajj XXII, 39): **"Permission is given unto those who fight because they have been wronged; and Allāh is indeed able to give them victory"**.

In sūrah of Al-Baqarah says (Al-Baqarah II, 190): **"And fight in the way of Allāh (against) those who fight you, but do not exceed the limits; for verily, Allāh does not like the transgressors"**. This verse is an instruction for defending against those who do the fighting. This verse does not permit "transgression". Because transgression at the beginning of the fighting means waging war against others, and transgression at the middle of the war means to exceed the limits and to harm the enemy, more than what is needed, and/or continuing fighting while the enemy has been surrendered, and/or doing harm against the captives or civilians. The command for defense has been mentioned in the following verse (Al-Taubah IX, 36): **"And fight against the disbelievers collectively, as they fight against you collectively"**. The following noble verse gives also permission for defense and confrontation, which says (Al-Baqarah II, 194): **"The Sacred Month for the Sacred Month, and for the prohibited things there is a law of retaliation. Then whoever commits aggression against you, react you likewise against him, and fear from Allāh, and know that Allāh is the supporter of the pious"**. From the said verse it could be understood that if one's property is usurped he would be able to take it back or react mutually which is called reprisal. This verse also includes revenging and reaction against criminals and is applicable in defensive operations at war and also includes reprisals".³⁹

There is a letter from Imam Ali (A) in Nahj-ol-Balagheh addressed to M'aqel-ibn-Qais Riyahi while he was appointed as the commander in chief of a three thousands personnel army dispatched towards Syria which reads as follows: Fear from the God that you shall meet Him inevitably, and there would be no place at the end but His sublime court. Do not fight unless with those persons who fight you Their

³⁹ See: Abolqasem Gorgi (2001) Legal provision verses (civil and criminal) Mizān Publication, pp. 10-73.

hatred should never motivate you start fighting with them, save you had already called them to the right path of Allāh and there had remained no excuse for them".⁴⁰

This principle shall diminish the ambitions of waging war against others. For this reason, its observance in the international scene would be accepted, as international customary laws in the world community would have desirable effects on bringing about a detente (de-escalation).

24- Principle of: Severe fighting with the belligerent aggressors

There are many verses, which have been revealed about the tasks and duties of the prophet (S) and the believers concerning the wars. In the following verse which is revealed to warn and caution the belligerents for waging war against Allāh and His Messenger (S) says (Al-Māidah V, 33): **"The punishment of those who raise war against Allāh and His Messenger and do mischief in the land is that they shall be killed or crucified or their hands and their feet be cut off from the opposite sides or (they) be banished from the land. This is their disgrace in this world and a grave torment for them will be in the Hereafter."** In spite of this severity, an easy way to escape from it has been taken into consideration in the next verse, which says (Al-Māidah V, 34): **"Except those who repent, before you gain power over them. You should know that Allāh is the Merciful Forgiving"**. These two consecutive verses bear this message to the transgressors that they should not commit the transgression and if they do, the only way to get rid its consequence is to convert to Islam.

In sūrah of Al-Anfāl it is said (Al-Anfāl VIII, 56-71): **"They are those with whom you made a covenant, but they broke the covenant every time, and there is no piety in them. So, if you could get hold of them in the battlefield, punish them severely in order to disperse those groups behind them and that may learn a lesson. And if you fear treachery from any people, throw back their covenant to them on terms of mutuality, for Allāh does not like the treacherous people. And those who disbelieve should not think that they can overcome you. Verily, they will never be able to frustrate Allāh's power. And prepare against them to the utmost, such as armed forces, and strong horses and provisions for fighting, in order to fighting the enemy of Allāh as well as your own enemy and others besides them, whom you do not know them but Allāh knows them; and whatever you spend in Allāh's way will be repaid to you and you shall not be dealt with unjustly. But if the enemy shows tendency towards peace, you also tend to it and put your trust in Allāh; verily Allāh is the Knowing, Hearer. And if they intend to deceive you Allāh will suffice you from their harm; Allāh is the One Who strengthened you with His aid as well as with the help of the believers. And Allāh is the One Who caused unity between the hearts of the believers; and had you spent all that is on the earth you could not have caused that union between their hearts, but Allāh caused union between them; verily, Allāh is Mighty, Wise. O, Prophet! Allāh is sufficient for you and such of the believers as follow you. O, Messenger! Urge the believers to fight: If there are twenty steadfast among you, they will overcome two hundred, and if there are a hundred steadfast believers, they will overcome a thousand disbelievers, because the disbelievers are a people who have no power of understanding. For the present situation, Allāh has lightened your burden of task knowing that in your troop there is some weakness: If there are of you a hundred steadfast believers they shall overcome two hundred, and if there are of you a thousand, they shall overcome two thousand by Allāh's leave; and verily, Allāh is the supporter of the patients the steadfasts. It is not fit for the prophet that he should take captives instead of fighting and killing the enemy in the land; you desire the temporal profit of this world, while Allāh desires (for you) the Hereafter, and Allāh is Mighty, Wise. (It denotes this point that there should not be any carelessness in fighting, just to take captives from the enemy and then taking ransom or selling them as slaves, but you should fight as hard as possible and kill the enemy. Because all those persons who were taken as captives in the Badr (war), and then they were liberated by accepting ransom, at the subsequent year took part in the war of Ohud and killed the believers.) Were it not for a previous ordained word of Allāh, a severe torment would have afflicted you for that ransom you took. Eat of what you have acquired as war booty, lawful and good, but**

⁴⁰ Naj-ol-Balaghah, Letter No. 12, Translated by Ja'afar Shahidi Elmi-va-Farhangi Publications, 15th ed., p. 279.

fear from Allāh. Verily, Allāh is the Merciful Forgiving. O, prophet! Say to the captives who are in your hands: If Allāh finds good intention in your hearts, He will give you something better than what has been taken from you, and He will forgive you; for Allāh is the Merciful Forgiving. But if the disbelievers intend to betray you, no wonder, since they have betrayed Allāh too, but Allāh granted you power over them. And Allāh is Knowing, Wise".

