

Journal for Strategic Studies and International Relations

ISSIR



Issue 1
6/2011

- The Islamic Umma – their duties
- Contemporary History of some Countries in the Middle East
- Revolution and Freedom in the Arab World - and then?
- Analysis of improvement possibilities in the Middle East region
- Foundations of Western World – Social and Political Aspects
- Western World – Islamic World Relationship
- Basic principles in the relationship between the Muslim World and other people and cultures

social
assignment
freedom Allah important
religion science Islam law
system justice God
Muslims
countries
Revolution in
Arabia Umma economy
Theory of State
political people
different society
world scholars
Modern Islamic State



Institute for Strategic Studies and International Relations (ISSIR)

مركز الدراسات الاستراتيجية و العلاقات دولية

Karlsruhe/Germany – Ras Nhache/Lebanon

www.aecenar.com/institutes/issir

Postal Address

ISSIR Karlsruhe

Haid-und-Neu-Str.7, 76131 Karlsruhe,
Germany

Tel. 0049 (0)721 9658 567

Email: info@aecenar.com

ISSIR Ras Nhache

راسنحاش – الطريق العام – قضاء البترون ، لبنان

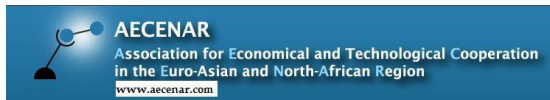
الشمال – لبنان

Tel./Fax. 00961 (0)6 921318

Email: info@aecenar.com

Issue 1 (English Edition) June 2011

ISSIR is a Member Institute of



This Edition was in Cooperation with



Editorial Board

Editor:

Samir Mourad, AECENAR and DIDI

Authors:

Samir Mourad, AECENAR and DIDI

Dr. iur. Jasmin Pacic, DIDI

Translators:

Silvia Latifa Tertag, DIDI

Moryam Heike Islam, DIDI

Cover Design:

Grit Amaly Hoffmann, DIDI

Content

1	The Islamic Umma – their duties	5
1.1	Building an Islamic society	5
1.1.1	Propagation of the message	6
1.1.2	Defence of Islam.....	6
1.1.3	Propagation of justice and fight against suppression.....	8
1.1.4	Strategical action of the Muslim leaders and scholars	9
1.2	Today’s major tasks of the Umma – Dawa in the west, building in the east.....	9
1.2.1	The pillars of the strength with the Umma.....	10
1.2.2	The affair of the nationalism	10
2	Contemporary History of some Countries in the Middle East and what we are learning from it.....	11
2.1	Newer History of Syria after separation from Ottoman Empire	11
2.2	Newer History of Jordan after separation from Ottoman empire	12
2.3	French Mandate of Syria and Lebanon	16
2.3.1	The Arab Kingdom of Syria	17
2.3.2	The Mandate.....	19
2.3.3	Post World War II status and the founding of the UN.....	21
2.3.4	States created during the French Mandate	22
3	Revolution and Freedom in the Arab World – and then? Concepts for the new Middle East in various areas.....	26
3.1	Independence	26
3.1.1	Connection between the implementing of the law of Allah, the Islamic movement and the construction of an economic-technological infrastructure	26
3.1.2	Motivation: the need of the provision of concepts and the practical preparation in all areas.....	26
3.2	Economy	27
3.2.1	General aims of the Islamic commercial law and labour legislation.....	27
3.2.2	Principles of Islamic commercial law – Islam wants a free social market economy without interests (<i>riba</i>)	29
3.3	Technological Growth.....	31
3.3.1	Fundamentals of Technology Policy.....	32
3.3.2	Improvement of effectiveness.....	33
3.4	Introduction to the Islamic theory of state	34
4	Analysis of improvement possibilities in the Middle East region.....	40
4.1	Introduction to Systems Analysis in Political Science	40
4.2	Task	40
4.3	RAND Qatar based analysis of the actual situation in Lebanon, Syria and Jordan concerning social situation of the society, the school system, universities, producing industry and research	41
4.4	The importance of stability	43
4.4.1	Analysis of inner stability in Jordan, Syria, Lebanon	43
5	Foundations of Western World – Social and Political Aspects	45
5.1	Power and influence structures in the western system	45
5.2	The materialist ideology is the essential component of the western society	45
5.3	The different kinds of the leadership	45

5.4	Difference in the collection of human rights for own, western society and for other societies	46
6	Western World – Islamic World Relationship	47
6.1	Identification of research institutions /Think tanks in Germany, USA, Great Britain, France and Middle East, which handle the topic „Relationship Western World – islamic world “	47
6.2	Identification of actors	47
6.3	Some Behaviour Patterns in Actual International Policy	47
6.3.1	Steps to Occupation	47
6.3.2	Establishment of Relationship between the West and other non-Western conform systems	48
7	Basic Islamic principles in the relationship between the Muslim World and other people and cultures as in our days for example the Western world	49
7.1	Basics of the general relationship between Muslims and others	49
7.1.1	Coexistence with that which is best and acquaintance	49
7.1.2	The invitation to Allah	50
7.1.3	The confrontation and the war is the exception	51
7.2	Is it required that the countries of the Middle East ask Western Countries for political and military aid for their internal problems?	51
7.2.1	Revelation occasion for 5:51-56	51
7.2.2	Teaching contents	52

1 The Islamic Umma – their duties

Samir Mourad¹

Abstract

Overview about the assignments of the Muslim Umma, the keeper and bearer of the message of God: Building of an Islamic Society – preservation and defence of Islam, Muslim and all oppressed people in the world – propagation of the message – propagation of justice and fight against suppression

Allah the Almighty intervenes in two different manners in this world: On the one hand, directly - e.g., by earthquake, storms etc. - and on the other hand indirectly - by the Muslim community. That is the fact that Allah realizes his plan partly by the Muslim community. An analysis of the history, we can roughly divide the duties of the Muslim Umma in the following categories:

- Development of civilization and in particular building an Islamic society, i.e. a society that is governed by the law of God.
- Spreading the message of Islam
- Defense of Islam and the state of Islam from attack
-

These phases can run partly time wise and locally in parallel.

In addition, the Umma has the assignment to spread justice in the world and to proceed against suppression.

1.1 Building an Islamic society

Building an Islamic society means:

Building a society in which God's law is implemented. In such a company can live of course also the non-Muslims who do not implement the law of God for themselves in the private and religious area. Such a peaceful coexistence between people who implement the law of God in all areas and those who do not privately, but stick to agreements is covered by a contract in an Islamic state. Also, a federal entity is possible to implement with the Muslims under the Shari'a and the group of non-muslims has its own laws, the coexistence is regulated by contract. Such a federal structure was the first Islamic state in Medina to the Prophet Muhammad (peace be upon him).

Establishment of a society which is a moral high culture which prevails in freedom, justice and compassion between people.

With it such a society is viable and independent, in such a company necessarily research and science are promoted considering by humanitarianism and environmental friendliness.

In the history such a building took place at the lifetime of many prophets and especially at the time of the prophet Muhammad (peace be upon him). When after the prophet Muhammad (peace be upon him) the Umma has deviated again from the full conversion of Islam, such a building happened in the form of reforms – as for example at the moment from

¹ From Samir Mourad, "Islamische Geschichte – Eine analytische Einführung" (Islamic History – an analytical introduction), Kap. 6.1,

Translated from German to English by Silvia Latifa Tertag

Umar ibn Abdulaziz (r). which should lead the company again back to the originally full conversion of Islam.

Nowadays, i.e. since the decay of the caliphate approx. in 1923 A.D. happens a new rebuild which is forced by Islamic movements and scholars.

1.1.1 Propagation of the message

The propagation of the message of Islam means that the people will align the message of the Koran and the Sunna. If, e.g., despots position themselves between the Muslims and the people, so that the Muslims cannot align the message, such obstacles must be removed by the Muslims. This often happened in the history when the Muslims led a jihad to produce religious freedom and to give the possibility to the people, to hear the word of Islam. Whether the people decide for or against the acceptance of Islam, after they have heard it, is only their case and the Muslims do not interfere with this decision-making.

1.1.2 Defence of Islam

1.1.2.1 *Preservation of the message of Islam at theological level: from divergence and innovation (arab. bid'a)*

The message of the prophet Muhammad (peace be upon him) is the last message of God. Because up to the Day of Judgement no new divine law will come, it is absolutely necessary that the message with which Muhammad (peace be upon him) was sent remains preserved in the original form, so that the people have at disposal the guidance of God in genuine form up to the Day of Judgement. Though God has promised, e.g. to preserve the Koran: **“We have, without doubt, sent down the Message; and We will assuredly guard it (from corruption).”** [15:9]

However, he uses the Muslim Umma for this assignment. Thus these were, e.g., many scholars who provided for the fact that the Koran genuinely today is available in the original form in writing to the people. ²

It was also a large number of scholars who secure the traditions of the Prophet (peace be upon him) of uncertain traditions or invented - to the Prophet (s.a.s) were placed in the mouth - parted, and so ensured the preservation of the Sunna. ³

Similarly, a number of scholars employed at any time to provide answers to current challenges facing the people insecure in their religion.

Examples for this are the challenge of the Greek philosophy when it was transferred about 2 centuries after the prophet (peace be upon him) into the Arabian and many Muslim scholars were influenced in their 'Aqida of it, to scholars like Abu Hamid Al-Ghazali (Allah may be merciful with him) came and clearly indicated that the human mind is limited and cannot speculate about transcendent contents and therefore philosophy which is based purely on the human mind, no way is to find the truth. ⁴ The scholars must often endure big difficulties

² See e.g. Ahmad von Denffer, “Ulum al-Qur'an – Einführung in die Koranwissenschaften”, publisher: DIdI

³ See e.g. Ferid Heider, “Einführung in die Hadithwissenschaften”, publishing company: DIdI, in 2007, download-cash from www.didi-info.de

⁴ See Al Ghazali, “Der Erretter aus dem Irrtum” (translated from the Arabian)

and sometimes torture – as for example Ahmad ibn Hanbal (Allah may be contented with him) - to preserve the message of Islam from divergence. In some cases the scholars and those who invite to God are also killed. However, the message of Islam is thereby preserved even more, because people then take the relevant scholars, Allah has given the martyrdom (arab. schahada) because of his steadfastness even more as an example.

More recently, the statement was circulated among the people, that Islam and progress cannot tolerate each other. The result was that many people in the Muslim countries turned away from Islam and followed a materialist life-style, in the private one as well as in the state area. Many scholars reacted to it and indicated that Islam not contradicts with modern science, but this is even a proof of his truth. ⁵

1.1.2.2 Defence of the country of Islam against a material enemy

The real assignment of the Umma is to carry the invitation for Islam in the world. Besides, as mentioned, a jihad was led often first to the production of the freedom of worship – this is a jihad with which the Muslims take the initiative. It is called in the Arabian with *Dschihad at-talab*. Nevertheless, often the Umma is under attack from the outside and must lead a defensive jihad (arab. *dschihad difa'i*).⁶ This war is forced upon the Muslims and is not intended by them. It deflects them rather from her real assignment – the Dawa.

The reasons for it, why the Muslim people accept a lot of hardness in the jihad in the defence of the Muslim country

From the basics of Muslim jurisprudence (arab. *Usul al-Fiqh*) or from the branch of science that deals with the objectives of Sharia (arab. *Maqasid asch-Scharia*), it is known that Islamic law, sharia come to:

1. preserve and protect the religion (arab. *Din*),
2. preserve the mind of the person (therefore, for example, wine and drugs are forbidden in Islam),
3. protect the incorrigible honesty of life,
4. guarantee the preservation of the honour and the descent (that's why among other things sexual offence is forbidden) and
5. to guarantee the inviolability of property.

This is also in that order of importance to see. Thus, the preservation of religion is the most important thing, because it has the actual impact on the eternal life hereafter, and the basis of the design of the Muslims in general.

If this is respected to understand why the Muslims also take an ongoing war of several generations into account, where a large part of the people, including women and children are killed, abused and mistreated. Besides, the rape of the Muslim women ordinarily weighs heavier for a Moslem than the murder of his child or that he himself is killed. This

⁵ See the e.g. German-speaking DVD “Koran and science” from Abdulmajid Azzindani, publishing company: DIdI

⁶ See in detail [Maulawi] moreover and [Mourad1], Kap.2 „Verteidigung im Islam“

everything is accepted by the Muslims and they do not surrender – also not against a superpower, as for example the Tschetschenian which defend their country against the Russian state since centuries and neither women nor children are saved by the Russian soldiers. For what is the alternative? The alternative would be that a power hostilely reflected to Islam controls the country, there is no more freedom of worship and the Muslim people are forced on Briefly or Long to the Kufr (i.e. unbelief) how it was the case in Spain, in East Europe and the Muslim areas in the south of the former Soviet Union. In the former Soviet republics it was not so bad from certain circumstances completely, so that many Muslims could preserve their religion in spite of 70 years of repression. But even with apparently not repressively appearing neocolonialism to pursuing powers like nowadays the USA one sees, e.g., in the fact that the curricula should be changed in the Arabian countries under pressure of the USA that the Muslims must seriously fear around the exercise of their religion and with it around their welfare in the afterlife, if they leave the jihad and control a foreign non-Muslim power the country.

Thus we see that the leadership of a jihad to defend the Muslim country in the first place is not the defense of earthly interests, but the defense of religious freedom.

1.1.3 Propagation of justice and fight against suppression

The Muslim as an individual and the Muslim world community as a whole are a well-being for humans - but this is independent of the beliefs of others.

The Messenger of Allah said:

وخير الناس أنفعهم للناس

"... *The best man is the one that is most useful for mankind.*"⁷

One of the reasons for the military defense case in Islam is the presentation of suppression: The Muslim Ummah has a duty to defend oppressed, weak man - whatever their religion is. Maulawi says: „The Moslem has to fight not only the duty to defend himself and his country, but he is also obliged in the defence of every other person - all the same what person is this - to fight:

Allah has said: **“How is it that you do not fight in the way of Allah and in support of the helpless - men, women and children -who pray: 'Our Lord, bring us out of this land whose people are oppressors and appoint for us from Yourself, a protector, and appoint for us from Yourself a helper'?" [4:75]....**⁸

There are e.g. documents which prove that a reason for the invasion of the Muslims in Andalusia was that the Jews there have called for help because they were suppressed.⁹

⁷ This reported Tabarani in the "Mu'dscham al- ausat". Albani says that this is a healthier (sahih) Hadith. The cited one on top is only one share of the Hadithes. The whole Hadith is: «المؤمن يألف ويؤلف ، ولا يؤلف ، وخير الناس أنفعهم للناس»

خير فيمن لا يألف ، ولا يؤلف ، وخير الناس أنفعهم للناس «

⁸ From [Maulawi]

⁹ Personal discussion with the Muslim historian Prof. Dr. Yassin Ghadban. I have not seen myself these documents.

