

SALAM AND ISLAM: Peace and Negotiations in Islam

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"Since wars begin in the mind of men, it is in the minds of men that the defences of peace must be constructed."

(Kleinberg, 1964, p.3)

Introduction:

Perception plays a crucial and dynamic role in conflict management in general and in the negotiations process in particular. The perception of the 'other' party as a threat to one's value system or material interests is the underlying dynamic behind most forms of conflict. The perception of the 'other' however, cuts across different cultures, religious and ethnic backgrounds

Historically in most countries, societies and nations, the way groups organize themselves is usually in relation to a 'perceived' or a 'real' threat. From a psycho-analytic perspective peoples, nations need to have enemies and allies as Vamik Volkan would say. (Volkan,1988 The projection of anxiety and fear is reflected at all levels of society whether one thinks of small groups or larger groups, the line drawn between black and white, friend and foe is a very clear line there are no shady areas and there are no doubts of how one perceives his enemy or ally. The ability to externalize and project, therefore, is part of the human psyche: the social, political and economic ethos. The conflict between races, for example in the United States, especially in the sixties or the ongoing conflict between nations in the Middle East region is partially caused by the psychological externalization and projection of the qualities one perceives exist in the enemy.

This process of externalization and projection of one's images and perception of the 'other' is the topic which I will address in this paper, whereby its application will be examined by

distinguishing how Islam is perceived in relation to negotiations and conflict resolution from what the religious scripts and theory prescribe to their followers. First, a brief introduction to the perceived role of Islam in the conflict process will be presented. Second, the research query of this paper: analyzing scripts from the Quran and the Prophet's Sira (his behavior and sayings), will be addressed and finally, examples from Moslem activism in North Africa and the political utilization of such activism will be explained in order to create the link between the general theoretical issues and the practice of the notion of conflict resolution in general and the negotiation process in particular.

First, the perceived role of Islam in the western world is projected through several channels. One of those channels is the media. There is some research and literature on how the media reflects Islam and its believers (one of the leading works written about the subject matter is Edward Said's Covering Islam (Said, 1981)) On the other hand there is relatively little research or literature on the perception and projection process on the academic/research level. i.e. The academic community in the social sciences was not studied as another channel (and a very effective one, I might add) that reflects the perceived image of Islam onto students or future policy makers, teachers...etc.

Upon examining some of the literature on negotiations in general and its relation to a Moslem country in particular, I found Raymond Cohen's publication Culture and Conflict in Egyptian-Israeli Relations: A Dialogue of the Deaf very useful. It is one of

the few academic attempts to study the process of negotiating across cultures which entails an understanding of cultural relativity. Cohen, however, does not extend his effort so as to include the acceptance and respect of cultural differences, rather he relates the differences between the two cultures to the 'us' versus 'them' or 'friend' versus 'foe' dichotomy mentioned earlier. Cohen's differentiation of Egyptian culture from the Israeli culture starts when he splits the 'good' versus the 'evil' by associating the Jewish/Israeli culture with the Christian/Western cultures versus the Moslem/Arab culture. Cohen divides the Christian and Jewish ethos that adhere to what he terms as the 'guilt culture' versus the Arab/Moslem culture which he calls the 'shame culture'. In order to clarify what he means by the shame culture, he writes: 'Observers have concluded that in the shame culture, of the Middle East, prohibitions against forbidden behavior tend not to be internalized, that is, associated with feelings of guilt. If nobody is watching, one feels no particular compulsion to avoid the proscribed behavior.' (Cohen, 1990:p.23)

However, Cohen, like other political scientists, makes an important distinction between Muslims versus Jews and Christians, he writes: 'The Koran offers no majestic vision of peace among nations, and classic Islamic international law views treaties of peace with the infidel as temporary expedients - truces - on the road to the universal imposition of Islam.' (Cohen, 1990:p.72, Khadduri, 1955:pp. 359-360) The reference here to the Koran which is the essence of Islamic practice clearly defines white from black,

friend from foe with respect to peace treaties or negotiations. First, there is no reference in the Quran to Jews and Christians as 'infidels' rather they are called 'Ahl al-Kittab' (people of the book). Second, the psychological split between the 'us' and 'them', the 'ally' versus the 'enemy' is eminent and underlies the psyche of numerous academicians and researchers, concerning Islam. Thus the basic understanding of the 'other's' culture is not initiated and consequently the necessary quality of respect between the two parties negotiating is far beyond reach.

