THE PARADOXICAL NATURE

AND RELIGIOUS BASIS OF RELATIONS OF

MUSLIMS AND NON-MUSLIMS

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Introduction

There is, to this day, a group of scholars who, citing the two primary sources in Islam (the Quran and the Sunnah), support the view that establishing a perpetually peaceful environment with others is unrealistic. Advocates of this view refer to the Quranic verses related to war[1], and to the Sunnah of the display of the Prophet's warrior-like characteristics[2] as evidence. They further strengthen their stance by referring to statements in the studies of classical era Muslim Jurists, who defended in their discourses the necessity of war with non-Muslims beyond exceptional circumstances[3].

Yet, there is also a counter-side claiming that the principal element is peaceful relationships between Muslims and non-Muslims[4]. Supporters of this view also refer to the verses of the Quran that promote peace, freedom of religion and cooperation even with non-Muslims[5], as well as the Sunnah of the Prophet displaying his peaceful character[6]. When both approaches are analyzed together, it can be seen that the evidence presented by each side is equally strong and provides a legitimate basis for each view.

When making evaluations on such an important issue, one must take into consideration the revelation of

Quranic verses (*asbab al-nuzul*) and the emergence of the Sunnah (*asbab al-vurud*), i.e. "the conjuncture". Failure to do so will undoubtedly lead to incorrect results.

As a consequence of the superficial and subjective interpretation of the Quran and the Sunnah, certain marginal groups carry out terrorist attacks in the name of Allah, and treat non-Muslim civilians inhumanely in times of war and peace. Although perpetrators of such barbarities operate today, accusations and criticisms are made against the Quran, the Prophet and the Muslim scholars who lived centuries ago: religion is blamed for tears and bloodshed, and, unfortunately, the members of the entire Muslim community are labeled "terrorists".

When parts of classical Islamic law compilations regarding the regulation of inter-state relations are examined, it can be seen that Muslim jurists preferred terms of war, even while establishing regulations regarding terms of peace. However, such involvement of Muslim jurists in the law of war does not validate any criticisms made over a thousand years later.

Furthermore, it is known that wars were widespread and a peaceful atmosphere could not be established, not only in the age or geography in which Islamic Law was codified, but also in the Christian World throughout the Middle Ages. In the 11th century, using its authority, the Church initiated an internal peace movement in order to ensure security of pilgrims and travellers. This movement was also supported by the princes; however, full security could have never been established[7].

Yet, throughout the Middle Ages, "permanent representatives" could not be seen since there was no uninterrupted peace among the nations[8]. Also, until the 11th century it was not possible to refer to any international trade law. Besides, it is well known that it was not until the end of the Middle Ages that theologians of the Catholic Church had started to discuss the "contractual liability concept"[9].

In fact, in order to legalize wars against non-Christians, the Church developed the "just war" concept and tried to establish laws regarding the affairs of war[10].

Today, brave Western researchers openly state that codifications of the Church during the Middle Ages were the effect of Muslims[11].

In that era, there were no known efforts of the Church regarding peace law codification, either. Additionally, with the "just war" concept, Christian warriors behaved so savagely that Grotius (d. 1645) had to confess that "the Christians act in a way that would have made the barbarians blush"[12]. Therefore, no one should criticize Muslim jurists because they were dealing only with the law of war; contrarily, it should be interpreted as the result of conjuncture of the era[13]. Ghunaimi criticizes those still attempting to validate the bipolar world: the land of war and the land of peace (*dar al-harb* and *dar al-sulh*), and confirming the relations between the attitude of Fuqaha with their views and the circumstances of their time, by affirming that he opposes inclusion of this kind of separation among the principles of Islamic Law Theory. As a matter of fact, according to his view, this separation was merely a reaction of Abbasids to the existing relations between the Muslim State and non-Muslim States. Classical Muslim scholars just made an effort to legitimize this existing situation"[14].

By having taken the philosophy of law into account, classical fuqahas' common opinion regarding the necessity of pursuit of war, until the beneficiary of Muslims requires to make peace, is not an approach typical of Muslims. Actually, it is so natural that all political communities look after their own interests while establishing relations with others. This irrefutable reality gains an important place among theories relating to the starting point of international rule of law.

