

THE LEGALITY OF DIPLOMATIC REPRESENTATION IN ISLAM

مشروعية التمثيل الدبلوماسية في الإسلام

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مؤرخة. أستاذة قسم علوم القرآن والتفسير كلية العلوم الإسلامية الجامعة الإسلامية العالمية للدراسات الشرعية والإنسانية

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Abstract

History spans more than three thousand years. Humanity has known several applications of diplomacy, whether as a relationship regulating the means of international communication or as rules to be resorted to during conflicts and wars, until today it has reached the heights of progress and development and gained international consensus and became a binding custom everywhere and at all levels. As for Islam, diplomacy appears to be a crucifixion daughter of it, both in letter and in spirit. There is hardly an unanimous diplomatic rule that deviates from the provisions of Islamic law. While diplomacy took hundreds of years to appear as it is today, of transcendence and pomp; It was born in Islam with complete pillars as it was enacted and applied by the Prophet, peace and blessings be upon him, and his companions and caliphs, and the Muslims gained as a result the respect and appreciation of enemies before friends. Just as women had a role and sold in this general behavioral approach in the experiences of all nations and peoples; The Muslim lady also had her role and sold it from Mrs. Khadija, may God be pleased with her, to every responsible woman in the diplomatic corps in any contemporary Islamic government. The research aimed to demonstrate every issue dealt with by all available references, whether Islamic or historical. Therefore, this research, in the name of (the legitimacy of diplomatic representation in Islam), was keen to fill a vacancy in the field of diplomatic studies related to Sharia; He believed that a lot of effort should be made to make diplomacy a considered tributary of stability and prosperity in Islamic societies. Which aims to show the greatness and uniqueness of Islam by emphasizing its difference in principles and values from religions, intellectual, doctrinal and philosophical laws and human struggle throughout the long history of mankind. International. Since the phenomenon of these factors is wide and far apart, it was necessary to adopt a clear scientific methodology that relies on mixing between applied and analytical viewpoints in the application of this phenomenon.

Keywords: legitimacy, representation, diplomacy, Islam.

ملخص الدراسة:

إن التاريخ يمتد لأكثر من ثلاثة آلاف عام عرفت الإنسانية تطبيقات عدة للدبلوماسية سواء كعلاقة ناظمة لسبل التخاطب الدولي أو كقواعد ليجأ إليها خلال الصراعات والحروب إلى أن وصل اليوم إلى سدة الرقي والتطور وحاز إجماعاً دولياً وصار عرفاً ملزماً في كل مكان وعلى كل الأصعدة. أما في الإسلام فتبدو الدبلوماسية ابنة صليبية له نصاً وروحاً. ولا تكاد قاعدة دبلوماسية أجمع عليها تخرج عن أحكام الشريعة الإسلامية. وفيما احتاجت الدبلوماسية لمئات السنين لتبدو على ماهي عليه اليوم من التسامي والأبهة؛ فإنها ولدت في الإسلام مكتملة الأركان حيث سنّها وطبقها النبي صلى الله عليه وسلم وأصحابه وخلفاؤه، وجنى المسلمون جراً واحترام وتقدير الأعداء قبل الأصدقاء. وكما كان للمرأة دور وابع في هذا المنهج السلوكي العام في تجارب كل الأمم والشعوب؛ كان للسيدة المسلمة أيضاً دورها وابعها من لدن السيدة خديجة رضي الله عنها، إلى كل سيدة مسؤولة في السلك الدبلوماسي في أي حكومة إسلامية معاصرة. وقد عمد البحث إلى التدليل على كل قضية تناولها بكل مراجع متاحة، سواء الإسلامية أو التاريخية. لذا حرص هذا البحث باسم (مشروعية التمثيل الدبلوماسية في الإسلام) على شغل شاغر في مجال الدراسات الدبلوماسية المتصلة بالشريعة؛ رأى ثمة الكثير من الجهد ينبغي أن يُبذل لتكون الدبلوماسية رافداً معتبراً من روافد الاستقرار والازدهار في المجتمعات الإسلامية. ومحاولة حل مشكلة عدم الاعتراف بالمشترك الإنساني للشعوب والأمم. والتي تهدف إلى إظهار عظمة الإسلام وتفرد من خلال التأكيد على اختلافه في المبادئ والقيم عن الأدب والنواميس الفكرية والعقدية والفلسفية والكفاح الإنساني عبر تاريخ البشرية الطويل. وهي في غاية الأهمية لأجل صياغة شرائع ومحددات للسلوك البشري والإنساني. ولتصبح الدبلوماسية الإسلامية أكثر تطبيقاً وأوسع انتشاراً على صعيد العلاقات الدولية. ولما كانت ظاهرة هذه العوامل واسعة متباعدة الأطراف، كان لابد من القيام على منهجية علمية واضحة تعتمد المزج بين وجهات النظر التطبيقية والتحليلية في تطبيق هذه الظاهرة.

