

Regulations And Conditions Of Alliances And Treaties In Islam And The Obligation To Fulfill Them

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Research Abstract: Islam established the theoretical foundation for the regulations governing the fulfillment of covenants, treaties, alliances, and international agreements. This foundation rests on the principle that their binding nature is based on their acceptance, thus making them obligatory according to the principle that a contract is the law between the contracting parties. Therefore, they must be fulfilled in order to establish and develop friendly international relations. This research reveals the regulations and conditions set by Islamic law for alliances and treaties, the basis upon which they are founded (mutual consent, justice, and mercy), and the obligation to fulfill them.

INTRODUCTION:

Islamic law is a divinely revealed law, complete and comprehensive in all aspects of life, both small and large. It is universal, integrated, and in accordance with human nature, suitable for all times and places. It is based on great principles and rules that prioritize maximizing benefits and minimizing harms, thus achieving security and happiness and establishing justice as it should be.

In Islam, treaties are based on absolute fulfillment unless violated by the other party. The following conditions are required: they must be based on mutual consent, have clear objectives, and not harm Muslims or permit aggression against them. Fulfilling covenants is a divinely ordained obligation derived from Quranic verses.

Treaty regulations are based on full adherence to Islamic law, justice, mercy, and fulfilling promises as fundamental principles, while considering the interests of Muslims and not contradicting the principles of Islamic law. Treaties are legally binding as long as they remain in effect and in accordance with their conditions. Fulfilling them is a religious duty to preserve rights and security. This topic is studied in master's theses within the fields of international and Islamic law and is published in specialized academic journals.

Questions have been raised about the concept of fulfilling treaties, alliances, and agreements, their importance, their legitimacy, and the consequences of failing to fulfill international treaties, alliances, and agreements in Islamic law. I have sought to answer all these questions and others in this research, entitled: "Regulations and Conditions of Alliances and Treaties in Islam and the Obligation to Fulfill Them." This research relies on a collection of Arabic and foreign language references, as well as several websites. It is divided into an introduction, three sections, a conclusion summarizing the most important findings and recommendations, a bibliography, and a subject index.

1. What do the terms covenant, treaties, alliances, and agreements mean in Islamic law?
2. What are the principles upon which covenants, treaties, alliances, and agreements are based in Islamic law?
3. What is the foundation upon which covenants, treaties, alliances, and agreements are based in Islamic law?
4. What is Islam's role in codifying international treaties, and how did it precede other nations in this regard?

Research Objectives:

1. To clarify the concepts related to the terms covenant, treaties, alliances, and agreements in Islamic law.
2. To explain the principles governing the fulfillment of international covenants, treaties, alliances, and agreements in Islamic law.
3. To clarify the foundations and conditions upon which international treaties, covenants, alliances, and agreements are based in Islamic law, while highlighting exemplary examples of fulfilling alliances and covenants.
4. Demonstrating the role of Islamic law in codifying international treaties, and its pioneering role and precedence over other nations.

Importance of the Research:

The importance of this research lies in clarifying the theoretical aspects of the rules governing the fulfillment of international treaties, covenants, alliances, and agreements, their conditions, and the obligation arising from their acceptance, which makes them binding and obligatory for establishing and developing friendly international relations. It also highlights the breadth, comprehensiveness, and flexibility of Islamic law, its suitability for all times and places, and showcases exemplary models of fulfilling alliances and covenants.

Research Scope:

This research is limited to clarifying the rules governing the fulfillment of international treaties, covenants, alliances, and agreements, their conditions, and exemplary models of fulfilling alliances and covenants, in accordance with the provisions of Islamic law.

Previous Studies:

1. Fulfilling International Treaties and Conventions and the Penalties for Breaching Them (A Comparative Study between Islamic Law and International Law) by Ben Yakan Abdel-Magid; Algeria: University of Djelfa: Journal of Studies and Research, Issue 28, February 9, 2017.
2. The Rulings on Treaties in Islam: Dr. Fathi Ghaith Muftah Yaqa, Faculty of Sharia Sciences, Bani Walid University, Libya; Al-Haq Journal for Sharia and Legal Sciences, Issue 12, December 2023.
- . The Rulings on Treaty Legislation in Islam and Modern International Law: Dr. Musleh Hassan Ahmed, Sheikh Muhammad Al-Kasnazani University College; Journal of the College of Basic Education, Issue 53/2008.