For example, Machiavelli (d. 1527) states that an egoist

and variable interest concept is the most important principle that will legalize relations between States and guide them. On the other hand, by alleging "power theory" Spinoza (d. 1677) implicates that the "law" is "the law of the most powerful one". According to them, power is not only above the law, but also the creator of the law. When international law is analyzed in the same manner, it can be seen that wars, treaties, and the recognition of states all indicate the rule of power .According to Spinoza, similarly as between individuals, the natural status of relations between the states is also permanently hostile. Therefore, in international relations, the power is the main factor, and the interest is the provocative one[16].

It is understood that conjuncture and the principle of reciprocity led the Fuqaha to believe that international relations have only two sides;"Muslims" and "others", with the common relations between the Muslims and the "others" being an active or passive state of war.

With reference to modern-day scholars of fiqh; they argue that the main aim of Islam is peace; and war can be applied only under *force majeure*. They urge that, on condition of protecting their dignities, Muslims' establishing peaceful relations with "others" and making agreements with them in order to strengthen these relations is not against the essence of Islam. Thus, the history of Islam is full of examples showing the capabilities of Muslims in developing the culture of living together even in permanent states of war. Therefore, modern-day scholars of Islamic law argue that since there is no absolute rule preventing Muslims from solidarity in science and culture, which are the facts of life, and mutual relationships in the commercial and service sector with non-Muslim States, any kind of relationship can be established with non-Muslim states in order to exchange various interests, as long as the subject of the relationship is permissible in Islam[17].

Researchers who analyze this subject generally try to determine the essence of the relationship of Muslims with "others" by studying the verses of the Quran and Sunnah that relate to war and/or peace. Certainly, this is a method which should never be neglected. However, more comprehensive analysis should be preferred and the Quran and Sunnah should be handled in their entirety, by considering not only the war and peace concepts, but also the real meanings assigned to the "value of individuals as human beings", "freedom of religion", "living together in harmony" and "jihad" concepts in these two primary sources.

Allah created all human beings
  to be honourable regardless of their beliefs

The Quran speaks of a human being as unique, equipped with mental sufficiency to understand the order of nature and to distinguish good from bad; as superior to all creatures with their ethic capacity and as capable of moulding opinions and values into shape. Life is presented in the Quran as an exam of which man will face consequences in accordance to his preferences[18].

The Holy Quran introduces man as a creature who is addressed a divine message. Allah revealed the Quran to mankind as a guide. The Holy Quran narrates the creation of man, and defines him as a rational and strong-willed being; Allah states that he blew his spirit into him. After having completed his biological structure, Allah taught him the names of all things, thereby equipping him with a skill that allowed him to know his creator. Allah taught the man what he had not known[19]. No other creature has the capability of questioning the meaning and the purpose of life. Human beings are unique not only in that they are able to understand the course of life, but also in that they can bear the burden of free will.

The Quran introduces man as a bearer of trust (*emana*), sometimes interpreted as logic, responsibility and free will. The Quran also declares man as a representative of Allah on Earth[20]. The worth and responsibility given to man makes him different and more valuable than other creatures. As man is such a worthy creature, Allah also granted dignity to man[21] and ordered him to keep the fellow man alive and not to kill him[22].

Allah reveals in surah Isra: "And surely We have honored (have given dignity to) the children of Adam, and we carry them in the land and the sea, and We have given them of the good things, and We have made them to excel by an appropriate excellence over most of those whom We have created"[23]. The Hanefist scholar of the classical era, Sarakhsi (d. 1090) comments that Allah created man to bear the burden of trust (*amana*), honoured him by granting him wisdom and made him inviolable, qualifying him for his orders and prohibitions[24]. Alusi, the commentator (*mufasser*) of the 19th century, also commented on this verse and said: Each member of the human race does have dignity and honor whether he is pious or sinner[25]. Some of the contemporary Muslim scholars wrote down that the dignity/honour is granted to man by the grace of Allah, and not as a result of man's respectful effort, and thus the man is vested with dignity from birth[26].