Perceiving the other party (in this case Moslems) as a threat or an antagonist is not only particular to Cohen, another example will be mentioned briefly in order to move on to the main concern of this paper: Islam and the value and practice of peace. An article written in the Washington Post by an American University professor of political science, says: 'Islamic fundamentalism is an aggressive revolutionary movement as militant and violent as the Bolshevik, Fascist and Nazi movements of the past. How is it possible (to) reconcile democracy, which sprang from Protestant post-Counter-Reformation Europe, with the government of the Sharia, which is centralistic and intolerant of political opposition?' (Washington Post, Jan. 19, 1992:p.C7) Again the dialectic opposition of the thesis versus the anti-thesis is juxtaposed in the perception of Islam as a religion that: a) imposes a threat like that of the Fascist and Nazi movements, b) it enforces Sharia (Islamic Jurisprudence) which is 180 degrees opposite to democratic practice - therefore, Islam is described as an intolerant religion,

the religion of the 'other'. The schizoid differentiation between 'us' or Protestants versus 'them' the Moslems is a solid example of why Moslem cultures still remain foreign to the Western world. This schism stifles the possibilities of any peace initiatives, negotiations or even the basic exchange of empathy, understanding and respect. Thus the hinderance of the negotiation process is strongly related to the perception and the projection of images onto the other party. The stalemate of the Middle East peace talks has several causal variables but one of the main causes is this process of perception and projection.

Peace and Negotiations in Islam:

By close examination of religious sources, we find:

Firstly, according to Fiqh (Islamic Jurisprudence) there are three types of relationships between nations:

1) Dar al-Islam (Home of Moslems) where most of the population is Moslem, ruled by the Sharia and the rights of non-Moslems (Jews and Christians) 'Ahl al-Dhimma' are preserved and protected given that they pay a 'jizyah' which is a tax that is used for the maintenance of the military (because the dhimmies could not be asked to protect a doctrine that they do not believe in).

2) Dar al-Harb (Home of War) which means going into war with the other party only in three cases: a) Self-Defense against aggression (Udwan), b) Redress if an inflicted injustice (Dhulm) or c) Suppressing rebellion or sedition which aims at undermining the unity of the Ummah. (The Moslem World, Vol.30, No.4, 1940: p.335)

Al-Ghunaimi, clarifies this further when he writes of five

stages of Moslem international law:

- 1 a period of trust, forgiveness and withdrawal;
- 2 a second period summoning them to Islam;
- 3) a third period of fighting in self-defense;
- 4) a fourth period of aggressive fighting at certain times;
- 5 a fifth period of aggressive fighting in general or absolute terms. Al-Ghunaimi, 1969:p.74

Thus it is reflected in the doctrine and practice that war is the very last resort between two nations and even when war is ongoing, military confrontation is the only form of aggression that is permitted. i.e. civilians or any unarmed human beings could not be attacked. Another historical phenomenon was that even during wars, Moslems forbade severing communication, trade and academic ties with the opposing party. Therefore, it maintained that human relations should continue despite of the military confrontation.

The Moslem revivalists' and Western media's usage of the concept of 'Jihad' is a blurred if not deceptive one: Jihad is used in the context of actual warfare in the Quran it is used to denote a war of defense - defense of man's freedom of religion, of his country, and of the liberty of his own community or society. (International Islamic Conference, 1968:p.17)

The projection of hostility and enmity onto the word Jihad departs from the spirit of the religion and its teachings. The perception of the enemy as a threat in the West or the East have juxtaposed their views on an Islamic concept that could be broadly

interpreted. The concept of peace (Salam) in Islam is stressed as an important value, e.g. the prophet once was quoted, warning his fellow Moslems: 'Do not desire to meet the enemy in battle, and ask God to preserve the peace.' Thus, the prophet 'discouraged hopes for war, and besought God to perpetuate the blessings of peace.' (Azzam, 1965:p.170) In the Quran we find the following verse: 'But if the enemy inclines towards peace, do thou (also) incline towards peace, and trust in God: for He is the One That Heareth and Knoweth (All things)' (Sura VIII -61)