الكلمات المفتاحية: مشروعية، التمثيل، الدبلوماسية، الإسلام.

upon him, also received the ambassadors of kings and tribes who came to him, and honored them and provided them with protection. He received the Ambassador of Al-Najashi and the Ambassador of Al-Muqawqis, and the delegation was intimate and friendly with them. Kharkhasrah and his papacy also received the ambassadors of Khosrau coming from his governor in Yemen, King Baadhan, despite the fact that the message that They brought it and it was stipulating that they would bring the Messenger of God to Khosrau to kill him!

Nevertheless, the Messenger of God, may God's prayers and peace be upon him, received the two ambassadors, and was polite in conveying to them the message and the invitation, and listened to their message and did not oppress them despite the meanness of the message they carried, in recognition of the principle of the messengers' immunity. Then he gave Kharkhasrah an area containing gold and silver that had been given to him by some of the kings, so they left him until they came to Adhan.

Perhaps one of the clearest proofs of the ambassadors' immunity is his reception of the two messengers of Musaylimah the Liar, Ibn al-Nawaha and Thumama bin Athal, when he listened to them and debated with them on the It was sad that the message of Musaylimah that they were carrying was very provocative and oppressive, as Musaylimah claimed prophethood, and prevailed over Najd and its surroundings, and split the stick of obedience, and it was the most dangerous apostasy in Islam.

Although the two messengers explicitly announced that, but the Messenger of God, may God's prayers and peace be upon him, did not authorize anyone to harm them, and stressed that the ambassador is a transmitter of the message, and he must enjoy security and protection in order to perform his mission as one of his rights.

Third: Inference from the general legal rules:

We can also infer from the general legal rules, that sending messengers is permissible with approval, even if it is mentioned contrary to analogy, as some jurists saw that it contradicts the explicit text that the polytheists must be expelled from the Arabian Peninsula. The prohibition is carried on the infidels warriors and not on the general pagans.

The sent interest can also be inferred; The presence of ambassadors and embassies is one of the people's greatest needs and one of the most important necessities to secure a decent living for people in travel documents, in communication with the home country, and in spreading the invitation and message through the embassy and other legitimate and noble purposes, and matters with their purposes, and diplomatic work is not what the text is directly stated. Neither prohibited nor positive, so it is one of the sent interests that the guardian must achieve for the benefit of the nation, and this makes the matter of sending ambassadors does not stop being permissible, but rather goes beyond it to the desirable and perhaps the duty to which the interests of the nation are attached.

It can also be inferred from the stability of custom in relations between states, and what is known as Arafah is a condition of police, and in the establishment of these embassies great benefits for the nation, and in closing these embassies many harms and disruption of the interests of the people and the benefits of the people and the loss of this great loophole in the frontiers of the nation.

It is also indicated by the generality of the Almighty's saying: {O you who believe, fulfill the contracts}, as these international relations have become a binding custom for all the peoples of the earth, and Muslims are a nation among them. It does not contradict the explicit Qur'an and Sunnah. It is also indicated by the generality in the saying of the Most High: {And whoever fulfills what God has promised, He will give him a great reward.} Undoubtedly, these guides directly address temporary embassies that end with the end of the mission assigned to the envoys, and this is the reality of all other embassies that were known during the era of prophecy, whether from the ambassadors of Islam to other kings or from the ambassadors of kings to the House of Islam.

Diplomacy in the Book and the Sunnah:

And in a literary addition to what we decided in this study of the role of successful diplomacy in serving the homeland and the citizen, and serving the nation's issues, in this chapter we roam the rehab of the Noble Qur'an and the honorable Sunnah, please seek the guidance and light that the noble texts carry, enriching diplomatic values and enhancing its positive message and constructive role.