The Quran certainly has verses which explain the necessity and the virtue of belief in Allah, the differences and the characteristics of unbelievers, and the worth of believers[27]. However, the classification of believers and unbelievers in the Quran pertains to the separation in the eyes of Allah. This classification should not be cited as a reason for discriminating against people of different religions and beliefs. As stated below, Allah has not authorized any person to judge others based on their beliefs. This authority belongs only to Allah, the Almighty God himself. In short, every person has an innate dignity

from which all fundamental rights and freedoms arise, including the freedom of religion[28].

*Islam does not designate religious differences
  as a cause for war*

There is only one precondition for a person to benefit from the fundamental rights and freedoms: to be human. Choosing a religion and a belief system based on one's free will is of primary importance among the rights and freedoms referred to as universal. Professor Ali Bardako-glu, who was the President of Religious Affairs of Turkey from 2003 to 2010, stated that Islam has established a number of ethical principles, including pluralism and reciprocity, in order to guarantee religious freedom[29].

In this context, pluralism refers to the recognition of the existence of other religions and beliefs and the ability to live together in peace, without deforming them or making them identical. Placing all religions and beliefs within the same boundaries through coercion is against the principle of pluralism in Islam: since the Divine Will does not aim at gathering all of humanity under one religion. In the Islamic tradition, even Prophet Muhammad (PBUH) is not authorized to convert people to Islam through coercion. Allah says: *And had your Lord willed, those on earth would have believed, all of them together. So, will you (O Muhammad) then compel mankind, until they become believers*[30].

Free choice of religion is stated in another verse: *The Truth is from your Lord: Let him who will believe, and let him who will, reject (it)*[31]. This verse should not be taken as Allah's approval of all religions, or a contradiction of the Islam's claim that it is the only true religion[32]. This is a stipulated rule in order to prevent people from interfering with the beliefs of others and taking part in antagonist behaviours. Any kind of interference with religious

pluralism and differences is no business of man. Only Allah takes initiative in this respect[33].

The main reason for conflicts and clashes arising from religion is the perceived insult against values regarded as sacred. Devout followers of all religions are sensitive to attacks on their religious values. When emotional motivations are influenced by seditious and agitating elements, they can easily turn into mass assaults . Whenever the sacred values of other religions are in question, Islam forbids Muslims from belittling them under any circumstances.

This prohibition is stated in the Quran: *Revile not ye those whom they call upon besides Allah, lest they out of spite revile Allah in their ignorance. Thus have We made alluring to each people its own doings. In the end will they return to their Lord, and We shall then tell them the truth of all that they did*[35]. Another example of this rule, called "reciprocity", is when Allah made the Prophet say to the pagans of Makkah *To you be your religion, and to me my religion*[36]. This verse indicates the recognition of various religions and beliefs[37]. And once more, recognition of something does not mean acceptance or approval.

Our differences are opportunities to benefit from each other

The existence of different religions and beliefs as well as nationalities and ethnicities is the choice and will of Allah. He tells us: *And if Allah had willed He would have made you (all) a single people, but that He might try you in what He gave you, therefore strive with one another to hasten to virtuous deeds*[38]. This variety in religions, nationalities and ethnicities is a divine trial. After having stated how previous tribes or generations had been demolished when they were unjust and tyrannical over others, Allah brought another nation for test. He reveals *Then We made you successors in the land after them so that We may see how*

you act[39]. The worth of man in the eye of Allah is related to his choice of good or bad when he navigates his life in this World. Allah canalizes man to a competition of virtues in order to increase his worth. This competition is also a means for the development of mankind. In another verse, Allah relates that he created mankind from a male and a female, and made us tribes and families so that we may know each other[40]. There is no doubt that the aim of such mutual recognition and communication is to benefit each side with solidarity and cooperation.

Jihad is not performed only with weapons

There are large differences between the meanings of the Arabic words *jihad, harb* and *qital*. The real meaning of *jihad* is spending all effort to achieve something good. Consequently, the meaning of the word jihad in the Quran could be interpreted as to devote one's effort to conduct activities that merit Allah's gratification. By using the word in this meaning, the Prophet explained that the biggest spiritual reward is to self-struggle with one's own soul[41]; and in another hadith, he stated that the worship of hajj for ladies is jihad because they should spend great effort to perform it[42].