In other verses in sūrah of Al-Baqarah it is said (Al-Baqarah II, 190-193): **"And fight in the way of Allāh (against) those who fight you, but do not exceed the limits; for verily, Allāh does not like the transgressors. And kill them wherever you get hold of them and drive them out from where they have driven you out; since the evil of mischief making is more grievous than killing; but do not fight them at the Sacred Mosque unless they fight you therein, so if they fight with you there, kill them; such is the recompense of the disbelievers. But if they stop, then (forgive them) verily, Allāh is the Merciful Forgiving and fight them until the evil of mischief making is rooted up and Allāh's religion governs over all, but if they desist, then there should be no aggression, save against the aggressors".**

Taking punishment of the aggressors as a policy, not only would be correctional and punitive action for them, but it would also be a warning to others to refrain from aggression. Severe confrontation of this kind, shall establish the survival of the human society, just the same as the legal institution of retaliation which would do it. If the international community confront rigorously with the belligerent aggressors on the basis of the said instructions, certainly the human society shall continue to live in peace.

25- Principle of: Having duty to assist in goodness and prohibition to assist in transgression

The basis of the said principle is the noble verse of sūrah of Al-Mā'idah, which says (Al-Mā'idah V, 2): **"You should help one another in righteousness and piety, but not help one another in sin and transgression. Keep your duty to Allāh. Verily Allāh is the Severe-Retributing"**. In a comment on the said verse it is said: **"sin"**⁴¹ (which in Arabic is called "ithm") is a kind of evil deed, which does not infringe others' rights but "transgression" (which in Arabic is called "odwān") is an evil deed that infringes the others' rights. Therefore, assistance of all kinds of deeds and behaviors, which is the cause of ill-treatment of oneself or other persons, are prohibited by the said verse.

And says: **"And there shall not be any helpers for the wrong doers"**⁴², and (Al-Shurā XLII, 8): **"and the disbelievers shall have no guardian and no protector"**. To describe the meaning of Guardian and Protector it is written under the said verse (Al-Baqarah II, 107): **"Do you not know that to Allāh belongs the dominion of the heavens and the earth and that apart from Allāh you (people) have neither any guardian nor any protector?"** The said verses declare that there should not be any assistance to the oppressors. That is to say, nobody should act contrary to the said issue, namely the believers and Muslims should not commit any action to be contradictory to the said general rule. It means that one should not be an assistant to the oppressors.

This principle has an obvious impression in the function of states' foreign policies and the inauspicious union of some great powers, which are planned to invade the powerless and weak countries. Frequently, it has been observed that many states have given their extensive assistance to one or more parties, which are engaged in war, just for the reason of having some probable present or future interests or because of disliking the ideologies of the oppressed state. Anyhow, there had been always some groups in the world who have gotten benefit out of the wars, which happens, among different nations. On the basis of Islamic Instructions all interest acquired through this kind of assistance are unlawful. And the Islamic government, not only finds all the benefit acquired through this kind of assistance disagreeable but they are also scared from the God's severe punishment, which shall be imposed because of the said assistance to the aggressors. Islamic government also makes others to be afraid of this forbidden action.

26- Principle of: Tactics and strategies of wars being at the discretion of the Master of Affairs

⁴¹ "Bayan-a-Sa'adah-fi-Maqamat-al-Ebadah", translation, volume 4, pp. 280-281.

⁴² Al-e-Imrān III, 13, and Al-Mā'idah V, 72 **"There shall not be any helper for the wrongdoers"**.

Prior to industrial developments of recent centuries, there had been great successes in the subject of international law of war. But the function of political regimes in the past century -especially in the west- and corruption originated from the power of industrial armaments have decreased the importance of most legal criteria of international law. Respecting the said rule was so important in old times that even the bandits and professional thieves also used to observe them. For instance, there was a unanimous agreement among Arab tribes, to stop robbery and transgression during four months of Zilqa'adah, Zilhajjeh, Muharram and Rajab, which were called Sacred (forbidden) Months. Therefore, during the said four months traveling, trading and communication among tribes were performed freely and in secure circumstances. But during other months of the year they used to fight with each other and by night attacks they robbed the caravans and houses and plundered the others' properties. They even used to take the men and women as their slaves. Respecting the general agreement of international non-aggression during nineteenth, twentieth, and twenty-first centuries cannot be even compared with respecting of bandit of the Pagan Arabs unto the Sacred (forbidden) Months.