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✓ The third type of relationship between nations or communities is Dar al-Ahd (Home of treaty/pact) or Dar al-Sulh (peace treaty). (treaty) is considered by most Moslem jurisprudent as a 'contract that entails that the enemy (Ahl al-Harb) cease to fight for the time being with or without compensation (usually material compensation)' (Nihayat al-Muhtaj:p.100) The responsibility of the Moslems towards the other negotiating and peace making party is a strict and binding one. The explicit rules for preserving peace treaties are ample in the Quran:e.g. 1) '(Treaties are) not dissolved with the polytheists with whom ye have entered into alliance and who have not subsequently failed you in aught, nor aided any one against you, so fulfil your engagements with them to the end of their term, for God Loveth the righteous.' (Sura IX:4) 2) 'How can there be a league before God and His Apostle with the polytheists, except those with whom ye made a treaty near the Sacred Mosque? As long as they stand true to you, stand ye true to them: For God doth love the righteous.' (Sura IX -7)

According to Islamic jurisprudence a treaty could be nullified if and only if: 1 One of the parties to the treaty directly clearly states its nullification. 2 The expiration of the period specified in the treaty. 3 That the 'other' party opposing the Moslems breeches the peace treaty with the knowledge of their leader. i.e. if the leader of the opposing party does not know that a group of his followers breached the treaty - the treaty still holds between the Moslems and the opposing party. (Abu Atlah, 1983:p.168)

Therefore, the general rules and mores of the relationship between the two negotiating parties are: 1 Respecting the territories of neighboring countries and the person(s seeking asylum from the warring party 2) Providing equal protection for Moslems and the people seeking asylum so that the punishment of killing a Moslem is the same for killing a dhimmi' 3 If the parties to the treaty respect and are bound by the rules of the treaty - Moslems could not ally with their brother Moslems who live in the country party to the treaty. i.e. if a Moslem minority lives in the country that entered into a treaty with the Moslems, the Moslems could not aid or help their brother Moslems because of the binding nature of the Ahd or treaty in Islam: ..As to those who believed, but came into exile, ye owe no duty of protection to them until they come into exile But if they seek your aid in religion, it is your duty to help them, except against a people with whom ye have a treaty of mutual alliance. And remember God Seeth all ye do. Sura VIII -72)

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Thus peace as a value is held with high respect and Dar al-Ahd is necessary if it is in the interest of Moslems. Treaties according to the Quran, the basic religious source for Sharia (Islamic Jurisprudence) aside from the Prophet's sayings (hadiths and practice, are binding unless the other party violates them. Even if the treaty is nullified by the Moslem party, it has to be stated clearly to the other party before going to war, otherwise it is a betrayal of one's word which is negatively viewed by Islam.

The aforementioned citations mostly were from the Quran and are related to what Islam encourages in terms of peace treaties and the rules and regulations thereof. Although the main source of Islamic jurisprudence is the Quran, the Prophet's sayings and practice are as important since they clarify and exemplify the meaning in the Quran. In conjunction with Dar al-Ahd, the Sira (the Prophet's doings will clarify how negotiations were practiced in Islam. Mecca was the prophet's home, however, because of the oppression and religious persecution he and his followers faced, they migrated to Medina where he made peace with the Jewish tribes and set the rules for the new community that was being conceived. But Mecca remained of interest to the prophet and his followers since it is where Moslems perform the pilgrimage. In 630 A.D. the prophet sent his son-in-law (Uthman ibn Affan) to negotiate peace with the Qurayshis. The Qurayshis accepted the peace offer and sent one of their tribesmen (Suhayl ibn Amr) to negotiate with the prophet. This peace treaty is referred to as Sulh al-Hudaybiya (the amendment of relations treaty in Hudaybiya). (Khadduri, 1955:p.211

The text reads as follows: 'In the Name, of Allah. This is what Muhammad ibn AbdAllah has agreed upon peacefully with Suhayl ibn Amr; They agreed peacefully to postpone war for a period of ten years. People shall be secured and guaranteed from attack by each other. If anyone wants to join Muhammad without the authorization of his wali (protector) he should be sent back. If anyone of Muhammad's followers wishes to join Quraysh he will not be refused. Unbecoming (uncivilized) acts between each of us are prohibited; there shall not be between us defection, nor treason. Those people) who want to join Muhammad's alliance and his pact may do so, those who want to join Quraysh's alliance and its pact may do so.' (Khadduri,1955:p.212)

The Hodaybiya treaty was the first treaty (thus setting a precedent) where Moslem authorities (the prophet Mohammed) came to terms with polytheists. (Khadduri,1955:p.212) In the text however, there are two important changes that indicate the very first instances of diplomacy and negotiation in Islam. The first change was when the prophet proposed to write: 'in the name of Allah, the Compassionate, the Merciful.' Suhayl objected to the statement on the ground that he did not believe or recognize how the prophet described God, so the prophet changed the wording to just Allah which is the Arabic word for God or deity to accommodate Suhayl.

second change was in the opening statement where the prophet proposed to begin by saying: 'This is what Mohammed, the Apostle of Allah has agreed upon peacefully... , but again Suhayl objected.