It is necessary to point out at the beginning of this topic that what we are seeking here is not necessarily a rooted jurisprudential ruling and evidenced, nor is it a definitive position in the interpretation, but rather it is signs and good tidings, rites and warnings, which are facts that we are familiar with and do not refer to, and they carry deep connotations, and illuminate the diplomat Train him and his knowledge through the facts of the Noble Qur'an and the purified Sunnah.

Embassies in the Holy Quran:

The Holy Qur'an mentions the prophets of God as ambassadors between the servants and God, and it was their embassy that constituted the greatest part of their message and their great constructive positions. The Prophet, may God's prayers and peace be upon him, presented himself as a messenger between the servants and God Almighty, and the Qur'an

stipulated that his embassy in many places where he, the Blessed and Exalted, said: {It is nothing but a revelation revealed (4) He taught it with mighty power}.

وقال جل شأنه: {قُلْ إِنَّمَا أَنَا بَشَرٌ مِّثْلُكُمْ يُوحَىٰ إِلَيَّ}، وقال أيضاً: {قَالَ الَّذِينَ لَا يَرْجُونَ لِقَاءَنَا أَنتَ بَقْرَانٌ غَيْرٌ هَذَا أَوْ بَدَّلَهُ قُلْ مَا يَكُونُ لِي أَنْ أُنزِلَ مِنْ تَلْقَاءِ نَفْسِي وَإِنِّي لَأَمْسِكُ عَلَيْكُمُ الْعَذَابَ إِن كُنْتُمْ لَا تُؤْمِنُونَ}، and from the beginning of the message, he declared himself an ambassador between God and people, and said: “A pioneer does not lie to his family.”

Ibn Taymiyyah said in his book Warding off Contradictions of Reason and Transcendence: “They recognized Him in His Oneness and acknowledged Him with the knowledge of His Lordship, but they denied the knowledge of the Oneness with which you worship them on the tongues of ambassadors, and it is the Almighty’s saying in the decisive revelation in Surat Al-Isra, verse 15: {And we were not tormented until We were sent. }

Thus, it was famous among the predecessors to describe the prophets as ambassadors between God and His servants. Although the rapprochement is far between the embassy of the prophets between God and His servants and the embassy of man to man, but it can be said that very important references were contained in the etiquette of these embassies, and we refer here to a group of these wise signs.

It must be remembered that what we mention here is purely domestication, and it is not in accordance with the rules of inference and deduction in the Shari’a, but we take it as a guide and guide to what God has deposited in his dear book of the wonders of knowledge: {And we did not send any messenger but with their tongue. }

In this verse, there is an indication that the ambassador should be familiar with the language of the people to whom he was sent, and this directive reinforces the need for special training courses for ambassadors and members of the diplomatic corps in the language of the country in which they are assigned to the embassy, and this requires the selection apparatus in the diplomatic institution to be aware of this aspect, and that It prepares scholarship students culturally and linguistically to ensure their best performance. {And we did not send any messenger except to be obeyed by God's permission. } And in the verse it is a warning that the ambassador will not be able to convey his message unless he has credibility, acceptance of people’s obedience and respect for the embassy he performs among them. God has supported his prophets with miracles that ensure people respect their messages. right to be crowned e without certified documents and valid credentials in order to achieve its impact on people and to be able to perform its mission. {And there is not a single nation in it but a warner. } In the noble verse, there is a statement that embassies should inform all nations, and not be limited to countries with immediate and urgent interests, for the embassy is the establishment of permanent international relations, and the world is moving towards more communication and integration, and the successful state reaches its culture and message to the ends of the earth. Of course, it is not required to build embassies in every country, as this is not needed. A single ambassador may fulfill the needs of multiple neighboring countries, and it is known in the diplomatic tradition. However, what is required is to draw up an appropriate accommodating policy so that the interests of the country are satisfied in every corner of the world. {And indeed, We have sent messengers before you, and We have appointed for them wives and offspring. }

The ambassador should be close to the hearts, and one of his conditions is that he be successful in building a healthy family, and that he strives to have a wife and offspring, because alienation is a feeling of infatuation, and the absence of the family must reflect a weakness in the ambassador’s performance, and the conclusion that is required of the ambassador is to be normal in his relations and his social life.