War in Islam is based on notions emanated from Islamic Ideology. War and military campaigns, which are for the purpose of transgression and infringement of ownership and others' indisputable rights - called as forcible possession and usurpation-, have no legal position in Islam. War in Islam is based on notions such as defensive war, holy war, war for the purpose of assisting the oppressed people, and responding to those who seek help in the matter of religion. Defense, includes confronting and fighting against an aggression, which in contemporary international law is called legitimate defense (self-defense). Holy war is based on the command of prophet or divine guardian and/or divine executor in each period of time. According to their commands, all believers and Muslims are bound to take part in the holy war. Holy wars could be for the purpose of defense and/or invasion. The Master of the Affairs has the discretion of waging holy war. He is the one who is appointed through the chain of impeccables and he shall be the same as the prophet, divine guardian and/or divine executor of the age. Therefore, no other person -without having the said authorization- has the permission and right of issuing the declaration of holy war. Because only God and/or His representatives -and not anybody else- have authority over human beings. So that, the heads of the governments who under different pretexts, declare war and make their own and the opposite side peoples to be killed in the battle are all responsible for their commands. They should respond that how and when did they get the permission from Almighty God to make His creatures to kill or to be killed. Did Almighty God enjoin to kill His bondmen or to make them to be killed or they have done it under their own illusion. Dignitary and grandee of the time, by taking the interests of humankind and by the authorization of God -whenever finds it necessary- into consideration shall declare the holy war. Otherwise, other persons who take advantage of the ignorance of the Muslims and declare holy war commit a forbidden act and their deeds would be an interference with the God's Affairs. Declaring holy war is just the same as other rules and divine limits (Hodood) which are at the discretion of the Master of the Affairs who is lawfully appointed and authorized by Almighty God, His messenger and the Imams (right guidance) (A), and whosoever makes decisions other than his command would be disbeliever, unjust and/or evil-doer. As it is said in Glorious Qur'an (Al-Mā'idah V, 44): "**And whosoever does not judge according to Allāh's decrees, then such are indeed considered as disbelievers**". And in the following verse it is said (Al-Mā'idah V, 45): "**Such are indeed considered as unjusts**". And in another verse it is said (Al-Mā'idah V, 47): "**Such are indeed considered as evil-doers**". As it is noticed due to its importance, Almighty God has repeated it on three consecutive verses in Glorious Qur'an. It is also said (Al-Nahl XVI, 116): "**Avoid uttering baseless talks which your tongues spread around such as saying: "This is lawful, and that is forbidden". So that you may ascribe a lie against Allāh, surely those who forge a lie against Allāh will not be salvated**". This group of persons are included in the following verse that says (Al-A'arāf VII, 37): "**Who is more unjust than the one who invents a lie against Allāh or denies Allāh's revelations?**" Regretfully, contrary to the Shiite's view as we have already mentioned, our Sunnite brethren believe that whenever the Muslims gain sufficient power, then it would be obligatory for them to declare holy war and start Islamic propagations.⁴³ this wrongful

⁴³ In this connection see: Majid KHaduri (1356) "Peace and war in Islamic Laws" Printed by Eqbal Publication, pp. 102- 104,

standpoint has been the cause of several fighting among Muslim countries in recent years. But these transgressions are considered as forbidden in Islam.

Protecting the oppressed persons or oppressed nations is also one of the tasks of Islam and Muslims. This protection is according to the following noble verse, which says (Al-Nisā IV, 75): "**And what it is with you that you do not fight in the path of Allāh? And for those who being weak and oppressed among men, women and children who cry: "O, our Lord! Rescue us from this town whose people are evil doers and tyrants".**

Responding to those seeking help in the matter of religion could also be propounded within the realm of removing oppression from oppressed persons and/or holy war. It is obligatory for all Muslims to respond to those who seek help in the matter of religion. It is said (Al-Anfāl VIII, 72): "**If they seek your help in the matter of religion, it is your responsibility to help them**". But its legitimacy in the degrees of faiths rests only with the decree of Master of the Affairs. Because it is only within the authority of Divinely authorized persons -and not anybody else- to present the religion to others, which says (Al-Kahf XVIII, 17): "**So whom he guides, he is on the right path, and whom he leaves in his astray, you will not find a guiding guardian for him**". It means that responding to those who seek help in matter of religion is the task of divine guardians, because seeking help in the matter of religion by people is to strive to find this divine guardian, therefore, it is said (Al-Ankabūt XXIX, the last verse): "**And those who strive in Our straight path sincerely, We will surely guide them to Our ways (divine guardian)**".

So many topics has been put forward in relation to the Islamic law of war which most of them have no validity and cannot be considered as a reliable inference from the manner and function adopted by honorable Messenger (S). For instance there exist many subjects such as, unity in commandership, resistance and perseverance, retreating and withdrawal, collective duty (sufficient necessity) for taking part in the war, preparedness for fighting and general mobilization, good behaviour towards enemy and observance of human rights issues, war tricks and killing the military personnel and civilian who have been forced to take part in the war, rights of civilians, surrendered persons, deserters (escapees), those converted to Islam, wounded persons and prisoners of war, non-military targets, economic blockade, destroying enemy's properties using war tactics and chemical, biological and radiological warfare, war booties whether movable or immovable, cessation of hostilities, making subsidiary treaties and other subjects related to international law of war which are approved on the basis of Islamic principles and the viewpoints of some Islamic sects and the practical and executive procedures have also been developed and prepared for them.⁴⁴ With regard to the said subjects, it should be mentioned that most of them, are in accordance with the Islamic humanitarian principles, which their observance are obligatory in time of war. It is certain that the followers of prophet or divine guardian or divine executor are also bound to observe them. For instance prohibition of attacking the residential areas and civilians is one of the obligatory issues, which the common sense will approve its humanitarian aspect, as well as its prohibition. Other cases concern those issues happening in the battle scene, and the prophet or divine guardian or divine executor are supposed to take decision about them. In other words, it is only the Master of the Affairs who is in charge of taking decision. These cases could not be settled through independent judgment of the other people.

27- Principle of: Obligation of accepting the peace proposal

It has been always an instruction in Islam to exercise the least confrontation and fighting while engaged in wars. In other words, fighting is authorized up to the time that the aggression is successfully suppressed and the excess fighting is not permitted. This subject is expressly mentioned in the following verse, which says (Al-Baqarah II, 190): "**And fight in the Way of Allāh (against) those who fight you, but do not exceed the limits; for verily, Allāh does not like the transgressors**". This verse refers to this point that Almighty God says: I like whatever I have created and you (believers) have no right to destroy them, in excess of what seems to be necessary. And in another verse addressed to Honourable Messenger

narrated by Muhammad Riza Zia'ai Bigdeli (1996) Islam and international law, printed by Ganje Danesh.