One of the reasons for the invasion of the prophet's companions to the Byzantine areas in Asch- Sham was also the suppression:

Sir Thomas Arnold cited in his book "The Preaching of Islam", the words of the Jacobite Patriarch of Antioch¹⁰, the Great Michael, after he recounted the persecution that had committed the Byzantine Emperor Heraclius: "... God is the avenging, and we ascribe to Him alone the power and the rule; He leads the state of the people in such a way as He wants it, and He gives the power to whom He wants and He raises the low. When God saw how the bad Byzantines made use of their power, and robbed our churches in their whole empire, seized of our hermitages, and pursued us mercilessly and without compassion, He sent the sons Ismaels from the south to release us by them from the power of the Byzantines... ".¹¹

Allah has said: **"You are now the best people brought forth for (the guidance and reform of) mankind.⁸⁸ You enjoin what is right and forbid what is wrong and believe in Allah."** [3:110]

The second caliph Umar (r). has said to this statement of Allah: "The fact that the Muslims are the best community in the world, is attached to these conditions which are mentioned in the Koran verse."

I.e. they are only the best community if they also order really the property and forbid the bad.

1.1.4 Strategical action of the Muslim leaders and scholars

The scholars and the Muslim leaders have proceeded strategically to master the in each case current major tasks of the Umma in the history. E.g. the Muslim Umma was very divided at the time of the Crusades. And so the fall of Jerusalem was only a natural consequence. In order to liberate Palestine and Jerusalem, Imaduddin Zengi had to work first once – among other things militarily - on uniting the Muslim areas in Asch-Scham (today's Syria, Lebanon, Jordan, Palestine) and Iraq politically. After he (Allah may be mercifully to him) was killed, his son, the fair ruler Nureddin Mahmud (Allah may be mercifully to him) led this assignment, before then his successor Salahuddin (Allah may be mercifully to him) combined Asch-Scham and Egypt and took Jerusalem without bloodshed, after the determining battle had taken place with Hittin. Nureddin Mahmud had also worked strongly on a social improvement and the justice in the Muslim area. At the same time, there was an Islamic movement that Imam al-Ghazali (may Allah be pleased with him) had set up, and gave birth to the politicians and military leaders such as Nureddin and Salahuddin. It is to be observed that always where the Umma made headway it was in such a way that the Muslim leaders proceeded strategically. This allowed them a great historic task that had to be dealt with by several generations, cope by a generation since up where the previous left off.

1.2 Today's major tasks of the Umma – Dawa in the west, building in the east

Nowadays there also are among other things 2 big major tasks for the Muslim Umma:

¹⁰ arab. Antakya; lies in today's Turkey

¹¹ Thomas Arnold: The Preaching of Islam, from: [Mourad1]

1. Spreading the message of Islam with the beautiful word using various media, because in modern times by various media most of the people are reachable and there are not many insurmountable limits as in the past, than it was for example the Muslim territory in Europe (Spain and later the Balkans) and the non-Muslim part of Europe where most people had no opportunity to learn something about Islam and where there was no religious freedom.
2. The Muslims in the Muslim world have as an assignment to establish again a fair Islamic rule on Muslim ground whose laws are aimed according to Koran and Sunna. Of course, the rights of other faiths are respected. More specifically been addressed in the previous chapter.

1.2.1 The pillars of the strength with the Umma

Basis of the strength:

What are the three pillars of the strength of the Muslims? Guide them in the correct Order on.

1. Iman
2. Brotherliness / Unit
3. Number and matielle means

Is the unit or the number of the Muslims more determining?

The unit is more determining.

The prophet (s.a.s.) has said: „12000 men with the heart of one single man will have not hit on account of that because they are not enough (or because them not enough material strength).“

1.2.2 The affair of the nationalism

To be able to master this 2nd major task, the nationalism must be removed, e.g., also, with it the Muslims to themselves again to some. The prophet (s.a.s.) has said about the nationalism: *“Leave it. It is stinking”*.¹²

¹² This is reported by Buchari (4905): قال عمرو: سمعت جابر بن عبد الله رضي الله عنهما قال: كنا في غزاة - قال سفيان مرة: في جيش - فكسع رجل من المهاجرين رجلا من الأنصار، فقال الأنصاري: يا للأنصار، وقال المهاجري: يا للمهاجرين، فسمع ذلك رسول الله صلى الله عليه وسلم فقال: (ما بال دعوى جاهلية). قالوا: يا رسول الله، كسع رجل من المهاجرين رجلا من الأنصار، فقال: (دعوها فإنها منتنة).

2 Contemporary History of some Countries in the Middle East and what we are learning from it

Samir Mourad, Silvia Latifa Tertag

Abstract

Short Overview to the history of the end of Ottoman empire, the French/British occupation and the uprising of the Arab National States Syria, Lebanon, Jordan and Palestine.

2.1 Newer History of Syria after separation from Ottoman Empire¹³

In 1920, an independent Arab Kingdom of Syria was established under Faisal I of the Hashemite family, who later became the King of Iraq. However, his rule over Syria ended after only a few months, following the clash between his Syrian Arab forces and regular French forces at the Battle of Maysalun. French troops occupied Syria later that year after the San Remo conference proposed that the League of Nations put Syria under a French mandate.¹⁴

In 1925 Sultan Pasha al-Atrash led a revolt which broke out in the Druze Mountain and spread to engulf the whole of Syria and parts of Lebanon. This is considered one of the most important revolutions against the French mandate, as it encompassed the whole of Syria and witnessed fierce battles between rebel and French forces.[2] On August 23, 1925, Sultan Pasha al-Atrash officially declared revolution against France, and soon fighting erupted in Damascus, Homs and Hama. Al-Atrash won several battles against the French at the beginning of revolution, notably the Battle of Al-Kabir on July 21, 1925, the Battle of Al-Mazra'a on August 2, 1925, and the battles of Salkhad, Almsifarah and Suwayda.

After rebel victories against the French, France sent thousands of troops to Syria and Lebanon from Morocco and Senegal, equipped with modern weapons; the rebels were lightly armed. This dramatically altered the results and allowed the French to regain many cities, although resistance lasted until the spring of 1927. The French sentenced Sultan al-Atrash to death, but he had escaped with the rebels to Transjordan and was eventually pardoned. He returned to Syria in 1937 after the signing of the Syrian French Treaty. He was met with a huge public reception.

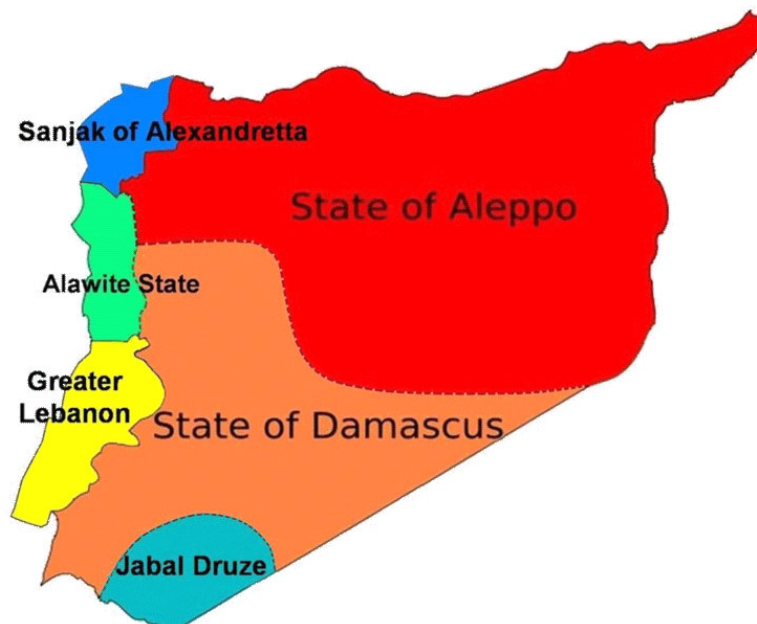
Syria and France negotiated a treaty of independence in September 1936, and Hashim al-Atassi, who was Prime Minister under King Faisal's brief reign, was the first president to be elected under a new constitution, effectively the first incarnation of the modern republic of Syria. However, the treaty never came into force because the French Legislature refused to ratify it. With the fall of France in 1940 during World War II, Syria came under the control of the Vichy Government until the British and Free French occupied the country in July 1941. Syria proclaimed its independence again in 1941, but it was not until 1 January 1944 that it was organized as an independent republic. Continuing pressure from Syrian nationalist groups

¹³ From <http://en.wikipedia.org/wiki/Syria>

¹⁴ From http://www.everything2.com/index.pl?node_id=1433425

Reference research and formatting by Silvia Latifa Tertag

and British pressure forced the French to evacuate their troops in April 1946, leaving the country in the hands of a republican government that had been formed during the mandate.



The States of the French Mandate.

2.2 Newer History of Jordan after separation from Ottoman empire¹⁵

Adyghe (Circassian) horsemanship in Transjordan, April 1921

With the break-up of the Ottoman Empire at the end of World War I, the League of Nations and the occupying powers chose to redraw the borders of the Eastern Mediterranean. The ensuing decisions, most notably the Sykes–Picot Agreement, gave birth to the French Mandate of Syria and British Mandate of Palestine. In September 1922, Transjordan was formally created from within the latter, after the League of Nations approved the British Transjordan memorandum which stated that the Mandate territories east of the River Jordan would be excluded from all the provisions dealing with Jewish settlement.¹⁶

The country was under British supervision until after World War II. In 1946, the British requested that the United Nations approve an end to British Mandate rule in Transjordan. Following the British request, the Transjordanian Parliament proclaimed King Abdullah as the first ruler of the Hashemite Kingdom of Transjordan. Abdullah I continued to rule until a Palestinian Arab assassinated him in 1951 as he was departing from the al-Aqsa Mosque in Jerusalem.

During the 1948 Arab-Israeli war, Jordan occupied the area of Cisjordan (Judaea/Samaria) now known as West Bank, which it continued to control in accordance with the 1949 Armistice Agreements and a political union formed in December 1948. The Second Arab-

¹⁵ From http://en.wikipedia.org/wiki/Jordan#After_the_Ottoman_Empire

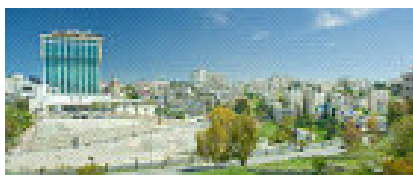
¹⁶ From <http://digicoll.library.wisc.edu/cgi-bin/FRUS/FRUS-idx?type=turn&entity=FRUS.FRUS1948v05p2.p1137&id=FRUS.FRUS1948v05p28> and <http://hansard.millbanksystems.com/commons/1950/apr/27/jordan-and-israel-government-decision>

Palestinian Conference held in Jericho on December 1, 1948, proclaimed Abdullah King of Palestine and called for a union of Arab Palestine with the Hashemite Kingdom of Transjordan.¹⁷ The Transjordanian Government agreed to the unification on December 7, 1948, and on December 13 the Transjordanian parliament approved the creation of the Hashemite Kingdom of Jordan. The step of unification was ratified by a joint Jordanian National Assembly on April 24, 1950. The Assembly was composed of 20 representatives each from the East and West Bank. The Act of Union contained a protective clause which severed Arab rights in Palestine without prejudice to any final settlement.¹⁸

Many legal scholars say the declaration of the Arab League and the Act of Union implied that Jordan's claim of sovereignty over the West Bank was provisional, because it had always been subject to the emergence of the Palestinian state.¹⁹ A political union was legally established by the series of proclamations, decrees, and parliamentary acts in December 1948. Abdullah thereupon took the title King of Jordan, and he officially changed the country's name to the Hashemite Kingdom of Jordan in April 1949. The 1950 Act of Union confirmed and ratified King Abdullah's actions. Following the annexation of the West Bank, only the UK formally recognized the union.²⁰ Thomas Kuttner notes that de facto recognition was granted to the regime, most clearly evidenced by the maintaining of consulates in East Jerusalem by several countries, including the United States.²¹ Joseph Weiler agreed, and said that other states had engaged in activities, statements, and resolutions that would be inconsistent with non-recognition.²² Joseph Massad said that the members of the Arab League granted de facto recognition and that the United States had formally recognized the annexation, except for Jerusalem.²³



Jordanian parachute flares illuminate Jerusalem during the Arab-Israeli war in 1948



¹⁷ *ibid*

¹⁸ From Siverburg, Sanford R. (2002). *Palestine and International law*, Mc Farland

¹⁹ From Gerson, Allan (1978). *Israel, the West Bank and International law*, Roadlege

²⁰ From Kuttner, Thomas S. (1989). *Israel Yearbook on Human Rights*, Vol 7, Kluwer Law International

²¹ From Weiler, Joseph (1985). *See Israel and the creation of a Palestinian state: a European perspective*, Croom Helm, Ltd.

²² From Massad, Joseph A. (2001). *Colonial Effects: The making of national identity in Jordan*, New York: Columbia University Press

²³ From *Foreign relations of the United States (1949)*. *The Near East, South Asia and Africa Vol VI*

Amman became Jordan's capital in 1921

The United States extended de jure recognition to the Government of Transjordan and the Government of Israel on the same day, January 31, 1949.²⁴ President Truman told King Abdullah that the policy of the United States Government as regards a final territorial settlement in Palestine had been stated in the General Assembly on Nov 30, 1948 by the American representative. The US supported Israeli claims to the boundaries set forth in the UN General Assembly resolution of November 29, 1947, but believed that if Israel sought to retain additional territory in Palestine allotted to the Arabs, it should give the Arabs territorial compensation.²⁵ Clea Bunch said that "President Truman crafted a balanced policy between Israel and its moderate Hashemite neighbours when he simultaneously extended formal recognition to the newly created state of Israel and the Kingdom of Transjordan. These two nations were inevitably linked in the President's mind as twin emergent states: one serving the needs of the refugee Jew, the other absorbing recently displaced Palestinian Arabs. In addition, Truman was aware of the private agreements that existed between Jewish Agency leaders and King Abdullah I of Jordan. Thus, it made perfect sense to Truman to favour both states with de jure recognition."²⁶

In 1978 the U.S. State Department published a memorandum of conversation held on June 5, 1950 between Mr. Stuart W. Rockwell of the Office of African and Near Eastern Affairs and Abdel Monem Rifai, a Counselor of the Jordan Legation: Mr. Rifai asked when the United States was going to recognize the union of Arab Palestine and Jordan. Mr. Rockwell explained the Department's position, stating that it was not the custom of the United States to issue formal statements of recognition every time a foreign country changed its territorial area.