Suhayl said that if he believed that Mohammed was the Apostle of God he would not have fought him. Therefore, the prophet changed the treaty to read: 'This is what Mohammed ibn AbdAllah instead of 'This is what Mohammed, the Apostle of Allah (Khadduri, 1955: pp. 211-212)

Although Sulh al-Hudaybiya is only one many treaties, it brings into focus the essence of understanding and negotiating. The prophet allowed Suhayl to change two fundamental symbols of Islamic faith namely: 1) that God is Merciful and Compassionate and 2) that Mohammed was the Apostle of God. The prophet held the communal interest as a priority (the pilgrimage and making peace with Quraysh) and since Suhayl's suggested changes were only in the wording, where it did not subjugate the Moslems to any harm, the prophet was willing to negotiate with the enemy and to respect the differences of opinion that their representative, Suhayl, had.

Conclusion:

Upon comparing Islamic activism in North Africa, Jordan, Pakistan ...etc to the rules and mores extracted from the religious texts, we note that there is a discrepancy on how jihad, is perceived. At the same time, this discrepancy between what the religious text holds and some of the Moslem activists' action is amplified by the Western media. The media, being part of the democratic process utilizes its power in forming and shaping ideas and opinions and including those images in their reports. As Edward Said writes: 'The fact is that in many -too many- Islamic societies

repression, the abrogation of personal freedoms, unrepresentative and often minority regimes, are either falsely legitimated or casuistically explained with reference to Islam, which is doctrinally as blameless in this regard as any other of the great universal religions. The abuses of Islam also happen to correspond in many instances with the inordinate power and authority of the central state.' (Said, 1981:p.xvi)

The abuse of Islam, therefore is twofold: First, the west's perception of it as the 'other' or the 'antagonist' predated the social and economic problems that are faced by most Moslem countries today. The bias and subjectivity of the image drawn by the Western media, therefore does not as a surprise. Second, the reaction of Moslems to the West's imagery and to their own domestic economic, social and political difficulties becomes a self fulfilling prophecy. Thus, labelling and stereotyping is partially responsible for the reactions of Moslem peoples who are in turn affected by the projected image of what the Islamic doctrines holds in terms of mores and rules.

When Saddam Hussein during the Gulf War, called on Moslem people to rise to Jihad, he struck the right cord, because of the people's grievances against their government and the supporters of their government. It is extremely logical to externalize the fear and anxiety experienced in those societies onto the outside world. Thus, the political utilization of Jihad, among other Arabic words to describe Moslems and their faith is dramatically different from what the religion prescribes to its followers.

More specifically, the role of academia in understanding and explaining Moslem societies is crucial to the objective analysis of such societies. When Cohen or Khadduri, among many others, write that Islam and its basic text: the Quran, offers 'no majestic vision of peace among nations.' (Cohen, 1990:p.72, Khadduri, 1955:pp.359-360), their role as academicians/researchers is undermined, because of their inability to examine and verify their statements. They instantaneously loose their academic garbs and regalia and become part of the phenomenon of externalizing fear and anxiety caused by the other the 'foreign - and projecting images and stereotypes that are not akin to academic learning or teaching. The inability to deal with Moslems as human beings who act and react according to their needs in daily life, whether this is related to their economic, political or social grievances is part of the externalization process mentioned earlier.

Unfortunately, the problem for academicians does not end with this process of externalization and perception, it snowballs into a larger problem: the obstruction of peace and negotiations. If the academic milieu is not constructively involved in explaining differences between cultures, the hope for negotiating is nil. If we relate Islamic doctrines to the inability to pursue peace, the task of negotiating becomes a nuisance. If Islam is against peace and negotiations, the prospects of thinking of peaceful resolution with the other' the Moslems is very narrow. The academic community, therefore, bears the burden for aiding successful negotiations with their knowledge and well informed analysis.

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