⁴⁴ See: "Islam and international law", Muhammad Riza Zia'ai Bigdeli, pp. 116-172.

says (Al-Anfāl VIII, 61): **"But if the enemy shows tendency towards peace, you (O, Messenger) also tend to it"**. This verse purports that whenever you overcome the enemy, and if they surrender and request for peace between the parties, then do not continue attacking and do not behave unjustly. Make peace with them, because your aim and objective of fighting has been to obtain peace.

As a general rule, the following verse is an order to accept the peace proposals, which says (Al-Baqarah I, 208): **"O, you who believe! Enter you all into submission to Allāh (in peace and without dispute)"**.⁴⁵ Therefore, making peace is the duty of all believers (and Muslims). Anyhow, if the enemy does not accept the proposal of peace, the rules of following verse will be applicable to them, which says (Al-Nisā IV, 91): **"Therefore if they do not withdraw from you and not surrender seeking peace and nor restrain their hands, then seize them and slay them wherever you find them"**. This verse is a threat against those who do not seek peace. That is to say, when somebody transgresses, you should fight against him until he seeks peace and accepts peace, and as to the intervention to the other's affairs takes a neutrality policy.⁴⁶ Prior to the said verse, it is said (Al-Nisā IV, 90): **"Then if (they) withdraw from you and do not fight against you and offer you peace, then Allāh has not given you any reason (to fight) against them"**. It means that by offering peace from the enemy, you have no right to continue fighting. Thus, we have to admit that Islamic government is based on peace seeking. Almighty God says (Al-Nisā IV, 128): **"Since making peace is the best"**. Though the said verse has been revealed for the relationship between husband and wife but its concept is extendable to international relations level.

Imam Ali (A) in his decree to Mālik Ashtar says: "Do not reject the peace enemy offers you. It should be that kind of peace, which while making it, Allāh's consent, has been taken into consideration When peace treaty is concluded, you should always remain vigilant and alert. Since there is a possibility that the enemy through offering the peace treaty intends to surprise and trap you. Or he may want through this opportunity, make himself prepared, and start another war against you and defeat you. So it is recommended by accepting the peace to be vigilant and alert so that not be deceived. Exercise prudence, attention and foresightedness. Do not take the war issues so simple. Evaluate the consequences of peace treaty meticulously and do not be very optimistic on the case. Because the enemy is the enemy ...".⁴⁷

The abovementioned exception and admonition could be found in Glorious Qur'an. It is said (Al-Anfāl VIII, 62): **"They are those with whom you made covenant, but they broke the covenant everytime and there is no piety in them. So if you could get hold of them in the battlefield, punish them severely in order to disperse those groups behind them and that they may learn a lesson. And if you fear treachery from any people, throw back their covenant to them on terms of mutuality, for Allāh does not like the treacherous people. And those who disbelieved should not think that they can overcome you. Verily, they will never be able to frustrate Allāh's power. And prepare against them to the utmost, such as armed forces and strong horses and provisions for fighting, in order to frighten the enemy of Allāh as well as your own enemy and others besides them, whom you do not know them but Allāh knows them; and whatever you spend in Allāh's way will be paid to you and you shall not be dealt with unjustly. But if the enemy shows tendency towards peace you also tend to it and put your trust in Allāh; verily, Allāh is Knowing Hearer. And if they intend to deceive you, verily, Allāh will suffice you (from their harm)"**.

As it was already mentioned, war is not the main objective in Islam. Although it is one of the greatest business for producing short term or medium term benefits for great powers and their agents.

⁴⁵ In "Bayan-a-Sa'adah-fi-Maqamat-al-Ebadah" under the term "Kāffatan" it is written: "Kāffatan" in Arabic means "altogether, totally" and it is participial from the subject of the verb "enter" or it is participial from the term "submission" which means to enter into submission with all different grades. It might be gerund of the term "Kaff" with the meaning of prohibition and added "an" at the end is for exaggeration. In this case it is participial from the term submission that is to say, enter you all into submission, and your entrance shall prohibit you to exit and/or you are prohibited from the wrongdoing of violation.

⁴⁶ In sūrah of Muhammad, verse 35, says: **"Do not feel weak and do not appeal for peace from the enemies while you are the uppermost, since Allāh supports you and will not decrease the reward of your efforts and good deeds along His path"**. This verse alludes this point that the believers should not appeal for peace due to their weakness. They should overcome the enemy until they request the peace and they should accept it.

⁴⁷ Decree to Malik Ashtar, Letter No. 53 Nahj-ol-Balaghah, Mostadrak-ol-Wasail, 11, 43, 18.

Islam does not consider war as a necessity unless it is for exaltation of humankind, humanitarian objectives, to restore one's rights, and/or self-defense and defending the oppressed persons. This attitude is quite contrary to the manner of traders and traffickers who benefit from war whether during or after its cessation. On the basis of this principle, whenever the aggressor offers peace without having the intention of deceiving then it would be a must for Islamic government to accept it. Because the advent of Islam is for establishment and development of friendship among humankind, which is said: "Is the religion other than love and friendship?"⁴⁸

28- Principle of: Unauthorization of keeping prisoners of war after war termination

There are especial regulations in wartime and relevant laws in peacetime that should be observed accordingly. A severe confrontation is a must against the enemy forces while they are in attacking operation, but when the aggression is suppressed and the enemy forces are taken as captives, then there would be no permission to keep the prisoners of war. They should be released or ransom should be taken for their liberation. Glorious Qur'an says (Muhammad XLVII, 4): "**When you meet with the disbelievers in the battlefield smite at their neck until when you have overcome them, and then bind the captives together tightly, and afterwards either set them free as a favor or ask for ransom until the war terminates**". Anyhow, the kings are reprimanded by Glorious Qur'an concerning their actions when they overtake the other countries and says (Al-Naml XXVII, 34): "**Verily, when the kings overtake a land they spoil and plunder it; and cause disgrace and affliction to the noblemen of the community and this is how they act**". It is from the aphorisms of the Leader of the believers Ali (A) who says: "When you overcome your enemy then for expressing your gratitude for the victory, forgive him".⁴⁹

It should be mentioned that holy war in Islam is quite different from those wars waged by Islamic governments (which bear only the name of Islam but are not under the control of prophet or divine guardian or divine executor). In early Islam, the government was under the commandship of the Messenger of God (S) and in other periods of time should be under the control of the Upholder of Muhammad's progeny (may God hasten his glad advent). No other person, save His Holiness, is in the position of declaring a holy war. It is for this reason that holy war in Islam is specifically reserved for the time of the advent of His Holiness the Upholder. In early Islam, the captives were taken as slaves in holy wars, which had its own specified social objectives. We have covered these objectives in the section of "non-applicability of slavery at this time".