The union of Arab Palestine and Jordan had been brought about as a result of the will of the people and the US accepted the fact that Jordanian sovereignty had been extended to the new area. Mr. Rifai said he had not realized this and that he was very pleased to learn that the US did in fact recognize the union.²⁷

With the developing Arab Cold War, Jordan and Iraq united in 1958 to form the Arab Federation of Iraq and Jordan under the Hashemite crowns in Amman and Baghdad. A coup later that year would end the union with the execution of the Hashemite crown in Baghdad. The United Arab States consisting of Egypt, Syria, and Yemen quickly moved to antagonize Jordan's young King Hussein with Soviet support. King Hussein asked for British and American assistance. The RAF and the USAF were sent to patrol Jordanian airspace and British troops were deployed in Amman.

In 1965, there was an exchange of land between Saudi Arabia and Jordan.²⁸ Jordan gave up a large area of inland desert in return for a small piece of sea-shore near Aqaba.

²⁴ From

http://www.jordan.gov.jo/wps/portal/tut/p/c5/04_SB8K8xLLM9MSSzPy8xBz9CP0os3gDCyNfXxd3J18LAzNjN3dPD2cDKNAPB-nAVGFqDFcBkccBHA30_Tzyc1P1C7Kz0xwdFRUBWEs8-A!!/dl3/d3/L0IDUmlTUSEhL3dHa0FKRnNBL1ICUmZ3QSEhL2Vu/

²⁵ *ibid.*

²⁶ *ibid.*

²⁷ From U.S. State Department Retrieved (2010). Intelligence and Research, International Boundary Study No. 60, December 30, 1965 Jordan-Saudi Arabia Boundary

²⁸ From CNN (2007). Jordan asked Nixon to attack Syria, declassified papers Show-CNN.com

Jordan signed a military pact with Egypt in May 1967, and following an Israeli air attack on Egypt in June 1967, Egypt, Jordan, Syria and Iraq continued the Six Day War against Israel. During the war, Israel captured the West Bank and East Jerusalem. In 1988, Jordan renounced all claims to the territory now occupied by Israel but its 1994 treaty with Israel allowed for a continuing Jordanian role in Muslim and Christian holy places in Jerusalem. The severance of administrative ties with the West Bank halted the Jordanian government's paying of civil servants and public sector employees' salaries in the West Bank.

The period following the 1967 war saw an upsurge in the activity and numbers of Arab Palestinian paramilitary elements (*fedayeen*) within the state of Jordan. These distinct, armed militias were becoming a "state within a state", threatening Jordan's rule of law. King Hussein's armed forces targeted the *fedayeen*, and open fighting erupted in June 1970. The battle in which Palestinian fighters from various Palestine Liberation Organization (PLO) groups were expelled from Jordan is commonly known as Black September.

The heaviest fighting occurred in northern Jordan and Amman. In the ensuing heavy fighting, a Syrian tank force invaded northern Jordan to back the *fedayeen* fighters, but subsequently retreated. King Hussein urgently asked the United States and Great Britain to intervene against Syria.

Consequently, Israel performed mock air strikes on the Syrian column at the Americans' request. Soon after, Syrian President Nureddin al-Atassi, ordered a hasty retreat from Jordanian soil.²⁹ By September 22, Arab foreign ministers meeting in Cairo arranged a cease-fire beginning the following day. However, sporadic violence continued until Jordanian forces, led by Habis Al-Majali, with the help of Iraqi forces,³⁰ won a decisive victory over the *fedayeen* on July 1971, expelling them, and ultimately the PLO's Yasser Arafat, from Jordan.

In 1973, allied Arab League forces attacked Israel in the Yom Kippur War, and fighting occurred along the 1967 Jordan River cease-fire line. Jordan sent a brigade to Syria to attack Israeli units on Syrian territory but did not engage Israeli forces from Jordanian territory. At the Rabat summit conference in 1974, Jordan was now in a more secure position to agree, along with the rest of the Arab League, that the PLO was the "sole legitimate representative of the [Arab] Palestinian people", thereby relinquishing to that organization its role as representative of the West Bank. The Amman Agreement of February 11, 1985, declared that the PLO and Jordan would pursue a proposed confederation between the state of Jordan and an Palestinian state.³¹ In 1988, King Hussein dissolved the Jordanian parliament and renounced Jordanian claims to the West Bank. The PLO assumed responsibility as the Provisional Government of Palestine and an independent state was declared.³² Although Jordan did not directly participate in the Gulf War of 1990–91, following Iraq's invasion of Kuwait, King Hussein was accused of supporting Saddam Hussein when he attempted to persuade Saddam Hussein to withdraw from Kuwait. As a result of the alleged support, the United States and Arab countries cut off monetary aid to Jordan, and 700,000 Jordanians who

²⁹ From http://en.wikipedia.org/wiki/Jordan#cite_note-56

³⁰ From <http://www.aljazeera.net/NR/exeres/F8CB417C-1AB0-47B7-9F7D-7EBCFB6D2FC5>

³¹ From <http://www.nybooks.com/articles/archives/1987/jun/11/an-interview-with-yasser-arafat/#fn1>

³² From <http://www.britannica.com/EBchecked/topic/306128/Jordan/>

had been working in Arab countries were forced to return to Jordan. In addition, millions of Iraqi refugees fled to Jordan placing a strain on the country's social services.

2.3 French Mandate of Syria and Lebanon

Capital	Beirut
Language(s)	Arabic, French
Political structure	League of Nations Mandate
Historical era	Interwar period
- Mandate granted	April 25, 1920
- Battle of Maysalun	July 23, 1920
- Federation established	June, 1922
- Unification of Damascus and Aleppo	December 1, 1924
- Franco-Syrian Treaty of Independence	March–September, 1936
- Independence	April 17, 1946
Currency	Syrian pound
Today part of	 Syria  Lebanon  Turkey

Officially the **French Mandate for Syria and the Lebanon**³³http://en.wikipedia.org/wiki/French_Mandate_of_Lebanon_-_cite_note-0 (also known as the **French Mandate of Syria**) was a League of Nations mandate founded after the First World War and the partitioning off the Ottoman Empire. During the two years that followed the end of the war in 1918, and in accordance with the Sykes-Picot Agreement that was signed between Britain and France during the war, the British held control of most Ottoman Mesopotamia (modern Iraq) and the southern part of the Ottoman Syria (Palestine and Jordan), while the French controlled the rest of Ottoman Syria (modern Syria, Lebanon, Alexandretta and other portions of southeastern Turkey). During the first years of the 1920s, the British and French control of these territories became formalized by the League of Nations' mandate system, and France was assigned the mandate of Syria on September 29, 1923, which included modern Lebanon and Alexandretta (Hatay) in addition to modern Syria.

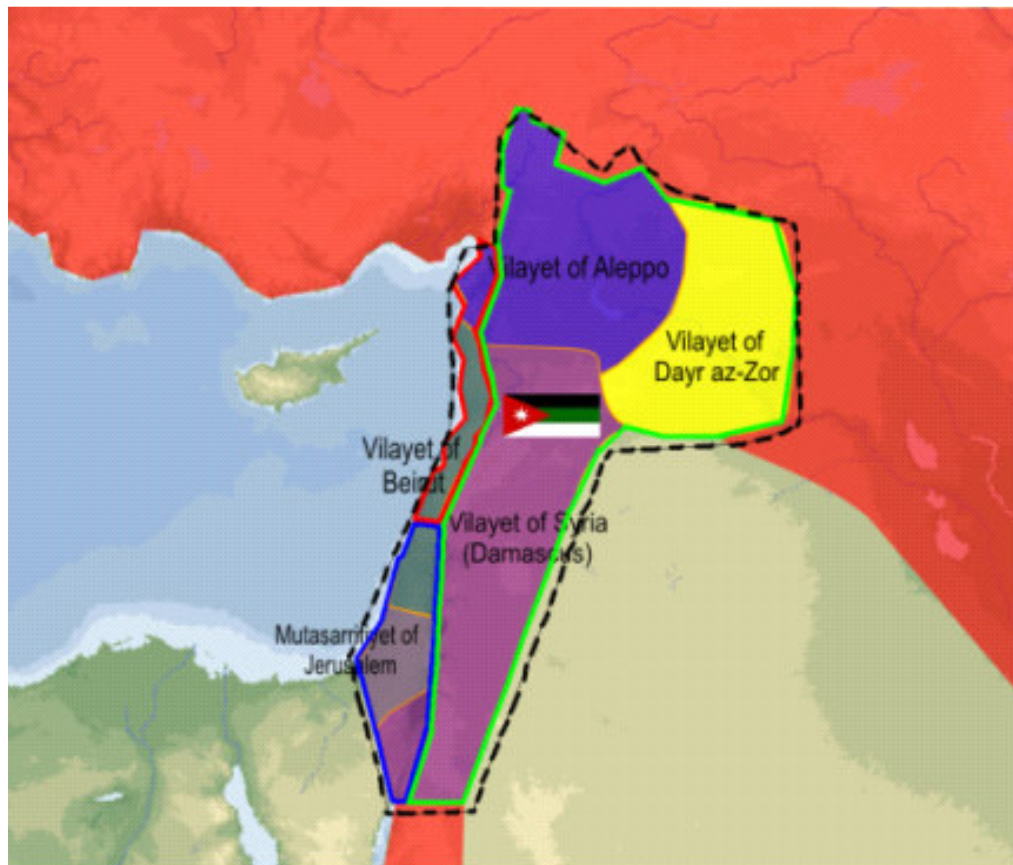
The French mandate of Syria lasted until 1943, when two independent countries emerged from the mandate period, Syria and Lebanon, in addition to Hatay which had joined Turkey in 1939. French troops left Syria and Lebanon finally in 1946.

³³ From http://en.wikipedia.org/wiki/French_Mandate_of_Lebanon#cite_note-0

2.3.1 The Arab Kingdom of Syria

With the defeat of Ottomans in Syria, British troops under Marshal Edmund Henry Allenby entered Damascus in 1918 accompanied by troops of the Arab Revolt led by Faisal, son of Sharif Hussein of Mecca.

Faisal established the first Arab government in Damascus in October 1918, and named Ali Rida Pasha ar-Rikabi a military governor.



“Kingdom of Syria” in 1918

The new Arab administration formed local governments in the major Syrian cities, and the Pan-Arab flag was raised all over Syria. The Arabs hoped, with faith in earlier British promises, that the new Arab state would include all the Arab lands stretching from Aleppo in northern Syria to Aden in southern Yemen.

However, General Allenby, and in accordance with the secret Sykes-Picot Agreement between Britain and France, assigned to the Arab administration only the interior regions of Syria (the eastern zone). Palestine (the southern zone) was reserved for the British, and on October 8, French troops disembarked in Beirut and occupied all the Lebanese coastal region until Naqoura (the western zone) replacing British troops there. The French immediately dissolved the local Arab governments in the region.

The French demanded full implementation of the Sykes-Picot Agreement and the placement of Syria under their influence. On November 26, 1919, the British withdrew from Damascus

to avoid confrontation with the French, leaving the Arab government face to face with the French. Faisal had voyaged several times in Europe, beginning in November 1918, trying to convince Paris and London to change their positions, but without success. Signifying the determination of France on its intervention in Syria was the naming of General Henri Gouraud as a high commissioner in Syria-Cilicia. At the Paris Peace Conference, Faisal found himself in an even weaker position when the European powers decided to ignore the Arab demands. In June 1919, the American King-Crane Commission arrived in Syria to inquire about the local public opinion regarding the future of the country. The commission's workspace extended from Aleppo to Beersheba. They visited 36 major cities, met with over than 2000 delegations from more than 300 villages, and received more than 3000 petitions. Their conclusions confirmed the opposition of Syrians to the mandate in their country as well as to the Balfour declaration, and their demand of a unified Greater Syria encompassing Palestine. The conclusions of the commission were rejected by France and ignored by Britain. In May 1919, elections were held for the Syrian National Congress. 80% of seats went to conservatives. However, the minority included dynamic Arab nationalist figures such as Jamil Mardam-Bey, Shukri al-Kuwatli, Ahmad al-Qadri, Ibrahim Hanano, and Riyad as-Solh. Unrest erupted in Syria when Faisal accepted a compromise with the French Prime Minister Clemenceau and with the Zionist leader Weizmann over the issue of Jewish immigration to Palestine. Anti-Hashemite manifestations broke out, and Muslim inhabitants in and around Mount Lebanon revolted with fear of being incorporated into a new, mainly Christian, state of Greater Lebanon.



Flag of the Arab Kingdom of Syria (8th March – 24th July 1920).



Faisal, king of Syria. After the fall of his kingdom in Syria, the British made Faisal king over Iraq

In March 1920, the Syrian national congress in Damascus, headed by Hashim al-Atassi, adopted a resolution rejecting the Faisal-Clemenceau accords. The congress declared the independence of Syria in her natural borders (including Palestine), and proclaimed Faisal the king of Arabs. The congress also proclaimed political and economic union with neighboring Iraq and demanded its independence as well. A new government headed by Ali Rida ar-Rikabi was formed on May 9, 1920.

On April 25, and in the course of the Treaty of Sevres, the supreme inter-allied council granted France the mandate of Syria (including Lebanon), and granted the UK the mandate of Palestine (including Jordan) and Iraq. Syrians reacted with violent demonstrations, and with the formation of a new government under Hashim al-Atassi on May 7, 1920. The new government decided to organize general conscription and began financing an army.

These decisions provoked adverse reactions by the French as well as by the Maronite patriarchate of Mount Lebanon, which denounced the decisions as a “coup d’état.” In Beirut, the Christian press expressed its hostility to the decisions of Faisal’s government. Lebanese nationalists profited of the crisis to convene a council of Christian figures in Baabda on March 22, 1920, that proclaimed the independence of Lebanon.



French drawing depicting Damascus in 1920

On July 14, 1920, General Gouraud issued an ultimatum to Faisal giving him the choice between submission or abdication. Realizing that the power balance was not in his favor, Faisal chose to cooperate. However, the young minister of war, Youssef al-Azmeh, refused to comply and, during the Franco-Syrian War faced the French at the Battle of Maysaloun.

This battle was won by the French under General Mariano Goybet in less than a day and Azmeh died on the battlefield along with most of those who were with him. General Goybet entered Damascus on July 24, 1920.

When first arriving in Lebanon, the French were received as liberators by the Christian community, but as they were entering Syria they were faced with a strong resistance. It took France three years from 1920 to 1923 to hold full control over Syria and to quell all the insurgencies that broke out, notably in the Alawite territories, Mount Druze and Aleppo.