Research Plan: This research plan can be detailed in an introduction, three sections, and a conclusion that includes the most important findings and recommendations, a bibliography, and a subject index.

SECTION ONE: DEFINING ALLIANCES, COVENANTS, AND TREATIES.

Subsection One: Defining Alliances, Covenants, and Treaties Linguistically.

Subsection Two: Defining Alliances, Covenants, and Treaties Technically.

Section Two: The Legality of Alliances and Treaties. First requirement: Evidence of legitimacy from the Quran.

Second requirement: Evidence of legitimacy from the Sunnah.

Third Section: The Rules and Conditions of Alliances and Treaties in Islam, the Obligation to Fulfill Them, and Shining Examples of Fulfillment.

First Requirement: The Rules and Conditions of Alliances and Treaties in Islam.

Second Requirement: The Obligation to Fulfill Alliances and Covenants.

Third Requirement: Shining Examples of Fulfillment of Alliances and Covenants.

First Section: Defining Alliances, Covenants, and Treaties:

First Requirement: Defining Alliances, Covenants, and Treaties Linguistically:

Definition of Alliance: An alliance (with a kasra on the first letter) is a covenant between people. To make an alliance (halafa) means to make a covenant with someone. To make an alliance (halafa) means to make a covenant with someone. It is also said that someone made an alliance between them (halafa baynahuma), meaning they established brotherhood. An alliance (hilf) is a treaty based on mutual support, advancement, and agreement. The plural is alliances (ahlaaf). We find that the meaning of the word alliance revolves around: treaty and friendship, support and protection, mutual support and assistance, and agreement. The word 'ahd' in Arabic derives from 'amān' (trust), 'yamīn' (oath), 'mawthiq' (pledge), 'dhimmah' (commitment), 'hifāz' (protection), and 'wasiyyah' (testament). 'Ahadtū ilayhi' means 'I entrusted him with a covenant.' From this root is derived the 'ahd' that is written for rulers. You say, 'I swear by God's covenant that I will do such and such.' 'Ahd' also means faithfulness, as in the verse: {And We did not find most of them faithful to their covenant} [Al-A'raf: 102]. That is, faithfulness.

'Ahd' also means faithfulness. The second requirement: Defining alliances, covenants, and treaties in legal terminology:

An alliance, based on the writings of genealogists and historians, is defined as: social and political systems and covenants that unite two or more clans or tribes, in which they commit to mutual support, assistance, and protection. This relationship may even extend until the allies become a single tribe and a unified entity. An alliance is thus defined as: "a pact for mutual support, assistance, and agreement." It is also a contract and covenant for mutual support, assistance, and agreement. It is called an alliance because it is only established through oaths; that is, it is confirmed by oaths.

As for a treaty, jurists consider it a contract. It is a contract to cease fighting, and each jurist adds certain conditions stipulated by their school of thought. Jurists sometimes refer to a treaty as a truce, a truce, a peace treaty, a covenant of protection, a truce of abandonment, a peaceful treaty, or a covenant of security.

An international treaty is defined as: a written international agreement concluded between two or more subjects of public international law, aimed at arranging specific legal effects in accordance with public international law. It is also defined as: an agreement between two or more states to regulate legal and international relations and to determine the rules to which they are subject. A political alliance is defined as: "An alliance between states, parties, or political figures who agree to implement a specific commitment to achieve defined and agreed-upon objectives."

A treaty is also a quick and easy legal means for states to achieve any goal they seek. Through it, states can regulate all areas of international life: political, economic, social, cultural, and others. It also allows them to codify established legal rules within the international community and enact new legal rules to keep pace with the growing development of the international community.

If a state ratifies a treaty, it becomes definitively bound by it and may not refuse to implement it. It must take all necessary measures to put the treaty into effect. A state may accede to a treaty concluded by other states if the treaty's provisions permit it or if the parties agree. By acceding to a treaty, a state willingly becomes bound by it and becomes a party to it. It must then take all necessary measures to put the treaty into effect. A state acceding to a treaty may be bound by only part of an existing treaty if the treaty permits it or if the other contracting states agree.