29- Principle of: Prohibition of torturing and molestation of the enemy's captives

As a general rule molestation of enemy's captives and even the criminals are considered as transgression, which its prohibition was discussed in several sections. It is said (Al-Baqarah II, 190): "**And fight in the way of Allāh (against) those who fight you, but do not exceed the limits; for verily, Allāh does not like the transgressors**". And addressing the honorable Messenger (S) says (Al-Ahzab XXXIII, 48): "**Don't conform to the caprices of the disbelievers and the hypocrites; and disregard their annoying words, and put all your trust in Allāh, and Allāh is sufficient as a protector**".

In Islamic criminal law, there exist determined punishment for each crime, but torturing and molestation of enemies have never been authorized. On the contrary, the torturers and molesters are all liable to be punished. There are two groups of punishment in Islamic criminal law, the first group are those whose penalties are predetermined, and the second group which are called "ta'zir" are those whose range of penalties are not stated definitely.⁵⁰ Imprisonment is considered as secondary punishment. Islamic imprisonment has been established to prevent the freedom of movement and domicile as well as restricting the individuals in their affairs. It is obligatory that the imposition of the said punishment to be free from any kind of molestation.⁵¹

⁴⁸ Al-Kafi 8, 79.

⁴⁹ Nahj-ol-Balaghah, translated by Shahidi, p. 362.

⁵⁰ Ja'far Sobhani (1983) "The principles of Islamic government", vol 2, p. 430, Tohid Publication, Qom.

⁵¹ Mawardi, "Al-ahkam soltaniah wa al-wilayat al-diniyeh".

To murder the divine guardians is one of the most serious crimes in Islam. The way Imam Ali (A) treats his own murderer would be a clear example for us to learn how to treat the captives and/or the criminals. His Honorable said: "Put this captive into jail. Give him enough food and treat him in good manner."⁵² In Islamic criminal law, those cases whose penalties are imprisonment as "Ta'zir" will not exceed from thirteen items.⁵³ It is said (Al-Borūj, LXXXV, 10): **"Verily, those who tortured the believing men and women and then did not repent, for them shall be the chastisement of the Hell. And for them will be the chastisement of the Fire"**. The Glorious Qur'an encourages us to give the captives whatever we use as our own food. In sūrah of Al-Insān concerning the benevolent persons it is stated that (Al-Insān LXXVI, 8): **"And for Allāh's pleasure they feed the needy, the orphans, and the captives. Though themselves go hungry"**. It means that while keeping and guarding the captives, the latter are to be preferred to themselves and they even give them their own favorite foods.

Imam Ali (A) in Seffain Battle before getting to the enemy, advises his military men that: "Do not fight them unless they begin fighting. Because, thanks to God, you are right and have the valid evidence, and leaving them until they begin fighting would give you another evidence against them. If with the God's will they be defeated and runaway, do not kill those who are retreating and do not harm those persons who are not able to defend themselves. Do not kill the wounded persons. Do not provoke the women even if they insult you and your commanders, because they have little strength and they are weak in their body and defective in their reasoning. When the women were in disbelieving conditions we were bound not to bother them. In the Age of Ignorance (paganism) if a man attacked a woman with a stick or a stone, he and all his children who helped him would have been reprimanded for their deeds".⁵⁴ In narrations and traditions books such as "Osūl-al-Kāfi"⁵⁵ and "Al-Wasāil-e-Shiāh"⁵⁶ and "Mustadrak-al-Wasilah"⁵⁷ there are special chapters concerning the goodness of feeding prisoners and friendship with the captives; and lots of narrations on this subject could be found in the said books.

It has been frequently observed that some governments in wartime for putting the opponent forces under pressure make use of the captives as means to their ends. For instance, they ill-treat the captives and torture or even kill them. As it was already mentioned, on the basis of this principle molestation of captives is forbidden, so that, it is clear that killing or taking reprisal actions against the captives just because of new invasions of the enemy would also be forbidden. That is to say, because of enemy's attacks and invasions we cannot kill the prisoners of war who had been taken as captives in earlier military operations and retaliate or torture them in revenge of the said attacks. In other words, we cannot make use of the captives in wartime, because they are also human beings who are defeated by Islamic government and operating procedure of Islamic governments towards those who are defeated is the same procedure that the Muslims are expecting and looking forward the Omnipotent of the world, namely Almighty God takes towards them.

30- Principle of: Prohibition of illicit trades and measures against humanity and the environment

This principle is one of the most important principles of Islamic foreign policy. The aim of Islam is exaltation of humankind and full height of dignity in humanity. What the "exaltation" is meant by holy Prophet of Islam is qualitative and quantitative improvement of human beings. As a general rule, the ecosystem which human beings are parts of it should be protected so as the said goal be attained. Therefore, the attention of holy Prophet of Islam has also focused on protection of animals and plants as well. By careful attention to, and analyzing the Islamic rules and regulations, even in minor and subsidiary cases, it could be understood that one of the aspects of Islamic rules and regulations is protecting the rights of individuals in their relations with one another. In other words, each person is a constituent source of rights for other persons. For instance, "man" is the source of sexual pleasure for

⁵² Al-Mustadrak Al-wisā'il, 11, 78, 30-12467-1.