3.4.6 The Mandate

Following the San Remo conference and the defeat of King Faisal’s short-lived monarchy in Syria at the Battle of Maysalun, the French general Henri Gouraud subdivided the mandate of Syria into six states. They were the states of Damascus (1920),

Aleppo (1920), Alawites (1920), Jabal Druze (1921), the autonomous Sanjak of Alexandretta (1921) (modern-day Hatay), and the State of Greater Lebanon (1920) which became later the modern country of Lebanon.



Flag of the Syrian Federation (1922-24) and the following State of Syria (1924-30)

In July 1922, France established a loose federation between three of the states: Damascus, Aleppo, and the Alawite under the name of the Syrian Federation (Fédération syrienne). Jabal Druze, Sanjak of Alexandretta, and Greater Lebanon were not parts of this federation, which adopted a new federal flag (green-white-green with French canton). On December 1, 1924, the Alawite state seceded from the federation when the states of Aleppo and Damascus were united into the State of Syria.

In 1925, a revolt in Jabal Druze led by Sultan Pasha el Atrash spread to other Syrian states and became a general rebellion in Syria. France tried to retaliate by having the parliament of Aleppo declare secession from the union with Damascus, but the voting was foiled by Syrian patriots.



Flag of the Syrian Republic (1932-58, 1961-63).

On May 14, 1930, the State of Syria was declared the Republic of Syria and a new constitution was drafted. Two years later, in 1932, a new flag for the republic was adopted. The flag carried three red stars that represented the three districts of the republic (Damascus, Aleppo, and Deir ez Zor).

In 1936, the Franco-Syrian Treaty of Independence was signed, a treaty that would not be ratified by the French legislature. However, the treaty allowed Jabal Druze, the Alawite (now called Latakia), and Alexandretta to be incorporated into the Syrian republic within the following two years. Greater Lebanon (now the Lebanese Republic) was the only state that did not join the Syrian Republic. Hashim al-Atassi, who was Prime Minister under King Faisal's brief reign (1918–1920), was the first president to be elected under a new constitution adopted after the independence treaty.

In September 1938, France again separated the Syrian district of Alexandretta and transformed it into the Republic of Hatay. The Republic of Hatay joined Turkey in the

following year, in June 1939. Syria did not recognize the incorporation of Hatay into Turkey and the issue is still disputed until the present time.

With the fall of France in 1940 during World War II, Syria came under the control of the Vichy Government until the British and Free French invaded and occupied the country in July 1941. Syria proclaimed its independence again in 1941 but it wasn't until January 1, 1944, that it was recognized as an independent republic.

On May 29, 1945, France bombed Damascus and tried to arrest its democratically elected leaders. While French planes were bombing Damascus, Prime Minister Faris al-Khoury was at the founding conference of the United Nations in San Francisco, presenting Syria's claim for independence from the French Mandate. Continuing pressure from Syrian nationalist groups and British pressure forced the French to evacuate their last troops on April 17, 1946.

In the 1940s, Britain secretly advocated the creation of a Greater Syrian state that would secure Britain preferential status in military, economic and cultural matters, in return for putting a complete halt to Jewish ambition in Palestine. France and the United States opposed British hegemony in the region, which eventually led to the creation of Israel.³⁴

2.3.2 Post World War II status and the founding of the UN

On September 27, 1941, France proclaimed, by virtue of, and within the framework of the Mandate, the independence and sovereignty of the Syrian State. The proclamation said "the independence and sovereignty of Syria and Lebanon will not affect the juridical situation as it results from the Mandate Act. Indeed, this situation could be changed only with the agreement of the Council of the League of Nations, with the consent of the Government of the United States, a signatory of the Franco-American Convention of April 4, 1924, and only after the conclusion between the French Government and the Syrian and Lebanese Governments of treaties duly ratified in accordance with the laws of the French Republic."³⁵

Benqt Broms said that it was important to note that there were several founding members of the United Nations whose statehood was doubtful at the time of the San Francisco Conference and that the Government of France still considered Syria and Lebanon to be mandates.³⁶

Duncan Hall said "Thus, the Syrian mandate may be said to have been terminated without any formal action on the part of the League or its successor. The mandate was terminated by the declaration of the mandatory power, and of the new states themselves, of their independence, followed by a process of piecemeal unconditional recognition by other

³⁴ From <http://www.haaretz.co.il/hasen/spages/950373.html>

³⁵ From Foreign relations of the United States diplomatic papers (1941). The British Commonwealth; the Near East and Africa Volume III (1941), pages 809-810; and Statement of General de Gaulle of November 29, 1941, concerning the Mandate for Syria and Lebanon, Marjorie M. Whiteman, Digest of International Law, vol. 1 (Washington, DC: U. S. Government Printing Office, 1963) 680-68

³⁶ From Bedjaoui, Mohammed (1991). International law: achievements and prospects, Martinus Nijhoff, UNESCO

powers, culminating in formal admission to the United Nations. Article 78 of the Charter ended the status of tutelage for any member state: 'The trusteeship system shall not apply to territories which have become Members of the United Nations, relationship among which shall be based on respect for the principle of sovereign equality.'³⁷

2.3.3 States created during the French Mandate

During the French mandate, several states were created in the once united Greater Syria. The drawing of those states was based primarily on exploiting the diverse sectarian make up of Syria. However, nearly all the Syrian sects were hostile to the French mandate and to the division it created. This was best demonstrated by the numerous revolts that the French encountered in all of the Syrian states.

Maronite Christians of Mount Lebanon, on the other hand, were a community with a dream of independence that was being realized under the French; therefore, Lebanon was the exception to the newly formed states.

2.3.3.1 *State of Greater Lebanon*



Flag of Greater Lebanon during the French mandate

On September 1, 1920, General Gouraud proclaimed the establishment of the State of Greater Lebanon (French: *État de Grand Liban*) (Arabic: دولة لبنان الكبير). Greater Lebanon was created by France to be a "safe haven" for the Maronite population of the Mutasarrifia (Ottoman administrative unit) of Mount Lebanon. Mt. Lebanon, an area with a Maronite majority, had enjoyed variable degrees of unofficial autonomy during the Ottoman era. However, Greater Lebanon included in addition to Mount Lebanon other mainly Muslim regions that were not part of the Maronite Mutasarrifia, and hence the word "greater." Those regions correspond today to north Lebanon, south Lebanon, Bika' valley, and Beirut. The capital of Greater Lebanon was Beirut. The new state was granted a flag merging the French flag with the cedar of Mt. Lebanon.

Muslims in Greater Lebanon rejected the new state upon its creation. They boycotted the general census in 1922, and refused to receive new identity cards before General Gouraud agreed to remove from the cards the part stating Lebanese citizenship. The Muslim continuous demand for reunification with Syria eventually brought about an armed conflict between Muslims and Christians in 1958 when Muslim Lebanese wanted to join the newly proclaimed United Arab Republic, while Christians were strongly opposed.

Although most of the Lebanese sects were not enthusiastic for the new state, Maronites were the majority and managed to preserve its independence; an independence that created a unique precedent in the Arab world as Lebanon was the first Arab country in which Christians were not a minority.

³⁷ From Hall, H. Duncan (1948). *Dependencies and Trustship*, Carnegie Endowment

The State of Greater Lebanon existed until May 23, 1926, after which it became the Lebanese Republic.

2.3.3.2 *State of Alawites*



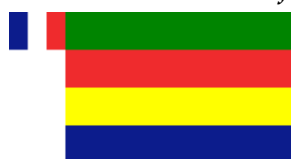
Flag of the Alawite State during the French mandate

The State of Alawites (French: *État des Alaouites*) (Arabic: دولة العلويين) was located on the Syrian coast and incorporated a majority of Alawites, a branch of Shia Islam. The port city of Latakia was the capital of this state.

Initially it was an autonomous territory under French rule known as *the Alawite Territories*. It became part of the Syrian Federation in 1922, but left the federation again in 1924 and became the *State of Alawites*. On September 22, 1930, it was renamed the *Independent Government of Latakia*. The population at this time was 278,000. The government of Latakia finally joined the Syrian Republic on December 5, 1936.

This state witnessed several rebellions against the French. The most prominent of which were under Salih al-Ali, an Alawite anti-French figure.

2.3.3.3 *State of Jabal Druze*



Flag of the State of Jabal Druze during the French mandate

Jabal Druze was a French mandate from 1921 to 1936 created for the Druze population of southern Syria. It had a population of some 50,000 and had its capital in As Suwayda.

2.3.3.4 *State of Aleppo*



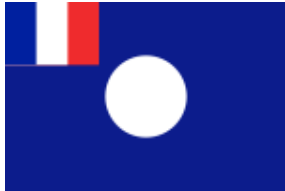
Flag of the State of Aleppo

The State of Aleppo (1920–1925) (French: *État d'Alep*) (Arabic: دولة حلب) included a majority of Sunni Muslims. It covered northern Syria in addition to the entire fertile basin of river Euphrates of eastern Syria. These regions represented much of the agricultural and mineral wealth of Syria. The autonomous Sanjak of Alexandretta was added to the state of Aleppo in 1923. The capital was the northern city of Aleppo, which had large Christian and Jewish

communities in addition to the Sunni Muslims. The state also incorporated minorities of Shiites and Alawites, Ethnic Kurds, Syrians and Assyrians inhabited the eastern regions alongside the Arabs.

The primarily Sunni population of the state of Aleppo was strongly opposed to the division of Syria. This resulted in its quick end in 1925, when France united the states of Aleppo and Damascus into the State of Syria.

2.3.3.5 *State of Damascus*



Flag of the State of Damascus

The State of Damascus was a French mandate from 1920 to 1925. The capital was Damascus.

2.3.3.6 *Sanjak of Alexandretta*



Protests in Damascus by women demonstrators against Turkey's annexation of the Sanjak of Alexandretta in 1939. One of the signs reads: "Our blood is sacrificed for the Syrian Arab Sanjak."

The Sanjak of Alexandretta was autonomous from 1921 to 1923, under the French-Turkish treaty of October 20, 1921, due to the presence of an important Turkish community along with Arabs of various religious denominations: Sunni Muslims, Alawites, Syriac Orthodox, Greek Orthodox, Greek Catholics, Maronites. There were also communities of Jews, Assyrians, Kurds, Armenians and Greeks. In 1923 Alexandretta was attached to the State of Aleppo, and in 1925 it was directly attached to the French mandate of Syria, still with special administrative status.

The 1936 elections in the sanjak returned two MPs favoring the independence of Syria from France, and this prompted communal riots as well as passionate articles in the Turkish and Syrian press. This then became the subject of a complaint to the League of Nations by the Turkish government under Mustafa Kemal Atatürk concerning alleged mistreatment of the area's Turkish populations. Atatürk demanded that Alexandretta become part of Turkey, claiming that the majority of its inhabitants were Turks. The sanjak was given autonomy in November 1937 in an arrangement brokered by the League. Under its new statute, the sanjak became 'distinct but not separated' from the French Mandate of Syria on the diplomatic level, linked to both France and Turkey for defence matters.

In 1938 the Turkish military went into the Syrian province and expelled most of its Arab and Armenian inhabitants. Before this, Alawi Arabs and Armenians were the majority of Alexandretta's population.³⁸

The allocation of seats in the sanjak assembly was based on the 1938 census held by the French authorities under international supervision: out of 40 seats, 22 were given to the Turks, nine for Alawi Arabs, five for Armenians, two for Sunni Arabs, and two for Christian Arabs. The allocation of seats in the sanjak assembly was based on the 1938 census held by the French authorities under international supervision: out of 40 seats, 22 were given to the Turks, nine for Alawi Arabs, five for Armenians, two for Sunni Arabs, and two for Christian Arabs. The assembly was appointed in the summer of 1938 and the French-Turkish treaty settling the status of the Sanjak was signed on July 4, 1938.

On September 2, 1938, the assembly proclaimed the Sanjak of Alexandretta as the Republic of Hatay, taking as an excuse that rioting had broken out between Turks and Arabs. The Republic lasted for one year under joint French and Turkish military supervision. The name "Hatay" itself was proposed by Atatürk and the government was under Turkish control. The president Tayfur Sökmen was a member of Turkish parliament elected in 1935 (representing Antakya (Greek: Αντιόχεια) and the prime minister Dr. Abdurrahman Melek, was also elected to the Turkish parliament (representing Gaziantep) in 1939 while still holding the prime-ministerial post.

In 1939, following a popular referendum, the Republic of Hatay became a Turkish province. For the referendum, Turkey had crossed tens of thousands of Turks into Alexandretta to vote.³⁹ This referendum has been labeled both "phoney" and "rigged", and that it was a way for the French to let Turks take over the area, hoping that they would turn on Hitler.⁴⁰

³⁸ From Kalpakian, Jack (2004). *Identity, Conflict and Cooperation in International River systems*, Ashgate Publishing

³⁹ From Fisk, Robert (2007). *The great war for organization: The conquest of the Middle East*, Vintage

⁴⁰ From Fisk, Robert (2007). *US power games in the Middle East*, The Independent

3 Revolution and Freedom in the Arab World – and then? Concepts for the new Middle East in various areas

3.1 Independence

Samir Mourad,

Translated from German to English by Silvia Latifa Tertag

3.1.1 Connection between the implementing of the law of Allah, the

Islamic movement and the construction of an economic-technological infrastructure

If we look at the history of the Islamic movement, we ascertain, that after the case of the Ottoman Empire the Islamic movement (e.g., Hasan al-Banna in Arabia) first in the Social / Tarbiya-Sector has begun. Later the second level, the political, came – e.g. Erbakan in Turkey. The third level – the construction of a technological-economic infrastructure is at the moment in the beginning. The assignment of this generation of Muslims is the construction. Without this an independence of the Muslim countries is hardly conceivable, because politics will always be put under pressure without material strength of an Islamic high-powered economy. If these three levels are equipped enough by practising Muslims, the Muslims are able –insha Allah - to implement the law of Allah on earth and to be a well-being for the world.

3.1.2 Motivation: the need of the provision of concepts and the practical preparation in all areas

With the liberation movements of the colonialism a determining mistake was made: it limited itself predominantly to the political and military resistance. To important areas which build up a company as for example education, economy, jurisprudence, science among other things, have been given no attention. When they finally had the freedom, no plans were available. The former colonial powers were asked again for help. Thus an educational system, a juridical system, an economic system was built up which was marked of foreign powers. One could express it as follows: „The colonial rulers exceeded to the door and walked in to the window again.“ So it is absolutely necessary to erect concepts in all areas and practically to build up something, even before the practising Muslims have responsibility of government.

Umar ibn al-Khattab said:

تفقهوا قبل ان تسودوا

“Learn well before your become responsible”.

This means in the area of the technology that the Muslims must be self-sufficiently in different areas as for example economic, technical, food and so on. It is also important that

the defensive ability exists. Technological and political concepts and structures must already be present because otherwise resources from outside should be used. This would turn into the old "post-colonial-problem".