Taking into account the above definitions of jihad, Tarik Ramadan evaluates:

> Today our enemies for the jihad of Allah are famine, unemployment, neo-colonialism, drug addiction and violence that young people have fallen into...Unfortunately there are many Muslims who are senseless to the mentioned real enemies in their districts, cities and countries although they strive to sacrifice their life for Islam by going here and there[43].

Islam promotes peaceful coexistence
 with other religious communities

The Quran does not deny the reality of differences between religions and ethnicities. It even informs that conflicts may sometimes arise from a responsibility and a duty that was given by Allah. It expresses this as follows: *...And had there not been Allah's repelling some people by others, certainly there would have been pulled down cloisters and churches and synagogues and mosques in which Allah's name is much remembered...*[44] On the other hand, the Quran specifies that a war should be based on valid grounds, such as self-defence and promoting justice. A verse in Surah Hajj explains that: *Permission (to fight) is given to those upon whom war is made because they are oppressed, and most surely Allah is well able to assist them...*[45]

The Quran proclaims that Muslims must not deny justice and righteousness even in the most revengeful and brutal war environments: *O you who believe! Be upright for Allah, bearers of witness with justice, and let not hatred of a people incite you not to act equitably; act equitably, that is nearer to piety, and be careful of (your duty to) Allah; surely Allah is Aware of what you do*[46].

There are many verses in the Quran that discuss the legitimacy of negotiating international treaties, establishing peace and bearing no enmity. At times, these verses order the Prophet to make peace with those who want to make peace: *And if they incline to peace, then incline to it and trust in Allah; surely He is the Hearing, the Knowing*[47]; at other times, they declare that it is not forbidden for Muslims to do a favour and to be fair to those who do not harm Muslims: *Allah forbids you not, with regard to those who fight you not for (your) Faith nor drive you out of your homes, from dealing kindly and justly with them: for Allah loveth those who are just*[48]; yet at other times, they prohibit declarations of war against those who are neutral: *Except*

those who reach a people between whom and you there is an alliance, or who come to you, their hearts shrinking from fighting you or fighting their own people; and if Allah had pleased, He would have given them power over you, so that they should have certainly fought you; therefore if they withdraw from you and do not fight you and offer you peace, then Allah has not given you a way against them[49].

Conclusion

Islam does not seek to make all people Muslims through coercive methods, as this is contrary to God's will. Since the time of the Prophet, Muslims have recognized the states and non-state political entities founded by non-believers and have entered into peaceful or hostile relations with them, according to conjuncture...

Since the characteristics of relations with "others" had been hostile in all known lands, including the World of Christianity during the period of the codification of Islamic law, Muslim scholars of the classical era naturally developed a war-centric theory of relations. As a result of both that and reciprocity, the theory proposes a superior (unequal) state approach, firstly towards the pagans, and then towards all non-Muslim peoples.

The Muslim scholars, who support the view that establishing a perpetually peaceful environment with others is unrealistic, or claim that the principal element is peaceful relationships between Muslims and non-Muslims, have cited the two primary sources in Islam, the Quran and the Sunnah.

When the evidence of both fronts is evaluated together, one could conclude that the main aim of Islam in regard to relations with non-Muslims is to pursue peace. War should be declared only when it is necessary. In addition, whatever the type of *de facto* relation with others, peace or war, there are many universal Quranic and Prophetic

rules and values that Muslims must observe or otherwise they will be held religiously and ethically accountable.. Such values include: *pacta sunt servanda*, justice, good will, worth of individual human beings, freedom of religion, living together in peace, commitment to the rules of ethics and morality, protection of civilians and mercy in peace and war, etc.

Today, 1.6 billion people around the world are Muslims and fifty-seven countries are members of the Organization of Islamic Cooperation. Two issues must be always kept in mind; firstly, by eliminating the prejudices about Islam, Muslims must demonstrate how the international community could benefit from the universal values and principles of Islam. Otherwise, it will be difficult to attain global peace without taking Islamic international relations theory into consideration. Secondly, Muslims have to make a distinction between religious and non-religious rules. Islamic scholars in particular, who know well that the rules of *fiqh* are changeable, should dedicate their academic capacity to global peace.

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