ولتعزيز هذا المعنى جاءت الآية في سورة الفرقان: {وَمَا أَرْسَلْنَا قَبْلَكَ مِنَ الْمُرْسَلِينَ إِلَّا إِنَّهُمْ لِيَأْكُلُونَ الطَّعَامَ وَيَمْشُونَ فِي الْأَسْوَاقِ وَجَعَلْنَا بَعْضَكُمْ لِبَعْضٍ فِتْنَةً أَتَصْبِرُونَ وَكَانَ رَبُّكَ بَصِيرًا}، {قُلْ لَوْ كَانَ فِي الْأَرْضِ مَلَائِكَةٌ يَمْشُونَ مُطْمَئِنِّينَ لَنَرْنَا عَلَيْهِمْ مِنَ السَّمَاءِ مَلَكَاتًا رَسُولًا}.

There are many verses in the Noble Qur’an emphasizing the humanity of the Messenger, may God’s prayers and peace be upon him: {Say, I am only a human being like you. And that he is a human being like humans, and if he were a king, assigning people to follow him would be an extremely remote matter. In the verse, there is an emphasis on the previous meaning, which is that the ambassador should be close to the people, and that his relations with all parties concerned with his message should be strengthened, within the framework of the sending and receiving governments, and within the framework of the two peoples, and not to fake what distinguishes him from the people, because if he stays away from them, he will lose his influence on them, and may offend to his embassy.

And the Almighty said: {And We did not send you as an agent. } This verse and its theories, which are many in the Holy Qur’an, affirm that the authority of the Messenger does not exceed the message, and that the account is on God Almighty, and that one of the conditions of a successful embassy is to go to what it was held for, which is the clear message. And such a great verse is the saying of the Most High: {So remind, you are but reminded (21) You are not overpowered by anything else. }

He is used to infer from that to infer that the correct embassy does not need a sultan of arms, soldiers and guards, but rather it is a mission of communication, and its instrument is proof and statement, and the ambassador is not an agent over the people in the sense of the executive authority. Many of them: {If they are exposed, then what we have sent you to
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them, if you have to do so, but the abolition Statement, and the communication shown is the communication supporting argument and proof.

The verse inspires political and social leaders to advance the preparation of the nation's ambassadors so that their communication is clear, and this requires special conditions in the diplomatic corps of rhetorical skill, demonstrative knowledge, logical arguments, and broad culture.

It should be noted in this observation and its predecessor that they were Qur'anic commandments to the Messenger as he was informed by God - the Almighty - but after the state was established and he had authority over it, and he commanded people to resort to him, these great verses became a matter of restricting the absolute and allocating the general, and it became his responsibility, may God's prayers and peace be upon him. He, peace and blessings of God be upon him, ruled, judged, and separated people, which is a matter that pertains to the ruler and not to the ambassador. {We sent to them two, but they belied them, so We strengthened with a third}, and in the verse there is a statement that the body that sends ambassadors is charged with estimating the needs of the countries and societies to which the messengers are sent, and that it is characterized by flexibility, in appropriate times and in reality; Delaying is not beneficial, nor does it benefit being early. Rather, something must be done at its time and time. {We have sent our messengers with the evidence, and we have sent them with the book and the balance so that the people do the righteousness. Directing him to what he needs to follow in every matter, and presenting him with previous experiences so that he can benefit from them and adhere to their path.

And with the difference in representation and analogy, but the emphasis in the Holy Qur'an on the evidence draws a guiding teacher for the necessity of writing down these origins and evidence, and their adherence to them accurately because the diplomat is trusted and the person is forgiven in his homeland what is not forgiven in his embassy. {Confirming what is before him}.

The embassy of the Prophet, may God's prayers and peace be upon him, came confirming what was in his hands of the Torah and the Gospel, which are the books that were followed before the resurrection.

This Holy Qur'anic text has been repeated fourteen times, and it bears a very important sign that the messengers all come from one sender, and that what is required is the continuation of what the predecessors accomplished and building on it, not destroying and reversing it. before him, but he said, confirming what was in front of him And in another expression, the Prophet, may God's prayers and peace be upon him, explained his message by saying: "I was sent to perfect morals." This reference is inspiring and guiding that the ambassador should be surrounded by the positive customs and traditions agreed upon by his predecessors, and that what is stable in diplomatic custom is the result of many experiences that must be respected, and that what is established from customs has the force of law unless the law stipulates otherwise, and that the affair of a successful embassy To respect, enrich, enrich and benefit from the experiences of the ancients.