3.2 Economy

Samir Mourad,

Translated from German to English by Silvia Latifa Tertag

The difference: Different treatment of the Fiqh areas „God-official actions “ (arab. ibadat) and „interpersonal relations“ (arab. mu'amalat)

There is a fundamental difference between these two areas: in acts of worship such as prayer, fasting, etc. are only allowed to do what was set by Allah and His Messenger. Everything else is an innovation (Arabic bid'a) in religion, which is to be regarded as mis-management. What concerns, nevertheless, the interpersonal relations – what also the commercial law and labour legislation belong to– all possible is allowed first once, unless there is a ban of Allah and his Messenger. That means that for example in the progress of time emerging trade and economic types always to be upheld, so that the conditions and restrictions of Sharia - such as prohibition of interest and prohibition of injustice- are observed. However, otherwise it stays empty from Islam seen to the people to organise their economic life new.

In general economics are a part of „mu'amalat“ in the Islamic Law, that means everything new is allowed, but it must satisfy the Islamic complaints.

3.2.1 General aims of the Islamic commercial law and labour legislation

The aim of the Islamic provisions in the economic field can be stated in the following points:

1. Support of the exchange of goods. By the equipment of the Zakat which results on untouched saved goods once a year it is promoted that one allows working his money and does not pull it from the transport. In the contrast to the interest system one is recompensed not for the saving, but for the fact that he works with the money. **"Those who charge usury are in the same position as those controlled by the devil's influence. This is because they claim that usury is the same as commerce. However, GOD permits commerce, and prohibits usury."** [2:275]

2. Support of own work, so that one himself is undestitute. This duty to the acquisition of own living stands before voluntary service: **"Instead, you shall read what you can of the Quran. He knows that some of you may be ill, others may be traveling in pursuit of GOD's provisions, and others may be striving in the cause of GOD. You shall read what you can of it, and observe the contact prayers (Salat), give the obligatory charity (Zakat), and lend GOD a loan of righteousness."** [73:20]

The Messenger of Allahs (peace be upon him) has said:

إِنَّ أَطْيَبَ مَا أَكَلَ الرَّجُلُ مِنْ كَسْبِهِ

“The best what a man can eat is that what he has earned by the work of his hands.”

The Messenger of Allahs (peace be upon him) has said:

أَنَّ دَاوُدَ النَّبِيَّ عَلَيْهِ السَّلَامُ كَانَ لَا يَأْكُلُ إِلَّا مِنْ عَمَلِ يَدِهِ

“And David, the prophet, peace be upon him, has eaten only something what was from (the yield) of the work of his hands.”

3. Preservation of the untouchability of the individual possession: "O you who believe, do not consume each others' properties illicitly - only mutually acceptable transactions are permitted. You shall not kill yourselves. GOD is Merciful towards you" [4:29]

4. Clarity and no injustice by the exchange of assets. The clarity and precision is therefore required in order to avoid disputes between trading partners. Abu Huraira (r.) has reported: „The Messenger of Allah (peace be upon him) forbade the "pebble stone chance sales" and the unclear sales.“ This reported Muslim

Word explanations:

"Pebble stone chance sales" (arab. bai' al hasat) – a sales kind dschahilijja which Islam forbade. There are among other things the following opinions among the scholars what is exact this:

- If the seller says, "Throw this stone. Which piece of clothing he is, belongs to you for a dirham "(i.e. fixed price product + random)
- If somebody sells another so many from his land piece how far the stone falls which one has thrown (i.e. accidental goods extent)

All these kinds contain a kind of the deceit or the deception, because price and product or goods extent are not known.

unclear sales (arab. bai' al gharar) – sales with which a deceit or a deception is connected.

The unsafe sales mean

- either that an unsafe goods handing over is there, as for example if somebody sells a horse who has fled;
- or if the extent of the sales product is unknown (how with the "pebble stone sales" explained on top)

Explanations and regulations which are to be derived from the Hadith:

- The Hadith contain that the following qualities are prohibited with trade:
- Insecurity of the sales product at the time of the sales
- Unsafe goods handing over
- unclear sales (arab. bai' Al gharar) indicates to practise to consume the money and property of the people by wrong as Allah says: „You shall not take each others' money illicitly, nor shall you bribe the officials to deprive others of some of their rights illicitly, while you know.“ [2:188]. Ibn Hadschar Al 'Asqalani reports in "Fath al-Bari" that imam An-Nawawi has said: „The ban of the unclear sales (arab. bai' al gharar) is one of the principles of the commercial law. Under it there fall many special cases.“

5. Striving for more financially independence of the Muslim community as a whole, so that the Muslim community cannot be put as a whole under economic pressure.

It is to be mentioned that offering own employee also belongs to the goods with which one economises. I.e. just as contracts which had to be the exchange of material goods to the content clearly and freely from injustice, an employer-employee relationship must be also clearly defines and freely from injustice.

3.2.2 Principles of Islamic commercial law – Islam wants a free social

market economy without interests (*riba*)

Islam wants a social free market economy without interest (in arabic: *riba*). The market economy should always be without interest according to Islamic law. Because interest is prohibited (Haram) in Islam. Besides this, the Islamic economic system is similar to the Western economic system.

Now the basic principles of Quran and Sunnah are explained in short.

Free market system, it is forbidden that the state makes the prices

عَنْ أَنَسِ بْنِ مَالِكٍ رَضِيَ اللَّهُ عَنْهُ قَالَ: غَلَا السَّعْرُ فِي الْمَدِينَةِ عَلَى عَهْدِ رَسُولِ اللَّهِ ، فَقَالَ النَّاسُ: يَا رَسُولَ اللَّهِ غَلَا السَّعْرُ، فَسَعَّرْنَا، فَقَالَ رَسُولُ اللَّهِ: (إِنَّ اللَّهَ هُوَ الْمُسَعِّرُ، الْقَابِضُ، الْبَاسِطُ، الرَّازِقُ، وَإِنِّي لأَرْجُو أَنْ أَلْقَى اللَّهَ تَعَالَى وَلَيْسَ أَحَدٌ مِنْكُمْ يَطْلُبُنِي بِمَظْلَمَةٍ فِي دَمٍ وَلَا مَالٍ). رَوَاهُ الْخَمْسَةُ إِلَّا النَّسَائِيَّ وَصَحَّحَهُ ابْنُ حِبَّانَ. وَأَخْرَجَهُ ابْنُ مَاجَةَ وَالِدَّارِمِيُّ وَالْبَزَّازُ وَأَبُو يَعْلَى مِنْ حَدِيثِ أَنَسٍ، وَإِسْنَادُهُ عَلَى شَرْطِ مُسْلِمٍ وَصَحَّحَهُ التِّرْمِذِيُّ.

Anas ibn Malik (r.) has reported: „At the time of the Messenger of Allah (peace be upon him) the prices have gone in Medina upwards. There said some people: “O Messenger of Allah, the prices have gone upwards, nevertheless, settles for us the prices.” There said the Messenger of Allah (peace be upon him): „Allah is That Who fixes the prices, HE, who hides, HE, that stretches and the provider. I hope that I hit (in the Day of Judgement) on Allah, without then one of you from myself a little bit required because of wrong with regard to. Blood and property what I have done to him (in the earthly life)“.

This reported Ahmad, Abu Dawud, Tirmidhi and Ibn Madscha. Ibn Hibban and Albani said that this is healthier (arab. sahih) Hadith.

Monopoly

For example, a company (or a business man) buys goods from the market and stores them in a certain time. It becomes then a scarcity of goods in the market. The price becomes higher. Then they sell that stored goods in order to get high benefit. It's called monopoly.

Explanations of Hadiths regarding monopoly

Monopoly is completely prohibited (Haram) for all types of trade according to Hadith.

Monopolization (Ihtakara) is allowed only for foods under particular conditions. Abu Yusuf, a disciple of Abu Hanifa is in the opinion that monopolization is generally prohibited, even also for foods. He added that to store any item from the market brings loss to the people. It's also used for gold and garments. The several shafi scholars say that monopolization for food of human beings as well as animals is also prohibited.

3.2.2.1 The prohibition of interest

The Arabic word "riba" means interest. As-Sanani explains that to get anything additional without work is called riba. Interest is used for any illegal trade. The Muslim's scholars also agreed (Ijma) that interest is forbidden in general. However, there are differences of opinions among the scholars.

There are different rules in non-Muslim areas where interest is allowed. There are two types of interest, both are forbidden in Islam.

Interest for delay: It means anybody pays more due to late payment. Normally the amount of loan is less than the amount which has to be returned (with interest).

One-sided multi-payment (Riba-al Fadl): This kind of interest means, if anybody gets back 1 kg pure gold by selling 1.5 kg gold ornaments.

The general rule is that in commercial transactions are equivalent is to be replaced.

Otherwise such transactions are not in justice. Transaction for all types of goods, such as the raw materials, gold (which has standard value) should always be same. That means the price and mass should be same by selling and buying.

وَعَنْ عُبَادَةَ بْنِ الصَّامِتِ قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: "الذَّهَبُ بِالذَّهَبِ، وَالْفِضَّةُ بِالْفِضَّةِ، وَالْبُرُّ بِالْبُرِّ، وَالشَّعِيرُ بِالشَّعِيرِ، وَالتَّمْرُ بِالتَّمْرِ، وَالْمِلْحُ بِالمِلْحِ مِثْلًا مِثْلًا سَوَاءٌ بِسَوَاءٍ يَدًا بِيدٍ، فَإِذَا اخْتَلَفَتْ هَذِهِ الْأَصْنَافُ فَبِيعُوا كَيْفَ شِئْتُمْ إِذَا كَانَ يَدًا بِيدٍ" رَوَاهُ مُسْلِمٌ.

Ubada ibn as-Samit reported, that the Messenger of Allahs (peace be upon him) has said: "Gold with gold, silver with silver, wheat with wheat, barley with barley, dates with dates, salt by salt: Same with same must be (changed) equally hand to hand. If the kinds differ, sold, as you want it, as long as it goes on hand to hand (i.e. if the possession goes over immediately)." This reported Muslim (1587).

Sharp ban of any participation in the interest business

Allah says:

Those who charge usury are in the same position as those controlled by the devil's influence. This is because they claim that usury is the same as commerce. However, GOD permits commerce, and prohibits usury. Thus, whoever heeds this commandment from his Lord, and refrains from usury, he may keep his past earnings, and his judgment rests with GOD. As for those who persist in usury, they incur Hell, wherein they abide forever.

[2:275]

GOD condemns usury, and blesses charities. GOD dislikes every disbeliever, guilty. .

[2:276]

Those who believe and lead a righteous life, and observe the Contact Prayers (Salat), and give the obligatory charity (Zakat), they receive their recompense from their Lord; they will have nothing to fear, nor will they grieve. [2:277]

O you who believe, you shall observe GOD and refrain from all kinds of usury, if you are believers. [2:278]

If you do not, then expect a war from GOD and His messenger. But if you repent, you may keep your capitals, without inflicting injustice, or incurring injustice. [2:279]

If the debtor is unable to pay, wait for a better time. If you give up the loan as a charity, it would be better for you, if you only knew. [2:280]

Beware of the day when you are returned to GOD, and every soul is paid for everything it had done, without the least injustice. [2:281]

عَنْ جَابِرِ رَضِيَ اللَّهُ عَنْهُ قَالَ: لَعَنَ رَسُولُ اللَّهِ : آكِلَ الرِّبَا، وَمُوكِلَهُ، وَكَاتِبَهُ، وَشَاهِدَيْهِ، وَقَالَ: هُمْ سَوَاءٌ. رَوَاهُ مُسْلِمٌ.

Dschabir (r.) reported: „The envoy of Allah (peace be upon him) cursed the interest-taking,

the interest-giving,

which writes down the (interest contract)

both witnesses (for the closed interest deal)

and he said: They are same everybody.“

This reported Muslim. Buchari delivered a similar Hadith of Abu Dschuhaifa.

وَعَنْ عَبْدِ اللَّهِ بْنِ مَسْعُودٍ رَضِيَ اللَّهُ عَنْهُ عَنِ النَّبِيِّ قَالَ: "الرِّبَا ثَلَاثَةٌ وَسَبْعُونَ بَابًا أَيْسَرُهَا مِثْلُ أَنْ يَتَكَحَّ الرَّجُلُ أُمَّهُ، وَإِنَّ أَرْبَى الرِّبَا عِرْضُ الرَّجُلِ الْمُسْلِمِ" رَوَاهُ ابْنُ مَاجَةَ مُخْتَصَرًا وَالْحَاكِمُ بِتَمَامِهِ وَصَحَّحَهُ.

Abdullah ibn Mas'ud (r) narrated from the Prophet (peace be upon him) that this he has said: "There are 73 types of interest. The smallest species is as serious as when a man commits adultery with his own mother. And the worst of interest is the honor of a Muslim (to ignore). This was reported Ibn Majah in abbreviated form, and Al-Hakim in full. Al-Hakim declared him a Sahih Hadith. Albani said the version of Ibn Majah for saheeh (health).

Reward for a favor is to be taken like interest

عن أبي أمامة رضي الله عنه عن النبي قال: "من شفع لأخيه شفاعة فأهدى له هدية فقبلها فقد أتى باباً عظيماً من أبواب الربا." رواه أحمد وأبو داود وفي إسناده مقال.

The Prophet (peace be upon him) has said: "Who inserts a good word (in an affair) for his brother, and makes this to him then a present and which the first one accepts this present, he has a big gate of the gates of the interest take walked."

This reported Abu Dawud. Albani explained the Hadith for hasan (well)."

3.2.2.2 Prohibition of Bribery

Payment of bribes and their adoption is a great sin.

وَعَنْ عَبْدِ اللَّهِ بْنِ عَمْرٍو بْنِ الْعَاصِ رَضِيَ اللَّهُ عَنْهُمَا قَالَ: "لَعَنَ رَسُولُ اللَّهِ الرَّاشِيَّ وَالْمُرْتَشِيَّ" رَوَاهُ أَبُو دَاوُدَ وَالتِّرْمِذِيُّ وَصَحَّحَهُ.

Abdullah ibn Amr ibn al-'As (r.) reported: "The Messenger of Allah (peace be upon him) cursed that which gives bribe and that which takes bribe."

3.2.2.3 Prohibition of gambling

Gambling is that a game is played where one wins and other loses, the winner will receive the money and the loser loses his bet (the money).

Allah has said:

O you who believe, intoxicants, and gambling, and the altars of idols, and the games of chance are abominations of the devil; you shall avoid them that you may succeed. [5:90]

The devil wants to provoke animosity and hatred among you through intoxicants and gambling, and to distract you from remembering GOD, and from observing the Contact Prayers (Salat). Will you then refrain? [5:91]

It creates hate as well as laziness among the peoples by doing gambling.