⁵³ Ja'far Sobhani (1983), "The principles of Islamic government", vol 2, p. 431, Tohid Publication, Qom.

⁵⁴ Nahj-ol-Balaghah, translated by Shahidi, letter no. 14, p. 280.

⁵⁵ Al-Kāfi, volume 5, p. 35.

⁵⁶ Wasail-al-Shi'ah, vol. 15, p. 32-91.

⁵⁷ Al-Mustadrak, vol. 11, p. 78.

"woman" and vice versa. So that a man, as a member of ecosystem has no right to refrain from marriage which results to the infringement of the women's rights. Although there is no obligation concerning the religious rules on the subject in question but the subtle hints made by religious rules show that its praiseworthiness is nearly equal to an obligation. It is written that:⁵⁸ "Once Imam Sadiq (A) was asked why the punishment of adultery is a hundred lashes but the punishment of drinking wine is eighty lashes? Why adultery is more serious than drinking wine? His Holiness said: "The reason is because of spoiling the sperms and laying it in a place other than the position that God said "it is your sowing place". It is written in Fegh'h-ol-Riza that the Reverend Messenger of God said: sodomy is prohibited because of its corruption and infringement of the women's rights that Almighty God has encouraged to observe it. So it is obvious that the reason behind the unlawfulness of sodomy is infringement of women's rights and spoiling the generation, and wasting the sperms. That is why, masturbation is also forbidden. And sexual intercourse with the anus of the women and bestiality and lesbianism are also forbidden. Because if men be sufficient for each other and also the women be sufficient for each other the issue of reproduction and generation would be exterminated". From the said religious legal provisions, it could be understood that with regard to the rules of ecosystem, the life of every living creature is a source of rights for other ones; therefore, no one is authorized to infringe the others' rights through his selfishness.

This subject is also extended to plantations and livestock. Therefore, protection of the environment is considered as one of the topics of Islamic foreign policy. It is said (Al-Baqarah II, 205): "**And when he turns away (from you) his effort in the land (earth) is to make mischief therein and to destroy the crops and the cattle; and Allāh does not like mischief-making**". That is to say, destroying the plantation and the livestock is considered as corruption which Allāh does not like these kind of actions. Destruction of the plantation and the livestock, whether being directly or indirectly through destruction of the environment, and/or creating imbalance in ecosystem is considered as corruption. In the said verse the ownership of the plantation and the livestock is not restricted and particularized to the Muslims, and by using the term "**land**" (earth), all the lands in the world is taken into consideration. This attitude represents so many rules to be observed by Islamic government. That is to say, Islamic government has no right to commit corruption in the planet of the earth.

According to the said noble verse "corruption in the earth" is composed of a body of activities, which are the cause of destruction of the environment, whether plants, animals and/or human beings. Extending the said subject to the human beings shall propound other issues, which we are going to discuss them in detail. There are so many activities that are the cause of corruption in the earth. The followings are some of them which could be mentioned under the title of this subject, such as; producing and trading the harmful materials and poisonous chemicals for the purpose of killing the human beings and destroying the farms and livestock for damaging the others, offensive and mass-destruction weapons, burying the nuclear wastes in territory of the weak countries through conspiracy with their leaders and agents, production, consumption, exportation and importation of all kinds of raw and intermediate materials which are the cause of harm and damage to the plants, livestock and human beings and the like.

In Glorious Qur'an "corruption" is also attributed to the kings, which says (Al-Naml XXVII, 34): "**Verily, when the kings overtake a land, they spoil and plunder it**". And also says (Muhammad XLVII, 22): "**If you were given the power and authority, all you would do is but mischief-making**". And also says (Al-Baqarah II, 11-12): "**And when it is said to them: Do not make mischief in the land, they say: We are but peace-makers. Now surely they themselves are the mischief-makers, but they do not perceive**". And in another verse it is said (Al-Ra'ad VIII, 25): "**But those who break the covenant with Allāh after they have made it; and cut off the relations that Allāh has commanded to be joined; and make corruption in the earth, for them shall be the curse and the evil abode**".

There are so many infractions, which have been described as corruption in various verses. For instance, according to the following verse which says (Al-Baqarah II, 30): "**They said: (O, our Lord) Do you appoint the kind of creature who will make mischief therein and shed blood?**" To shed blood is

⁵⁸ His Excellency, Hajj Mullah Ali Beidokhti Gonabadi. Zulfqar, "On the prohibition of opium smoking", Haqiqat Publication, (2003) Tehran, pp. 75-76.

one of the cases of corruption. In another verse, it is said (Yusuf XII, 73): **"They: By Allāh! Indeed you know that we did not come here to make mischief in the land, and we are not thieves"**. It means that theft is one of the cases of corruption. And in another verse, concerning the rebellion it is said (Yūnus X, 91): **"Indeed you rebelled before and you were of the mischief-makers"**. That is to say, rebellion and disobeying the God's ordinances are considered as corruption. Shortchanging is also considered as corruption, which says (Hūd XI, 85 also Al-Shura, 183): **"O, my people! Give full measure and exact weight; and do not diminish the goods of the people (while selling); and do not make mischief in the land"**. Injustice, murder and transgression are also considered as corruption, which says (Al-Qasas XXVIII, 4): **"Surely PHaraoh considered himself above all and made its people into sects, weakening one party from among them; he slaughtered their sons and let their women live; surely he was one of the mischief makers"**.