I have mentioned these examples for pure intimation and guidance, and not for a ruling in the passages of rulings, and there are many other examples, and it must be emphasized once again that the analogy here is not required because it is an analogy with the difference, and God has the ideal, and that there are verses for the first of understanding.

The Embassy of Moses and the Messenger, may God bless him and grant him peace:

Apart from the embassies of the prophets between the servants and between God, and their symbolic significance and God the ideal, the Holy Qur'an mentioned a number of successful human embassies that must be mentioned, perhaps the most prominent of which is Moses' embassy for his people to Pharaoh.

The Holy Qur'an mentioned the name of the Messenger of God, Moses, may God's prayers and peace be upon him, and his embassy for the Children of Israel facing Pharaoh in more than 129 places. In the noble verses there are very important references to the manners of ambassadors, and commandments that we consider very necessary for workers in the diplomatic corps, from which we choose:

{Speak to him softly, perhaps he will remember or be afraid.} This noble text carried an important indication of the necessity of adopting diplomatic tact in the speech, and although Pharaoh was reflecting the ultimate arrogance, arrogance and historical tyranny, the speech commanded Musa as the wise ambassador to the Children of Israel. The literature of speech is considered the most important characteristic of a successful ambassador, and the choice of words and phrases is one of the elements of a successful embassy. In the news, a man came to al-Ma'moun and admonished him and harshly told him, and al-Ma'moun said to him: "Be easy on you, for God has sent someone who is better than you to someone who is evil." So he said to him: {Speak to him softly, perhaps he will remember or be afraid.} He said what Sufyan bin Uyaynah said:

My son, righteousness is an easy thing...a loose face and a soft tongue.

{And make for me a minister from among my family (29) Aaron my brother}, and in the verse a statement that diplomatic dialogue and negotiation is a collective action, which must enjoy a team spirit. It gives the clearest picture of what the relations of ambassadors and envoys should be in terms of teamwork. Although Moses was a generous prophet of the resolute messengers, but he did not want to carry out the task alone, but rather realized the importance of teamwork in a

team spirit. The Almighty said: {And my brother Aaron is more eloquent. I have a tongue, so send it with me to repel me, for I am afraid that they will tell lies.}

And in the verse a statement that diplomatic negotiating work requires special skills, although Moses is the messenger in charge of the communication and he is the Speaker of God and the author of the Torah, but the noble verses came clear in the search for the most efficient in the separation of speech, and this confirms that the cognitive, linguistic and rhetorical qualification is necessary for workers in the corps The diplomat, and the days may push a leader to lead, but he constantly needs to choose the appropriate competencies in their places, and the most important of these competencies is the diplomatic negotiating team and the interlocutor, who should have eloquence, strength of statement and good appearance, which is what Moses found in the person of Aaron, peace be upon them.

{And they have sinned against me, so I fear that they will kill.} And in the verse, Moses apologized to God Almighty for the embassy to Pharaoh for a clear procedural reason, which is that there were judicial rulings issued against Moses before in the kingdom of the Pharaoh, which is the body to which he was sent, and although it is an unjustified judgment, but it will limit his ability to influence Pharaoh and his people, and will turn without the message reaching its intended destination.

And Moses had unintentionally killed the Egyptian, who was seeking help with him, and he raised his hands to God Almighty for forgiveness and said: “My Lord, I killed one of them, and I fear that they will kill me.” Against Moses years before that on the accusation of killing the Egyptian, and for that reason, Moses resorted to Madyan, where he worked for ten years as a trustee for the works of Shuaib, the righteous man in them, and he sought God’s protection from Pharaoh and his servants. Therefore, when God commanded him to be an ambassador to Pharaoh, he clearly said: {Lord, I killed one of them. breath, and I am afraid that they will kill them.} This requires that there is a criminal record in the Egyptian judiciary, and this is not something that a successful embassy can do. Of course, we are not discussing here the justice of the Egyptian judiciary in the days of Pharaoh, but we are discussing the need for the ambassador to have a proper criminal record, especially in the country to which he is sent. {And that is a blessing that you wished upon me, because you worshiped the Children of Israel.}