In addition, gambling is addictive, like drugs.

3.3 Technological Growth

Samir Mourad,

Translated from German to English by Silvia Latifa Tertag

Concept for an independent state in the technological and economical area

3.3.1 Fundamentals of Technology Policy

Figure 1 shows the 3 columns of the technological-economical system of a country: Education, Industry and Research. The factors of influence and fields in the technological-political domain like economic, law, order, social factors, and so on are illustrated in figure 2. The importance of key technologies and key economical branches for the technological and political independence of a country is made clear in figure 3.

An analysis of the current situation in the developing countries raises up the following questions: What is missing? What should be tackled first?

Some current activities in the field of the developing aid by the rich countries are sincere development aid, mostly organized from nongovernmental organizations. Often a continuation of the colonial exploitation policy (mainly from the side of the USA less from the side of some organized countries) or an intension to intensify their influence like for example missionary schools or scholarships from church organizations.

The results from congresses held by intellectuals and scientists whose origins are from the developing countries are unequivocal in the meaning that not everything that comes from the west is good. The unlimited belief in the never ending progress of the west has been broken, even in the west, since the Cuba crisis (Beginning of the 60ies).

The first Step what should be tackled first is to build up an organization of scientists and businessmen who have personal contact to the developing countries like scientists and trade organizations. This organization should start locally so that there are no huge travel expenses. Furthermore it is necessary to build up Research Centers and Technology parks for start up companies.

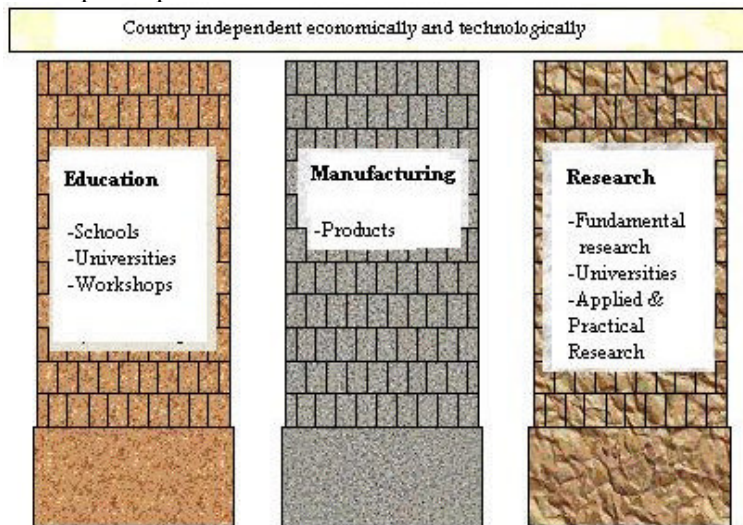


Fig. 1: The 3 columns of the technological-economical system of an economical and technological independent country

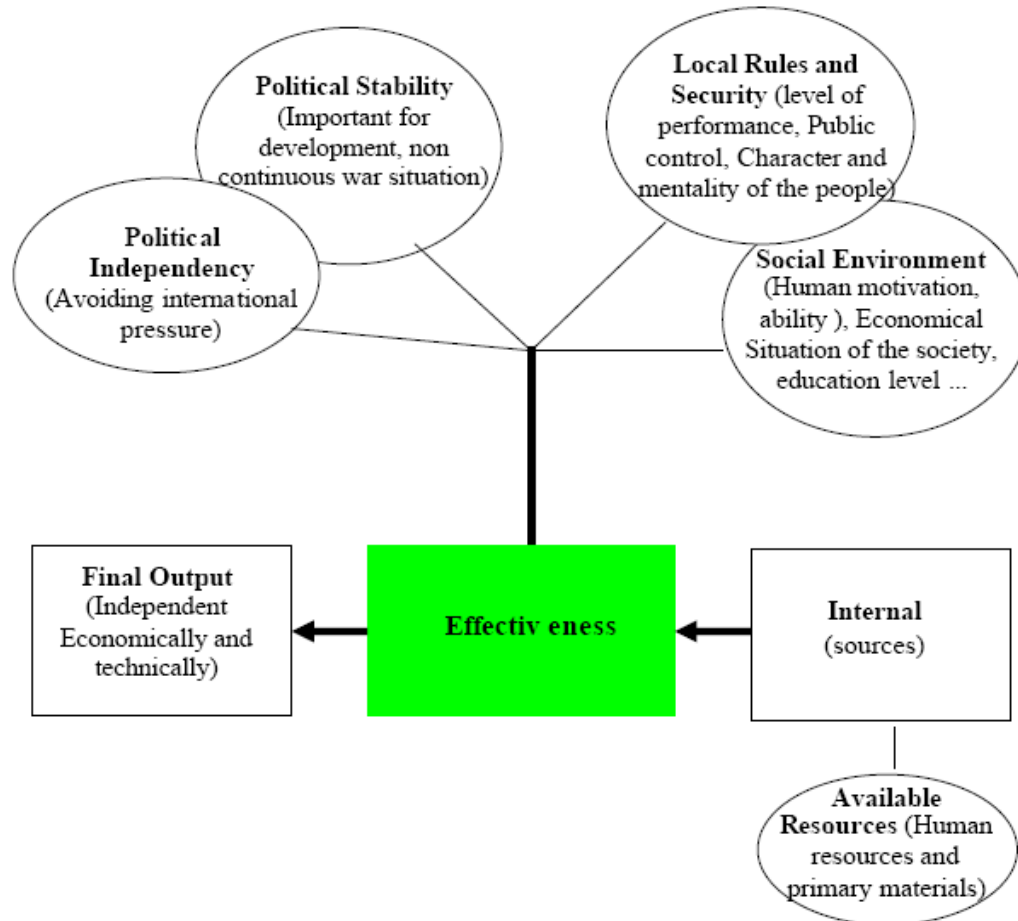


Fig. 2: Factors which influence the economical and technological output of a country

- a. Food supply
- b. Hydrology/water supply
- c. Communication technology (Informatics, Electrical engineering,...)
- d. Energy supply/electricity supply (lighting)
- e. Medical supply (Biology, Chemistry, Medicine, Pharmacy, Informatics, Electrical engineering, mechanical engineering)
- f. Traffic and Transport system
- g. Civil engineering

Fig. 3: Key technologies (non-military sector)

3.3.2 Improvement of effectiveness

From figure 2 we see that for effectiveness the most important is the social environment of the people and then the political situation. So we can identify the following order of important factors:

social environment – to be improved through tarbiya/education

political system / justice – to be achieved by implementation of a good system. In the Islamic world the people think that the Islamic system, if modern implemented, would be the best

system. It is in practice similar to modern Western system, there are only some differences as for example the forbidness of interest (riba) in Economy and that *fasad* on the streets as zina is not allowed.

inner political stability – to be achieved in the Islamic world through justice among the different religious and ethnic groups. All rights have to be given to minorities as to majorities.

Political independency – this comes through economical strength, this is achieved if countries in the region which are now divided become united (as former for example in Ottoman empire). Nationalism must be overcome.

3.4 Introduction to the Islamic theory of state

by Dr. J. Pacic, Constitutional Court (Austria)

A. Introduction

Despite having different government systems and by no means consistent substantive laws, various states still claim that they are based on Islamic norms. Therefore, the question arises: what is the core identity of Islamic governance and what requirements does the Islamic doctrine pose with regard to governance? In answering this question, it is important to focus on the division between dogmatic knowledge and political influences. As a legal-scientific introduction to the Islamic theory of state, this paper aims to provide a short description of the general framework of a political entity based on the Islamic normative system.

A great number of rules of religious orders pre-suppose the existence of a state, which would be willing to implement these rules. The prerequisite here would be a society, which wishes to organize its political system in accordance with religious guidelines. As forms of social order, the three largest monotheistic religions (Judaism, Christianity, Islam) not only strive to disseminate their religious teachings, but also to impose a comprehensive code of admissible behavior. Even if the state is not based on religious norms, the latter are still important because they morally bind believers by setting boundaries for their actions. The overstepping of these boundaries would then represent a sin. Moral rules apply even when dealing with or participating in a non-religiously motivated, i.e. a secular political system. The identification of these rules can be helpful in promoting a peaceful debate over values, moral and justice as well as stimulating critical thinking about state, law and policy in a pluralistic society.

B. State and the “Islamic” state

When we talk about the “state”, we often mean different things by this term, such as e.g. a certain society or parts thereof, state organs, the government or only the state territory. If the state is viewed as a social construct, people tend to distinguish between the state and the law: there is the state and “its” law. For advocates of the pure theory of law, however, state and law are identical: a normative order is a legal order if it prescribes socially organized coercive acts against undesirable human behavior and if it is largely effective. As a political organization, the state is a legal order having a certain degree of “centralization”. The “power” behind the law, which is usually interpreted as being the state, is nothing other than the effectiveness of the legal order. Once it is recognized that the state is nothing more than an effective legal order, which is characterized by a certain degree of centralization, it becomes obvious that Islamic “law” plays a central role in an “Islamic” state. Thus, the

majority of Islamic scholars describe an “Islamic country” as a country dominated by Islamic law.

The Islamic Sharia pre-supposes the existence of an organized institution and thus centralization in many areas (e.g. in procedural law, in penal law, in family law). Not only numerous obligations established by the Islamic legal system, but also the rights secured by it require a political organization of the Islamic community, because a comprehensive protection of the human moral goods (*bona humana*) can only be ensured within a state-organized construct; it is the only way to preserve religion in its entirety. This is the reason why Islamic legal scholars have considered the creation of a state a necessity. And this is also the reason why *Ibn Taimiyya* declared that the purpose of founding state (political) authority consists in establishing religion in its “entirety”. According to this view, a state can be described as “Islamic” if its political system is built on the Islamic religious principles and the Islamic way of life. One of the main tasks of an “Islamic” state is to maintain the foundations of Islamic law and to carry the message of Islam both inwards and outwards.

C. On law, state and moral

If the source of law and the source of moral are the same, then law and moral are in agreement on the obligations concerning proper conduct. However, they are not in agreement on the type of their sanctions. The Islamic Sharia makes a difference between an inner (moral) bond and an external obligation, because it only admits the applicability of sanction provisions if the respective rule of conduct in an Islamic state has in fact been made an integral component of an effective legal order, which is based on the Islamic Sharia. Thus, penal norms, in particular, are restricted a priori to the area of the Islamic state implementing them, which is subjected to the official power of the caliph. This means that the preservation of order in society is only possible if the coercive monopoly remains in the hands of the state (i.e. of the ruler). Thus, for instance, since an Islamic rule of conduct declares murder to be forbidden, murder will also be forbidden for each Muslim even if murder is exempt from punishment in the state where the Muslim lives. Here, it can be said that there exists a moral obligation. Although the Islamic Sharia contains provisions on how murderers should be punished, from an Islamic point of view only state officials (rulers) are authorized to order and arrange for the execution of coercive acts (the imposition of punishments).

D. On law, state and justice

In most cases, the essence of legal order is considered to be the pursuit of justice as contrasted to a mere act of violence. The connection of law to justice is clearly visible in the Islamic legal order. And since Islamic law aims to achieve justice, the Islamic state must also aim to achieve justice. The values of justice cannot be “recognized” abstractly, but only by reference to a certain authority. For a Muslim, it is clear that the authority to decide what is just and what is not from an Islamic point of view does not rest with human creatures, but only with the Creator. If God has prescribed justice and if he has based his rules on justice and if only he is authorized to issue binding orders for mankind, then only the following conclusion can be made for Islamic governance: from an Islamic point of view, justice can only be achieved through the implementation of Islamic norms.

E. On the head of state

1. General

According to the Islamic understanding, the appointment of a head of state is considered a duty of the community, not a duty of the individual. Nonetheless, there are differences of

opinion as to whether the need for the associated establishment of state authority is based exclusively on religious principles or on rational considerations. At any rate, the Islamic state is headed by a “caliph”. The initial righteous principals of the Islamic state were referred to as caliphs (=successors) of the prophet. However, *Ibn Taimiyya* declared that it was also permissible to refer to subsequent Muslim rulers as caliphs, although they did not act as such, but rather as kings. Withal, the designation of these rulers is not important, because their most important aspect is their function as heads of state. The Muslim heads of state were referred to in different ways, such as, in particular, “commander of the faithful” or “sultan”. In literature, they are often also mentioned as imams. According to the overwhelming opinion, the community may only have one acting head of state (one caliph), which means that, according to the Islamic state doctrine, there may only be one Islamic state, which can, of course, be subdivided into an arbitrary number of provinces for reasons of political expediency, with each province having its own ruler.

2. Selection of the head of state

There are two legally permissible ways for the appointment of the caliph, which would require citizens to take an oath of allegiance: election and nomination. Even though the seizure of power through violent means is deemed unacceptable, it can still entail the obligation for allegiance and recognition of the head of state. According to the majority of teachings, the caliph is not elected directly by the general public, but rather by a council. However, the council must ensure that the population agrees with the choice it has made. Considering the fact that a person not approved by the community is banned from conducting the community prayer as imam (except in cases where the imam is rejected due to his actions against un-Islamic behavior of the community members), it is obvious that this principle is even more applicable to the head of state as an imam of the whole Islamic community.

The Islamic doctrine prescribes that an already appointed head of state can nominate a successor with legal effect insofar as the prospective successor fulfills the prerequisites for holding the office. After all, the selection of ‘Umar by Abu Bakr was endorsed by the Prophet’s companions. Indeed, some scholars hold the view that the nomination can only be legally effective if approved by the council. However, it seems that the only legal obligation of the incumbent ruler is to consult the council on the matter of succession. Nonetheless, if a son or a father is nominated as successor, there is a requirement for obtaining the consent of the council, because such nomination might lead to a system-adverse transformation of the political system into a hereditary monarchy. That being said, legal scholars are divided on many legal questions related to the nomination and the role of the council.

Yet if someone, who is unworthy for the office, is announced as successor, it is up to the citizens – represented by the council – to reject him and to demand his deposition or resignation. If, however, the incumbent head of state adheres to his nomination, if the successor does not wish to resign and is ready to enforce the transfer of power with violence, then the procedure to be followed is the same as in cases of violent seizures of power: to prevent bloodshed, the transfer of power is to be accepted as long as the successor bears the responsibility associated with the office. This regulation clearly demonstrates the overlapping of legal and moral obligations in the Islamic normative order.