To produce, purchase and sale of wine and other intoxicants, for the purpose of being intoxicated are forbidden in Islam. Because drinking wine will deteriorate the mental and reasoning faculty (power) for a while, consequently the man's virtue namely the awareness of his perception would be weakened or stop working. For this reason, the holy Prophet of Islam has forbidden it. Certainly, the said prohibition shall cover the narcotic drugs, which its usage is common in today's world. The trade of narcotic drugs is one of the largest illicit trades in the world, in such a way that in some years the revenues gained by transaction of narcotic drugs is more than the oil revenue in the world. Islamic government has no permission to be engaged in the transaction of narcotic drugs or even take part in their distribution. Glorious Qur'an says (Al-Mā'idah V, 2): **"you should help one another in righteousness and piety, but do not help one another in sin and transgression"**. The term "sin" is also used in the verse that forbids the wine, and in that place, it is called "grave sin". It means that taking part in the said "grave sin" namely, transaction of intoxicants, which also includes the narcotic drugs, is forbidden. In Glorious Qur'an it is said (Al-Baqarah II, 219): **"They ask you concerning intoxicant and gambling, say: In both of them is a grave sin, although there is some profit for some men in them, but the sin of them is graver than their profit"**. In a comment on the said verse, the noble exegesis of Bayan-a-Sa'adah-fi-Maqamat-al-Ebadah, for the first time has forbidden the usage of opium and narcotic drugs⁵⁹.

On the basis of the abovementioned explanations the concept of the said principle could be extended on all sins and even moral issues. But we are not going to describe the issue anymore. It should be only noted that one of the difficulties of today's world is immoral trading which have specifically devoted a large part of the world's commercial transactions, and on the basis of the above-mentioned explanations all of them are considered as corruption which are not authorized by Islamic government. The foreign policy of the Islamic government has taken these principles from the bases of its ideology and is bound to observe them.

31- Principle of: Unauthorization of destroying food sustenance for acquiring material profits

As it was already mentioned, the various concepts of the "corruption in the earth" indicate this point that destruction of farmlands, livestock and human generation are principally prohibited; and protection of the environment is one of the most important issues in the foreign and domestic policies of Islam. Generalization of the said subject, leads us to the following point namely, Islamic government has no right to destroy a part of food substances, in order that their prices being increased. In the past, it has been observed that some countries such as U.S.A carried a part of their wheat products by ship to the sea and emptied them out into the ocean just to prevent the decrease of wheat price, whereas at the same time there were so many people in Africa who were starving to death. There are even uncertainties and doubts originating from Islam's standpoint on the case of imposing prohibition in producing and cultivating grains just to prevent a decrease in their prices, which would be due to the abandonment supply of their products. As to the victuals and means of subsistence of population of the world, we can declare this point of viewpoint that Islam never authorizes any restriction on producing the means of subsistence unless the foods needed by all individuals in the world have been produced. With regard to the following verse

⁵⁹ "Bayan-a-Sa'adah-fi-Maqamat-al-Ebadah", translation volume 2, pp. 450- 460.

which says (Al-Baqarah II, 205): "**And when he turns away (from you) his effort in the land (earth) is to make mischief there in and to destroy the crops and the cattle; and Allāh does not love mischief-making**". Even that kind of "corruption in the earth" which causes a decrease in productivity of production of farmlands and livestock are also prohibited. In recent century, it has been observed that most governments through progressive tricks - and in earlier centuries through conventional tricks - and by distribution and/or secret exportation of parasites and plant diseases and livestock pests have tried to inflict sufferings upon the other nation's farming and livestock productions. For instance the epidemic factors of the outbreak of disease among livestock, birds and plants such as rice stem-worm, fruit trees stem-worms, potatoes and summer crops' wireworm, fungus infection of the wheat, pathogenic fungus, aphids, and bacteria were secretly distributed by some states in other countries. All of these occasions are within the scope of this section.⁶⁰

All of the above said measures at the international level are considered as prohibited actions in Islam. There has been determined a special portion out of the properties of Islamic government for the poverty-stricken persons and the needy which the dispossessed of other states are also included in the plan. In Glorious Qur'an, it is said (Al-Dhariyat, LT, 19): "**And they consider a due portion of their wealth and property for the needy**". The said "**due portion**" which is known and definite in the wealth and property of the believers; for sure it is also known and determined in the public treasury of the Islamic government; and no matter where the needy and deprived persons are stationed, they are all entitled to receive it.

There is a verse in sūrah of Al-Isrā concerning the extravagance and squandering which Almighty God says (Al-Isrā XVII, 26-27): "**Give to the relatives their due rights and also spend on the needy and the wayfarer, but do not squander your wealth wastefully. Verily, the squanderers are brothers of devils, and Satan was ungrateful to Allāh**".

As it was thoroughly explained, "squandering" might be used as an established base for the said principle in international relationships concerning the weak and powerless nations of the world. That is to say, the rights of powerless and disabled persons of other nations should not be ignored. We have no right to acquire profits just to achieve our national interest and refrain to give the due rights of the deprived nations as it is instructed by Almighty God, for the needy and disposed persons, out of the wealth and property of Islamic nation.

32- Principle of: Prohibition of international hoarding of food and obligation of feeding the world starving people

Starvation is one of the prominent phenomena at the international level in recent centuries. The rate of starvation casualties is much more than the casualties of accidents throughout the world. Hoarding of the public sustenance and/or exercising common methods for preventing decline in price of foodstuffs - such as, destroying the products and declining in cultivated areas of lands for the purpose of reduction of products supply in the market that leads to food prices increase - are not authorized in Islam. And whenever the people are in the state of hunger, then the Islamic judge is authorized to order, to open the warehouses and people sustenance to be distributed amongst them. By taking the said subject into consideration, it is obvious that Islamic government has no right to hoard the people's public sustenance, and make the people die due to famine and hunger.