When Moses met Pharaoh, Pharaoh said to him arrogantly: “Did we not raise you in us as a child, and you stayed in us for years?” Pharaoh intended by that to indicate his virtue over him; Where he was plucked from the sea, and the wife of Pharaoh took him as a comfort to her eye, and Pharaoh used to feed and take care of him when he was young and that he grew up in Pharaoh’s stone, and he was trying to show his bounty on him, but Moses objected to that and said in disapproval: {And that is a blessing that he bestowed upon me, because he denied it.} Including his position in mentioning his feeding of Moses and his forgetfulness of his humiliation to the Children of Israel, the killing of their children, the shyness of their women, and other injustices that the children of Israel experienced from Pharaoh.

In this reference, the verse gives us the opportunity to contemplate the meaning of the equal relationship between the Messenger and the addressee, although Moses was just a citizen in the kingdom of Pharaoh, but his diplomatic mission and his embassy for the benefit of his people obliged him to address Pharaoh with an equal speech, on the principle of reciprocity, and therefore he did not accept from Pharaoh To bestow upon him the upbringing, feeding and feeding of a young child, Such issues may be forgiven in personal and commercial relations, but they cannot be forgiven in diplomatic relations, for the strength of the ambassador is the strength of the one who represents him, and the ambassador represents the country that sent him and he does not accept a letter of sympathy, pleading or fawning, but rather he must be equal in dialogue and strength in the proof.

They are some guiding signs, and the Qur’an contains many of them, but we have mentioned here what is sufficient for the place, and the purpose is to realize what wise effect these directives had on the embassy of Moses to Pharaoh, and to compare the positive results that appeared in the context of the directives of the Holy Qur’an to those who were sent in an embassy to be fulfilled. It is in the interests of the nation. The experiences of prophetic diplomacy can be divided into two types: diplomacy of peace and diplomacy of war.

The Messenger’s ambassadors in peace:

Although the era of prophecy was a period of struggle and hardship, the nature of the confrontation with the pre-Islamic era overtook it, and more than fifty-nine confrontations with the pre-Islamic factions were imposed on the Muslim community, a number of which occurred in a military clash. These are important aspects. We point out that the rest of what we quote in this aspect from the news of the Prophet, may God bless him and grant him peace, is quoted from the biography of Ibn Hisham, as well as from Ibn Kathir in his book The Biography of the Prophet, and its details can be sought from the site of the event in the honorable biography. Of course, following up on the life of the Holy Prophet in diplomatic affairs and contemplating the nature of the embassies dispatched by the Holy Prophet will reveal the secrets of the successes that have been achieved for these unique embassies. His mission in the first place is the message and prophecy, which is a divine embassy on earth in which the Holy Prophet transmits the messages of heaven to earth, and provides through the honorable Sunnah of the Prophet additional and adequate explanations for this great divine discourse. And the divine embassy on earth is the end of the age of the supernatural and the beginning of the age of the Sunnahs, the end of the age of the unseen and the beginning of the age of witnesses, the end of the age of miracles and the beginning

of the age of man, and his mission was primarily according to Malik bin Nabi to bring humanity out of the mist of the supernatural to the light of the Sunnahs.

Here is a list of the most important ambassadors in the era of prophecy:

| No. | Prophet's name | Who it was sent to | Results |
|-----|----------------------------------|--------------------------------------|--|
| 1 | Shuja' bin Wahb al-Asadi | Shammar bin al-Hares al-Ghassani | the guard killed the ambassador |
| 2 | Hatib bin Abi Balata al-Muqawqis | King of Egypt, the embassy succeeded | gifts and letters were exchanged |
| 3 | Amr ibn al-Aas Jaffer | Abbad al-Asadiyin in Amman | The embassy succeeded and a promise was obtained to allow the believers to emigrate |
| 4 | Dihia Al-Kalbi | Heraclius, King of the Romans, | , the embassy succeeded and the message was delivered, but Heraclius hesitated and then disagreed with his ruling team |
| 5 | Amr ibn Umayyah al-Damari | the Negus, King of Abyssinia | The embassy was a great success and the Negus became the biggest ally of Islam |

Ruling on permanent diplomatic representation in Islam

As for the permanent embassy in the currently known sense; It is an updated matter as we have indicated, and it began with the establishment of the modern state in the seventeenth century AD, but we can say that the Prophet, may God's prayers and peace be upon him, sent some resident ambassadors, and we can refer here in particular to three of his honorable ambassadors:

- Jaafar bin Abi Talib: who was sent in a unique and important embassy to the Negus, the king of Abyssinia, and he was ordered to reside there, and despite the entry of the city into Islam and the migration of the Prophet, may God bless him and grant him peace, he was ordered to reside in Abyssinia until the seventh year, when he completed four in his embassy. Ten continuous years have yielded the best results for both countries.
- Musab bin Omair, who was sent in a permanent embassy to Yathrib, and settled there for about two years until the Messenger of God, may God bless him and grant him peace, arrived on the day of migration.

Abu Ubaidah bin Al-Jarrah, who was sent by the Messenger of God, may God bless him and grant him peace, to Najran. These three are considered resident ambassadors because they have been assigned continuous official missions in non-Muslim countries.

There are many companions who were assigned permanent missions in the countries that chose Islam, as was the case with Yemen, Bahrain, Canada and other Arab tribes. The jurists in the ruling on the permanent embassy, note that they intended by their discussion the period of stay of the non-Muslim ambassador in the land of Islam, and not the period of residence of the Muslim ambassador in the land of non-Muslims, they did not mention a limit for the most that a Muslim stays as an ambassador in the home of non-Muslims, and they assigned this to the interest of the nation and the validity of the authorization from a guardian. The matter is straight, but they went to limit the residence of the non-Muslim ambassador in Muslim countries to three schools of thought regarding the permanent embassy:

First: It is not permissible for a long embassy to exceed four months, which is the opinion of the Shafi'is.

Second: The embassy extends for a year, and it is not permissible to exceed that, and this is the opinion of the Hanafi school.

Third: There is no limit to the duration of the embassy, and it extends as long as it fulfills the interests and needs of the nation. This is the opinion of the Hanbalis and the Malikis agreed with them.

The Shafi'is based their opinion on limiting the duration of the permanent embassy to four months by measuring the security of the truce, and the duration of the truce with the infidels does not exceed four months. Because of the Almighty's saying: {So roam the earth for four months, and know that you will not be able to miraculously God, and that God will disgrace them.}

And it seems from the Shafi'i choice that they sought the embassy from the countries at war with Islam, as it appears from the words of their jurists, so they restricted the ruler by giving a guarantee or covenant to the like of the warring country for four months, as according to Shafi'is and Zaydis, and a year as according to the Hanafis.

There is no doubt that Muslim countries have the right to guard their security in times of war. In fact, many countries resort to closing embassies between warring countries and expelling ambassadors because of the dangerous symbolism of their presence, and the possibility that members of this diplomatic mission may carry out actions that affect the security and safety of the homeland.

As for the countries that do not have war between them and Islam, and they are what we call the covenant states, these dangers are not realized in them, and the state has the right to assess the nation's interest in the duration of these ambassadors' stay. non-Muslim countries.

As for the Hanafis, they based their opinion on determining the maximum year of the embassy as a reasonable one. They said: The general principle of safety is that the military cannot reside among Muslims except through enslavement or tribute, and for necessity enables easy residence, because of the consequent commercial and other dealings, and it is possible to separate between Permanent and non-permanent residence for an amount of one year, because it is a period during which the tribute is due.

It is clear from the contemplation of the tap option that they intended in this contract of safety what were for special purposes such as trade, agriculture or residence, as for the residence for the diplomatic purpose and following up on relations between the two countries, it is an updated issue, and it requires independent diligence.

As for the Hanbalis and Malikis, They went to the fact that the authority of the imam (the state) to grant the trustees security has no limit in the law, which is what the trusted imam delegated to the interests of the subjects, and they said: it is permissible for every ambassador to reside in the Islamic state until his work tasks are completed without paying the tax.

The Hanbalis objected to the Shafi'i evidence specifically, citing the verse of repentance: They will travel the earth for four months, by saying: The verse was mentioned in the truce, and their measurement of safety over the truce is an analogy with the difference, because the security contract is based on questioning and forgiveness, and therefore it expands in granting it to non-Muslims so that it is imagined Acceptance of individuals, and this is in contrast to the armistice.