3. Deposition of the head of state

Should a ruler commit offences, the first step is to draw his attention to those and admonish him. If a nomination prerequisite no longer applies, he faces the obligation to step down

from office. However, as long as the ruler does not renounce his belief in Islam, scholars are of different opinions as to the conditions, which would lead to his deposition. These conditions all refer to borderline cases. If the ruler becomes permanently incapable of ruling or turns into an unjust oppressor, who has drifted away from the Qur'an and Sunna, then it is the responsibility of the representatives of the people (i.e. the council) to depose him after an unsuccessful admonishment. There seems to be no legal obstacle preventing the establishment of a certain committee (for instance a supreme judicial council) or otherwise the regulation of a procedure for the inspection of allegations against the head of state and his dismissal from office.

If a ruler refuses to accept his deposition and is willing to use force to remain in power, the question arises as to when a violent / armed uprising against him is deemed acceptable. Islamic legal scholars have debated extensively over this difficult question. They have consistently sought to demonstrate that the shedding of blood and civil war must be avoided as far as possible, even if this would mean to accept an unjust ruler. However, a Muslim is never obliged to obey a ruler if the latter demands from him to do something sinful.

F. On the principle of consultation (arab. *Shura*)

The so-called council is a group of persons, who represent the citizens of the Islamic state and with whom the head of state has to consult on important matters. According to the Islamic understanding, all state organs are obliged to hold hearings and be advised by the council in order to make decisions that are in accordance with the Qur'an and Sunna as far as possible. Since orders in an Islamic state are based on the Islamic Sharia, the council should not be regarded as the equivalent of a parliament, because a parliament in most democratic states would assume the role of the actual legislator. The consultation principle is a central pillar of the Islamic political teachings. However, there are no requirements as to how these consultations are performed, the allocation and scope of the participants; rather, these matters are to be determined according to the conditions at the time.

It should be noted that the head of state, being a representative of the citizens, must pay constant attention to ensuring their wellbeing and take all permissible actions for the sake of public interest as well as take measures to avert impending damage. This explains why the head of state is frequently bound to the decisions of the council although the latter is only entitled to an advisory function. In many cases, namely, the decision of the council expresses a public interest in a certain measure (e.g. the construction of public facilities, the issuance of road traffic regulations, the issuance of building regulations, etc.). The head of state would fail to meet his obligations if he were to refuse taking such measures for the protection of the common good. And yet it is up to the head of state to ensure the observance of mandatory Islamic norms.

G. On policy

Islamic political systems are based on the values enshrined in the norms of the Islamic Sharia; Actions are guided and decisions are determined by a motivation to realize the recognized values. Especially important for governance are the basic objectives for various policy areas. The Sharia leaves considerable maneuvering room for the ruler in several areas so that he can respond adequately depending on time and place. Nonetheless, the Islamic legal order always contains certain objectives with regard to the establishment of justice and the promotion of the public good; it is important to encourage good and, on the other hand, restrict evil.

The Islamic rules contain no requirements for the structure of the administrative apparatus. It is to be set up according to the time and location. During the time of the Islamic caliphate, successive stages of appeal up to a higher-ranked office (the so-called *mazālim*-jurisdiction) developed due to the necessity of correcting injustices or the mistakes of state authorities and the intermittent inability of first-instance authorities to take actions against high-ranking officials or institutions. This higher organ had the authority to overturn or change decisions; most of its activity focused on the examination of decisions and measures of administrative authorities. It united the powers of a Supreme Court, an Administrative Court and also a Constitutional Court. Its organization and institutional integration in the state and justice apparatus, however, used to vary in the course of time due to expediency considerations. There is far-reaching political leeway regarding the institutional design of the legal protection system and the corresponding establishment of courts of various instances and special authorities and offices.

H. On democracy

In order to make a judgment on the compatibility of the Islamic political system with democratic political concepts, it would be necessary to first achieve clarity – as with every decision – on the essence of democracy. However, there is some confusion as to the essence of democracy, because democratic concepts differ in different countries and also because they change in the course of time. There is no universal implementation of democracy. Sometimes, democracy is associated with state recognition of certain basic values and the protection of certain basic rights. Yet it is also claimed that it means nothing else but the rule of the people - as implied by the etymology of the word. If we associate democracy with the idea that the will of the people – in the form of a majority decision of the people’s representatives (the parliament) – is obligatory, regardless of its content, then this cannot be reconciled with the Islamic political concept and even contains an element of faithlessness, because, from an Islamic point of view, “obligatory” norms are only to be set by God.

- In contrast, a number of contemporary scholars see democracy – based on their idea of the essence of democracy – as reconcilable with Islam and, in part, also claim that Islam promotes democracy. At the same time, they make the reservation that the obligatory nature of Islamic norms must be ensured. This modification of the democratic concept results in a peculiar kind of democracy. When Islamic scholars say that democracy is reconcilable with Islam, it seems very likely that, by stating that, they are not endorsing the existing political and government system of any particular state, but rather claim that Islamic governance is based on principles, which are usually considered democratic.
- However, there is a significant difference between saying “Islamic governance is based on democratic principles” and saying “Islamic governance is democratic”. With all due respect to Islamic political theory, it can only be concluded that the political system described by Islamic legal scholars is not democratic, because it does not correspond to the established ideas of democracy as, eventually, there is a binding law above the will of the people. Islamic governance is only possible on the basis of Islamic norms, whose creator is God. Consequently, a legal system not based on the Islamic Sharia cannot be an “Islamic state”, but rather - at best - a state with a predominantly Muslim majority: a Muslim state.
- The conceptual classification of the state and government form, however, is unimportant in comparison to the question as to whether the material stipulations of the Islamic Sharia are realized. For instance, this becomes apparent by the fact that the selection of

the head of state, his nomination by his predecessor or a regime change as a result of a coup d'état are all considered legitimate from an Islamic point of view if the candidates fulfill the necessary criteria and assume the responsibility associated with the office. Hence, the Islamic state theory is ideologically not based on a democratic state concept. The Islamic state must be measured by the material criterion of realization of Islamic principles and not by the classification of its form of government. If we were to characterize Islamic governance by using known public law concepts, it would be relevant to speak of a legal and social nomocracy instead.

- If we weren't to talk about the legal issues of Islamic governance, but rather about the lives of Muslims "in" democratic states, then this would a priori stultify the discussion as to whether „Islam“, but also Christianity or Judaism – which also contain numerous legal provisions in the Bible / the Thora – are reconcilable with a democratic legal order. If religious norms of behavior are not recognized by a state, they only have a “moral” character and have no impact on the applicable legal norms whatsoever. The crucial factor is whether the values and, in particular, the basic values of a society are observed and whether the laws are obeyed. The focus should be placed on the behavior of human beings, not on their religion. All Muslim are obliged to do everything in their power to uphold righteousness. If everyone would pursue this objective, then this would automatically result in a value-conscious social order.

4 Analysis of improvement possibilities in the Middle East region

Samir Mourad

4.1 Introduction to Systems Analysis in Political Science

In politics there are analysts and decision makers. The politicians are the decision makers. The task of the analysts is to make the complex situation clearer and to offer clear options, between which the decision makers can choose. In such a way decisions are rationally and it is tried to make this specific decision which it is expected to have the best results. So each option is analyzed under different aspects.

Methods and techniques are used in this process that relate to the kinds of inquiries sought: primary sources such as historical documents and official records, secondary sources such as scholarly journal articles, survey research, statistical analysis, case studies, and model building.⁴¹

According to Chaturvedy, "...Political scientists may serve as advisers to specific politicians, or even run for office as politicians themselves. Political scientists can be found working in governments, in political parties or as civil servants. They may be involved with non-governmental organizations (NGOs) or political movements. In a variety of capacities, people educated and trained in political science can add value and expertise to corporations. Private enterprises such as think tanks, research institutes, polling and public relations firms often employ political scientists."⁴²

One example of a think tank doing such work is RAND corporation. RAND states about its mission: "To help improve policy and decisionmaking through research and analysis".⁴³ There are used also mathematical concepts as game theory and statistical methods.

4.2 Task

Through analysis the should be identified political options to improve the above mentioned effectiveness of society and how concrete options could be.

Once more the mentioned aspects:

social environment – to be improved through tarbiya/education

political system / justice – to be achieved by implementation of a good system. In the Islamic world the people think, that the Islamic system, if modern implemented, would be the best system. It is in practice similar to modern Western system, there are only some differences as for example the forbidness of interest (riba) in Economy and that fasad on the streets as Zina is not allowed.

⁴¹ See http://en.wikipedia.org/wiki/Political_science

⁴² Chaturvedy, J. C. (2005). *Political Governance*. Gyan Publishing House. p. 4. [ISBN 8182053175](https://www.isbn-international.org/view_product/8182053175). From See http://en.wikipedia.org/wiki/Political_science

⁴³ See <http://www.rand.org/about/glance.html>. More information about RAND see Alex Abella "Soldiers of Reason: The RAND Corporation and the Rise of the American Empire" (2008, Houghton Mifflin Harcourt hardcover; ISBN 0-15101-081-1 / 2009, Mariner Books paperback reprint edition; ISBN 0-15603-344-5). For the Book review see http://www.atimes.com/atimes/Middle_East/JE03Ak01.html

Inner political stability – to be achieved in the Islamic world through justice among the different religious and ethnic groups. All rights have to be given to minorities as to majorities.

Political independency – this comes through economical strength, this is achieved if countries in the region which are now divided become united (as former for example in Ottoman empire). Nationalism must be overcome.

4.3 RAND Qatar based analysis of the actual situation in Lebanon, Syria and Jordan concerning social situation of the society, the school system, universities, producing industry and research

There was undergone some researches by RAND Qatar concerning the Human Resources in Lebanon, Qatar and some other countries.⁴⁴

RAND is originally an American think tank which advised the US Army through Analysis in times of the cold war against the Soviet Union.

Although the comment on some results seem to serve American interests, this data is very useful for analysis issues. In following the result of the mentioned study is shown in abbreviated form:

Abstract

This study examined the experiences of four countries in the Arab region that face numerous human capital challenges and are at various stages of implementing reforms and policy initiatives to address these challenges. It also identified gaps that exist between implementation of reforms and evaluation of whether reforms are having intended effects. In many cases, reforms had only recently gotten under way, perhaps making it too early to measure their impact; in other cases, a lack of data systems was inhibiting systematic assessment of policy changes.

Table 1. Six Key Human Capital Challenges

Challenge	Lebanon	Oman	Qatar	UAE
Underutilization of the labor capacity of nationals		✓	✓✓	✓✓
Large proportion of nationals working in public sector		✓	✓✓	✓✓
High unemployment among young, first-time workers	✓	✓	✓	✓
Education and training system not preparing students well for workforce	✓	✓	✓	✓
Brain drain	✓			
Disparities in access to educational opportunities	✓	✓		

NOTE: ✓ = issue affects country; ✓✓ = issue is relatively more prominent in this country than the others.

⁴⁴ http://www.rand.org/content/dam/rand/pubs/research_briefs/2008/RAND_RB9383.pdf (English Version)

Table 2. Education and Training Reforms

Reform Area	Lebanon	Oman	Qatar	UAE
Primary and Secondary Education				
Establishment of bodies and institutes to coordinate and guide primary and secondary educational policy			✓	✓
School organizational change		✓	✓	✓
Standards-based accountability			✓	
Restructured curriculum		✓	✓	
National assessment and evaluation			✓	
Participation in international assessments	✓		✓	
Training for teachers and administrators		✓	✓	
Integration of information technology		✓	✓	
Higher Education				
Establishment of bodies to coordinate and implement delivery of higher education				✓
Administrative, curricular, and academic standards reforms			✓	
International accreditation of higher education programs		✓		✓
Establishment of private higher education institutions		✓	✓	✓
Establishment and broadening of scholarship programs		✓	✓	
University-based job placement program(s)				✓
Training Systems				
Establishment of coordinating bodies				✓
Establishment of technical/vocational colleges		✓	✓	✓
Public-private partnerships to train nationals		✓	✓	✓
Independent certification of post-secondary training institutes			✓	

Table 3. Labor Market and Other Economic Reforms

Reform Element	Lebanon	Oman	Qatar	UAE
Labor Market Reforms				
Quotas for employment of nationals in private sector		✓	✓	✓
Rewards and sanctions for employment of nationals in targeted sectors		✓		✓
Elimination of automatic employment of nationals in public sector			✓	
Equalization of worker rights or access to benefits in public and private sectors		✓	✓	✓
Training and financial support to start new business		✓		
Establishment of job placement/matching and training bureau				✓
Other Economic Reforms				
Incentives to expand peripheral industries		✓		✓
Divestment of government-owned companies	✓	✓		
Allowance of foreign ownership of companies in selected sectors		✓	✓	
Implementation of free trade agreements and free trade zones	✓	✓		
Establishment of "free zones" (areas exempt from government requirements)		✓	✓	✓
Training and other supports for more-efficient public administration	✓			

4.4 The importance of stability

Stability and peace is very important for both economical growth and dawa.

For stability of a state there must be a common social commitment between the people of the state. If there are different groups with different religions or ideologies they must make a commitment for at least parts of a common way of life in the society and in the state.

Conflicts can be a danger for the inner stability and thus for the whole state and society.

4.4.1 Analysis of inner stability in Jordan, Syria, Lebanon

There are the following conflict potentials:

Sunni – Alawi in Syria

Sunni – Shia in Lebanon

Christian – Muslim in Lebanon
Jordanian – Palestinian Refugees in Jordan

Analysis to Alternative Scenarios for Lebanon - Syria -Jordan future

There are different groups in Syria and Lebanon which have different visions for the future political borders in the today Lebanon and Syria region.
In the following there will be analyzed the different options and its consequences in the social and the economical area.

Scenario 1: Jordan, Syria and Lebanon rest as they are

The followers of this vision are Maronites, various Christian, pro-Western Muslim groups and Western Countries (EU and USA). This because it would be negative for pro Western and especially Christian interests. Christians would not have this power as now in Lebanon and the Middle East.

Scenario 2: Syria gets divided into Alawite state with unites with Iran, and the rest of Syria, north Lebanon unities with rest of Syria, Jordan rests as it is

The followers of this vision may be some Muslim Sunni groups., which can be ordered to "Salafi" spectrum. Hisbollah would probably also favourite this solution.

Scenario 3: Jordan, Syria and Lebanon unite

The followers of this vision are some Muslim Sunni groups as Muslim Brotherhood in Syria and Jamaa Islamiyya in Lebanon.