Concerning the said subject, we read in Glorious Qur'an, sūrah of Joseph, that Joseph (A) said (Yusuf XII, 47-48): "**For seven consecutive years, you shall sow as usual and you should store the harvest that you reap in its ear, except a little of it which you shall eat. Then after that shall come seven years of hardship of famine that you shall eat what you have stored beforehand except a little that you shall save for sowing seeds**". ... (Yusuf XII, 58-59) "**Then his brothers came to him; and he recognized them, but they did not recognize him; and when he provided them with the provisions which they demanded, Joseph said: Bring to me that brother of yours from your father. Do you not**

⁶⁰ The eye witnesses have repeatedly stated that in late forties and after world War II American planes while flying over Gilan and Mazandaran provinces unloaded small packs on the rice fields. They said packs contained rice stem-worms.

see that I fill up the measure and I am the best host"?... (Yusuf XII, 62)"**And Joseph told his servants: Put their money into their bags, so that they might know it after their return to their town and they might come back**". The above said verses imply that Joseph (A), in time of famine, gave full measure of food supplies to those persons who were from another territory and had exercised a grave injustice to him. Joseph (A) was Aziz (ruler) of Egypt at that time and the entrants had come from another territory, namely from Canaan to Egypt. In other words, Joseph (A) deemed it obligatory to give them foodstuffs on the basis of per capita namely each person's needs to be covered. Because in the following verses when the brothers demand to take Benjamin with themselves they argue that (Yusuf XII, 65): "**So we shall obtain more food for our family, and we shall surely take care of our brother; and we shall obtain an extra camels load; what we have now is a small amount of food supplies**". The said verse show that Joseph (A) used to divide sustenance on the basis of the members of persons in the family, and the last sentence, which says: "**what we have now is small amount of food supplies**" shows that each person's portion would suffice the least amount of food needed for the persons in the family. And since Joseph's brothers had not taken Benjamin with themselves, therefore they said that the acquired grains were less than what they needed to live. In other place, it is said (Yusuf XII, 65): "**And when they opened their bags they found their money had been returned to them**". That is to say, the purchase price of the grains had been returned to them. What we understand from the abovementioned verses is that when the people are in hardship with regard to the foodstuffs - no matter where they live and without paying attention to their nationality and religion - the Islamic government is bound to provide them sufficient sustenance without receiving purchase price or any other consideration.

In sūrah of Al-Nisā it is said (Al-Nisā IV, 37): "**Those who are niggardly and enjoy niggardliness on other people and hide away what Allāh out of His bounty has bestowed upon them (should know that) We have prepared for the disbelievers a humiliating torment**".

In sūrah of Ale-Imran, it is said (Ale-Imran III, 180): "**And those who niggardly withhold of that, which Allāh has bestowed on them of His bounty, should not think that it is good for them. Nay, it will be the worst for them; the things, which they covetously withheld, shall be tied to their necks like a collar (of fire) on the Day of Resurrection. Verily, to Allāh belongs the heritage of the heavens and the earth**". And also says (Muhammad XLVII, 38): "**You are the ones who are asked to spend your wealth on Allāh's way, but among you are some people who are niggardly, and whosoever is miser is against himself. However, Allāh is the Absolute Independent and you are in need of Allāh's favors and bounties. If you turn back from Allāh's way He will substitute another nation instead of you, a people not like you**". And in other place says (Al-Taghabun, LXIV, 16): "**Fear from Allāh as much as you can; listen to His commands and obey; and spend in charity; and you will profit from doing all those. And whosoever is delivered from the greed of his own passionate-self, he is indeed of the salvated ones**".

All of the above said verses are emphasizing a special subject, that is to say, whosoever not to be niggardly and contributes in charitable donations; he has done it for his own benefit. Contrary to the common belief and on the basis of microeconomic and international trade theories and by resorting to mathematics, we are able to prove that the interests of humankind are based on exaltation of the whole humankind. It is hoped to cover the said issue in a separate book in the future.

Anyhow, niggardliness is one of the characteristics of human beings, and in Glorious Qur'an those persons who perform their prayer regularly, namely, they are always remembering Allāh, are considered as an exception. In sūrah of Al-Ma'arij, it is said (Al-Ma'arij, LXX, 18-25): "**And those who collect money and store it. Verily man is very greedy and impatient creature. When some harm touches him, he is fretful and keeps complaining. And when wealth comes to him, he is miser. Those who perform prayers out of real devotion they are exceptioned. They are the ones who perform their prayers regularly. And those in whose wealth is an appointed share, for the needy who demands and the one who is deprived**".

Those cases that were mentioned about contribution and niggardliness, in spite of their being for individual persons, could be extended to the government and enforced at the level of nations and states. It is said (Al-Hashr, LIX, 7-9): "**What Allāh has put at the disposal of His messenger, taken from the**

people of the townships, belongs to Allāh, to His messenger and his relatives and orphans, and to the poor and to the wayfarer: Since these booties should not fall in the hands of the wealthy men among you; so take what your messenger gives you, and whatever he forbids you, abstain from it; and fear from Allāh. Verily Allāh is the severe retributing. Some of the booties should be given to the needy of the Emigrants who are seeking Allāh's grace and pleasure; and they do help Allāh and His messenger in Allāh's path and they are indeed sincere in their deeds. And those who before the emigrants remained at their homeland and became as believers. They love those who came to them as emigrants, and they do not envy them for what they are given and they prefer them over themselves even if they need the same things, and those who are secure from the greed of their own souls, they are indeed the salvated".

Certainly, moderation is ordered in contribution of charitable donations, which says (Al-Isrā XVII, 29): "Do not keep your hand chained to your neck. Nor be extravagant in spending your earnings so that out of poverty you may become distressed and self-blaming". And in sūrah of Al-Forqān it is addressed to honorable Messenger (S) and says (Al-Furqān XXV, 69): "Those who while spending in Allāh's way they are neither extravagant nor niggardly, but they are moderate between the two extremes".

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