Thus, it is possible to subtract from the choice of the honorable jurists that the three statements are governed by its circumstances, and the state chooses from these statements according to the status of the ambassador and who represents him. According to the selection of the tap, while the questionable countries in which our relations are witnessing stability and growth, there is nothing wrong with the state granting the ambassadors of this state a long term in the interest of the two countries, and this is in accordance with what the Hanbalis and Malikis have striven for.

The origin of diplomatic representation is the customs followed by countries and peoples so that these customs are in line with the nation's policy and directions, and this custom has existed since an ancient time, so the old diplomatic representation was not permanent, but rather was temporary because of the familiarity of its people on that, but now the international norms exist The diplomatic representation shall remain permanent, and not temporary for one year.

In addition to establishing diplomatic representation on the Customs followed by countries, it is also based on complementary principles and rules, such as the principle of reciprocity, and this principle obligates all countries to treat their diplomatic missions reciprocally, and accordingly the Islamic State should treat diplomatic representatives of other countries as those countries treat the envoys of the Islamic State. Those countries allow the representatives of the Islamic state to reside permanently in order to perform their tasks, so it is not reasonable for the ambassadors of other countries to treat them in a way that may harm them and their countries, such as not allowing them to reside over a year without taking the tribute from them.

It must be pointed out here that these noble jurisprudential choices were issued by the honorable imams and the jurists among their followers before the establishment of the modern state in the sense that we know today. And war, and I never doubt that if they witnessed the era of the modern state and the international agreements that regulate the establishment of states and the building of their relations, they would certainly have an integrated jurisprudence in the principles of diplomatic work based on the great values of Islam in acquaintance, human cooperation, and building a single human family.

We have referred to a number of ambassadors who played major positive roles in building balanced international relations with the Islamic nation. Amer bin Sharaheel al-Shaabi is the ambassador of Abd al-Malik bin Marwan to Emperor Justinian II of Rome, and Yahya al-Ghazal is one of the most prominent Umayyad ambassadors in Andalusia. Abu Bakr is also classified Muhammad Al-Baqlani and Nasr bin Al-Azhar were among the best who were assigned to the embassy in the Abbasid era.

Results

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

- Writing in Islamic diplomacy is not a recent thing; Rather, a large number of jurists, scholars, researchers and authors in different eras preceded this.
- Islam endorsed the principle of friendly relations between states, as well as mutual recognition of sovereignty between them. The study provided evidence for that from the Qur'an, Sunnah, the work of the nation and its history.
- Emphasizing that the origin of the relationship of the Islamic nation with other nations is peace and not war, and discussing opinions that went to the contrary.
- Devising the conditions for appointing ambassadors according to the guidance of the Qur'an and Sunnah, and trying to establish legal rules for choosing ambassadors, guided by the biography of the Prophet, may God bless him and grant him peace.

- Discussing the issue of women's participation in diplomatic life, lifting the restrictions that prevent it, emphasizing that Muslim women participated in public work, and that their participation in diplomatic work is possible, within the etiquette and values of Islam, and presenting examples of active women's participation in public work in the era of the Companions .
- The principle of reciprocity is sanctioned by Islamic Sharia and today is governed by diplomatic norms, and the nation is commanded to abide by it in its diplomatic relations, and it is not permissible to abandon it except in the context of the real interest of the nation.
- Attempting to elicit some leadership lessons presented by the honorable prophets in the Noble Qur'an as ambassadors from God to His servants.
- Studying another example of the diplomatic discourse presented by the Messenger of God, may God bless him and grant him peace, through his dealings with the Manathira delegation from Bani Shaiban.
- The relationship of the Islamic nation with other nations must be based on the values of balance, moderation, similarity and equality, and not on manifestations of transcendence and breach of respect, nor on dependency or dependence

Margins:

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- Surah An-Nahl. Verse: 71.

- Surat Al Nisaa. Verse: 32.

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

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Surah Fatir. Verse: 24.

Surah Thunder. Verse: 3.

Surah Al-Furqan. Verse: 20.

Al-Isra. Verse: 95.

Surah Ibrahim verse 11, Surat Al-Kahf. Verse: 110, Surah Fussilat. Verse: 6.

Al-Isra. Verse: 54.

Surah Al-Ghasheya. Verse: 22.

Surah Al-Shura. Verse: 48.

Surat Al-Nur. Verse 54.

Surah Yasin. Verse: 14.

Surah Al-Hadid. Verse: 25.

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