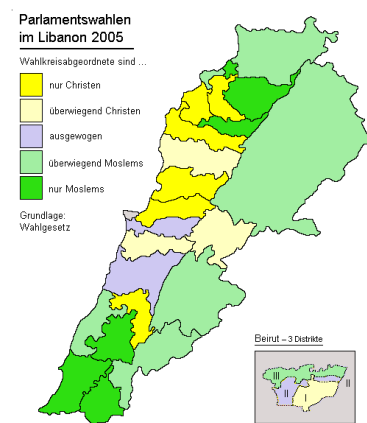


Fig.: Lebanese districts ordered by religious groups



Fig.: Lebanese districts

Fig.: Syrian districts

5 Foundations of Western World – Social and Political Aspects⁴⁵

5.1 Power and influence structures in the western system

The western system is a democratic system in which the political power apparatus is chosen by the people. If the politics wants to put through a little bit in the long term, it must persuade the people more or less of the correctness of their course of action. Otherwise the political rulers would not be re-elected. The conviction of own party, the parliament and the people sometimes happens by propaganda and deliberate manipulation of the truth. Of the occupation of the state management apparatus as for example of the local offices (tax office, civil service and security, city hall, police, foreign office...) or news services (Federal Intelligence Service, protection of the constitution organs...) is not so quickly replaceable. Nevertheless, the guidelines are given by the political leadership in the form of laws.

5.2 The materialist ideology is the essential component of the western society⁴⁶

The basic principles of the Islamic ones and those of the western culture:

Islamic culture: is based on moral principles.

Western culture: Has as essential components the materialism and the individualism, one wants to get out the biggest material advantage for himself, moral values are also relevant, however, are moved mostly only in own society because they stand unambiguously behind the striving for the material profit. This is formulated of course a little bit roughly.

It must be clear that Europe has made in the course of history through education, humanism and especially by removing or rolling back the influence of oppressive, irrational elements of the medieval church, a major advance towards the emancipation and freedom of invidious and tolerant interpersonal relationships.

Nevertheless, on the other side the God's relation, the spiritual, the on the other side-relatedness and also a not unimportant share of moral values have remained in the course of the younger European history on the distance. The moral and liberal values are more distinctive with the population than with the leadership (see the next segment) where a bigger pragmatism rules. To put through, however, above all foreign-policy decisions which are oriented though unambiguously in materialist principles, the politicians must bring, nevertheless, mostly a moral justification to persuade the population. During the last years the people are accustomed increasingly by extreme and raw statements to think thoughtlessly and own-addicted. Examples are the statements of the former German president Köhler that German economic interests must be also put through militarily. Another example is Sarrazin which connects the right to exist of Muslims in Germany with their economic use in the essentials. Besides, those are meant explicitly also which are born in Germany.

5.3 The different kinds of the leadership

In every country there are the following kinds of the leadership:

⁴⁵ From Samir Mourad, „2. DIDI-Strategiepapier“, Karlsruhe, 2005

⁴⁶ partly from Omar Asif, „Islamisches Denken“, (Script for the 1st academic year, IESH, Chateau Chinon), 2002-2003

Political leadership
Economic leadership
Military leadership

In the West the political leadership is superior to the others. In a military dictatorship, for example the military leadership is superior. Moreover, there is besides a leadership not equipped with material power: Intellectual, social guidance (author, philosophers...)⁴⁷
All kinds of leadership are to be received anxious the available system. Thus the materialist ideology is coined in the west or in Germany above all in the managements.

5.4 Difference in the collection of human rights for own, western society and for other societies

Fundamental rights of the people in the west:

- Observance of the human rights
- Separation of power
- Equal rights of the genders
- Freedom of worship
- Freedom of speech
- ...

These values are strictly called for the own society, however, for other societies is accepted by the west that the people live in bondage if thereby a more financially use arises for the west. If human rights in other countries are called in the west, this mostly has the reason to exert political pressure or one search grounds to be able to wage a war.

The shown signs of the western society are shown a little bit black-and-white to lift out the central principles.

⁴⁷ for Islamic societies the Islamic religious scholars show the social guidance.

6 Western World – Islamic World Relationship

Friendly Relationship (Muslims in the West, Christians in Muslim Countries) – Economical Partnership (e.g. USA - Saudi Arabia) – Hostile Relationship (e.g. Afghanistan, Irak)

6.1 Identification of research institutions /Think tanks in Germany, USA, Great Britain, France and Middle East, which handle the topic „Relationship Western World – islamic world “

List of centres of political studies concerning in the Middle East:

- al-Ahram centre for political and strategical studies Cairo
- Beirut: Carnegie Middle East Center <http://carnegie-mec.org/about/?lang=en>
- Expert Volker Perthes of the foundation science and politics
- Mohammed al Masri of the centre for strategical studies in the Jordanian capital of Amman

6.2 Identification of actors

Here are a many parties involved in the relationships:

In the Western World we have in the European Union for example the CDU. The USA parties are the Democratian and the Republican. The other western countries which are involved in the relationship are Russia and Israel.

The Islamic World is involved e.g. with the following parties and countries: the Monarchs of Saudi-Arabia, Jemen, Jordan, Qatar, Kuwait, Al-Qaida, Taliban, Hisbullah, Mustaqbal, Hamas, Fath and the Moslem brotherhood.

There are different kinds of relationships: on the one hand we have the relationships between the Islamic world institutions and on the other hand the relationships in the western world. Furthermore there are relationships between the Islamic world and the western world.

Unfortunately, there are also rival/war-relationships between the Hamas and Israel and furthermore between al Qaida, the Taliban and all the western world.

The different aspects of the current relation between Muslims and a share of the non-Muslims are: Amicable relation (e.g., here in the west) - co-operative (economic) relation (e.g., the USA - Saudi Arabia with regard to Oil) - hostile relation (e.g., Afghanistan, Iraq). Anyway it helps at the moment nobody to fan the fire and to head for a confrontation further.

6.3 Some Behaviour Patterns in Actual International Policy

6.3.1 Steps to Occupation

Steps of escalation of international conflict when a weak land is planned to be occupied by other powerful countries:

The president and the government of the land planned to be occupied is shown in the media like radio and TV as a „bad man“ or “bad guys”. Parallel to this escalation the UN imposes sanctions. And the last step is done by military operation.

The principles of the war propaganda have been shown for the first time in 1871 by the British diplomat Lord Ponsonby systematically. Then the following rules are valid:

1. We have not wanted the war!
2. Personification of the enemy
3. Our goals are humanitarian Article One must conceal the fact that there are economic objectives of the war. It provides only humanitarian motives in the foreground.
4. Reports of the cruelty of the enemy

6.3.2 Establishment of Relationship between the West and other non-

Western conform systems

First it is tried to eliminate the other system, if this is not possible or costs too much, a coexistence is accepted. An example for this was the relationship towards the Soviet System.

7 Basic Islamic principles in the relationship between the Muslim World and other people and cultures as in our days for example the Western world

Samir Mourad,

Translation from German/Arabic to English: Noha Abdulwahab and Silvia Latifa Tertag

7.1 Basics of the general relationship between Muslims and others

7.1.1 Coexistence with that which is best and acquaintance

God, the Almighty, says:

“O mankind, We have created you from a male and a female; and We have made you into tribes and sub-tribes that you may recognize one another. Verily, the most honourable among you, in the sight of Allah, is he who is the most righteous among you. Surely, Allah is All-knowing, All-Aware” (**Al-Hujurat Chapter 49: Verse 13**)

God also says:

“Allah forbids you not, respecting those who have not fought against you on account of *your* religion, and who have not driven you forth from your homes, that you be kind to them and act equitably towards them; surely Allah loves those who are equitable”. (**Al-Mumtahanah Chapter 60: Verse 9**)

From these verses we can conclude the basis for the relationship between Muslims and non-Muslims: a Muslim has to be righteous just towards all people regardless of their religion - as long as they do not try to position themselves against the spreading of Islam or to fight against the Muslims

The Messenger of Allah said:

وخير الناس أنفعهم للناس

“... *The best man is the one that is most useful for mankind.*”⁴⁸

And the People of the Book - that means the Jews, and the Christians – They have a special value and stand closer to the believers. Allah has commanded the believers not to discuss with the people of the books in the matters of religion, but that which is suitable for it should not have hatred and intolerance in his heart.

And argue not with the People of the Book except with what is best; but argue not at all with such of them as are unjust. And say, ‘We believe in that which has been revealed to us and that which has been revealed to you; and our God and your God is one; and to Him we submit (Al-`Ankabut Chapter 29: Verse 46)

⁴⁸ This reported Tabarani in the "Mu'dscham al- ausat". Albani says that this is a healthier (sahih) Hadith. The cited one on top is only one share of the Hadithes. The whole Hadith is: « المؤمن يألف ويؤلف ، ولا يؤلف ، وخير فيمن لا يألف ، ولا يؤلف ، وخير الناس أنفعهم للناس »

7.1.2 The invitation to Allah

Allah sent the messengers over the history of human to guide people and their message was always including the following basic points:

- 1) you have to worship only Allah, your Lord
- 2) do good deeds!
- 3) there is heaven and the fire in the afterlife after death and that every man is rewarded according to his work in the Hereafter either in Paradise, and either in the Hellfire.

Allah says in the right of some former tribes:

[23:32] And We sent among them a Messenger from among themselves who said, 'Serve Allah. You have no God other than Him. Will you not then fear God?

[23:33] And the chiefs of his people, who disbelieved and denied the meeting of the Hereafter and whom We had afforded ease and comfort in this life, said, 'This is but a man like yourselves. He eats of that of which you eat, and drinks of that of which you drink

[23:34] 'And if you obey a man like yourselves, you will then be surely losers

[23:35] 'Does he promise you that when you are dead and have become dust and bones, you will be brought forth again?

[23:36] 'Far, far from truth is that which you are promised.

[23:37] 'There is no life other than our present life; we were lifeless and now we live, but we shall not be raised up again.

[23:38] 'He is only a man who has forged a lie against Allah; and we are not going to believe him.'

[23:39] He said, 'My Lord, help me, for they have treated me as a liar.'

[23:40] God said, 'In a little while they will surely become repentant.'

[23:41] Then punishment overtook them rightfully, and We made them as rubbish. Cursed, then, be the people who do wrong!

[23:42] Then We raised after them other generations

[23:43] No people can go ahead of their appointed time, nor can they remain behind it.

[23:44] Then We sent Our Messengers one after another. Every time there came to a people their Messenger, they treated him as a liar. So We made them follow one another to destruction and We made them mere tales. Cursed, then, be the people who believe not!

[23:45] Then We sent Moses and his brother Aaron, with Our Signs and a clear authority,

[23:46] To Pharaoh and his chiefs; but they behaved arrogantly and they were a haughty people.

[23:47] And they said, 'Shall we believe in two men like ourselves while their people are our servants?'

[23:48] So they called them liars, and they were of those who were destroyed.

[23:49] And We gave Moses the Book, that they might be guided

[23:50] And We made the son of Mary and his mother a Sign, and gave them refuge on an elevated land of green valleys and springs of running water.

After the death of the last Messenger Muhammad it was the job of his successors and the Islamic nation to deliver the message from the Lord of the worlds to the rest of the humanity.

7.1.3 The confrontation and the war is the exception

As long as the peaceful coexistence and the invitation to Allah are the bases of the relationship between the two sides of the Islamic perspective, the war is something exceptional if there is an attack.

7.2 Is it required that the countries of the Middle East ask Western Countries for political and military aid for their internal problems?

We will deal this issue from the Islamic religion perspective and we cite an explanation supported on an explanatory of Tabari and Ibn Kathir of some Quranic verses that deal with this topic

[5:51] O ye who believe! take not the Jews and the Christians for friends. They are friends one to another. And whoso among you takes them for friends is indeed one of them. Verily, Allah guides not the unjust people.

[5:52] And thou wilt see those in whose hearts is a disease, hastening towards them, saying, 'We fear lest a misfortune befall us.' Maybe, Allah will bring about victory or some other event from Himself. Then will they become regretful of what they concealed in their minds.

[5:53] And those who believe will say, 'Are these they who swore by Allah with their most solemn oaths that they were surely with you?' Their works are vain and they have become the losers

[5:54] O ye who believe! whoso among you turns back from his religion, then let it be known that in his stead Allah will soon bring a people whom He will love and who will love Him, and who will be kind and humble towards believers, hard and firm against disbelievers. They will strive in the cause of Allah and will not fear the reproach of a faultfinder. That is Allah's grace; He bestows it upon whomsoever He pleases; and Allah is Bountiful, All- Knowing.

[5:55] Your friend is only Allah and His Messenger and the believers who observe Prayer and pay the Zakat and worship God alone

[5:56] And those who take Allah and His Messenger and the believers for friends should rest assured that it is the party of Allah that must triumph.

7.2.1 Revelation occasion for 5:51-56

Ibn Kathir: " The koranexplainers are of different view about what the revelation occasion of these noble Koran verses was." This is probably due, that there is none healthy (sahih) tradition in concerning this. Indeed, there are several weak traditions, which brings the revelation of these verses in connection with the hypocrite's leader Abdullah ibn Ubajj, who did not want to release from his Jewish allies when this fought against the envoy of Allah (s.a.s.). Also there are reports of other people in a similar connection: Ibn Ishāq reports: " As (the Jewish trunk) the Banu Qainuqā' fought the Messenger of Allah (s.a.s)., Abdullah ibn Ubajj defended them fanatically and positioned himself before them. Ubada ibn as-Samit which was one of the Banu' On ibn al-Khazradsch, and which had just as Abdullah ibn Ubajj an alliance with them (this probably still came from the preislamic time of the inhabitants of

Medina), nevertheless, ran to the Messenger of Allah (s.a.s.), handed over (their matter) to the Messenger of Allah (s.a.s.), released itself before Allah and his Messenger from the contract with them, and said " *O Messenger of Allah, I release myself before Allah before his Messenger from the alliance with them, and I am loyally towards Allah, to his Messenger and the Mu'minūn. And I speak me loose of the alliance and of the loyalty compared with the Kafirūn.*" About him and about Abdullah ibn Ubajj the following verses of the sura Al-Maida have become: **O you whom has Iman! Do not take the Jews and the Christians to protective friends (arab. of aulija'). They are to each other protective friends ...And those who take Allah and His Messenger and the believers for friends should rest assured that it is the party of Allah that must triumph. [5:51-56]"**

7.2.2 Teaching contents

Tabari says, after he has stated some traditions with regard to the revelation occasion of ([5:51) following, which he, nevertheless, not classes as sahih (healthy):

"What we concerning this as right judge is that one can say the following: Allah, the elated, forbade forming an alliance the Mu'minūn all together (i.e. to all Muslims), (in the conflict case) with the Jews and Christians against other Muslims (against those, who have Iman to Allah and his Messenger)".

Exactly this has happened in the former and later history what entailed big losses for the Muslims: E.g. a principal reason, why Andalusia got lost for the Muslims, was that that a Muslim ruler of a Muslim small state formed an alliance together with a Christian ruler against another Muslim small state.

Also the Ottoman Islamic caliphate was lost when the Arabs fought their Turks brothers with the help of British Troops.

And finally the occupation of Iraq by the Americans would not have been possible if Kuwait and Saudi Arabia do not give the possibility for the U.S. Army to move from their land.