A treaty enters into force after its conclusion and after verification that it is free from any defects in consent, that the contracting states possess the necessary capacity to enter into contracts, and that its provisions do not conflict with any peremptory norm of international law. A treaty enters into force from the date on which all parties have definitively consented to be bound by its provisions (i.e., by ratification, signature in specific cases, or accession). It is not retroactive, and the parties must respect its provisions and work to implement them in good faith, as affirmed by the Vienna Convention on the Law of Treaties of 1969. Any party's failure to respect its provisions, or its delay or obstruction in fulfilling its obligations, may subject it to international responsibility. Each party must take all necessary measures and procedures, such as enacting specific laws or regulations, to implement the treaty and refrain from any act or action that would impede its application. No party may invoke its domestic law as justification for failing to implement the treaty.

The matter of the treaty's status within the legal system of each party shall be determined by the constitution of each state party, so that it acquires the force of law within that state and becomes binding upon it.

It should be noted that the effects of treaties are relative, meaning they are limited to the parties to the treaty and do not bind non-party states, nor may such states invoke the treaty. However, a treaty may be invoked against a State that is not a party to it, or such a State may assert a right under the treaty, if the parties to the treaty intended that the provision in the treaty (which creates an obligation for the other State) be a means of creating the obligation and the other State accepted it expressly and in writing (Article 35 of the Vienna Convention). Likewise, a right may be created for the other State from a provision in the treaty, or if the parties to it intended that the provision should grant this right, either to the other State, or to a group of States to which it belongs, or to all States, and the other State agreed to this.

Consent is presumed as long as the third state does not express otherwise, unless the treaty provides otherwise (Article 36 of the Vienna Convention). It should be noted that law-making treaties (i.e., those whose parties intended to establish new international rules to regulate relations between them) are not subject to the principle of proportionality of effect, because their legal effects extend to all subjects of public international law. That is, law-making treaties apply to third states without their consent and escape the principle of proportionality. Similarly, treaties that codify international custom are binding on non-parties, given that their role is purely codifying general, abstract legal rules applicable to all subjects of public international law. The source of obligation is custom, not the treaty. Likewise, a treaty concluded between a group of states is binding on non-members if it is established that members of the international community have consistently adhered to all or some of its provisions. In such cases, these provisions become customary rules, and all members of the international community are bound by them.

International treaties have played a crucial role in creating international legal rules. They are considered the primary and foremost source, as stipulated in Article 38 of the Statute of the International Court of Justice. They are among the richest, clearest, least contentious, and most expressive sources of modern international law, reflecting the true will of the parties.

A state acquires the status of a party to an international treaty only by ratifying it after participating in its creation, or by acceding to it after its existence. Upon ratification, the state becomes bound by the obligations arising from the treaty and acquires the rights resulting from it. It may happen that, at the moment of signing, ratifying, acceding, or accepting, a state expresses its intention to define the scope of its obligations under the treaty in a way that distinguishes it from the obligations of other parties. This can be done by excluding certain provisions of the treaty or by interpreting these provisions in a way that narrows its binding nature. International practice has established the term "reservation" for such voluntary international acts aimed at limiting the effects of the treaty.

International treaties undergo numerous stages of suspension, each with its own causes, procedures, and outcomes. It may be suspended temporarily until the reasons for the suspension are resolved, or it may be permanently suspended. Its implementation may also be hindered by unforeseen problems. Thus, we are faced with a temporary suspension (or nullification), or even withdrawal and criticism.

SECOND TOPIC: THE LEGALITY OF ALLIANCES AND TREATIES:

First Requirement: Evidence of Legality from the Quran:

The evidence for the legality of alliances and treaties from the Quran is abundant. Among the evidence for alliances and covenants and treaties is the Almighty's statement: {And fulfill the covenant of Allah when you have taken it} [An-Nahl: 91]. This is a command from God Almighty that necessitates fulfilling covenants and agreements. And His statement: {Except those who join a people between whom and you there is a treaty} [An-Nisa: 90]. This verse clarifies and affirms the obligation to make and uphold treaties.

The second requirement: Evidence of legitimacy from the Sunnah:

The hadith of the Sunnah regarding alliances includes the saying of the Prophet, peace and blessings be upon him: "There is no alliance in Islam, and any alliance that existed in the pre-Islamic era is only strengthened by Islam." This means that we must all understand that God, the Blessed and Exalted, has united Muslims through Islam, making them brothers, supporters, and allies, all of them as one body. God, the Almighty, has made them independent of alliances through Islam. This is why He said: "There is no alliance in Islam." Therefore, if an alliance entails something contrary to Islam, it is undoubtedly invalid, by consensus. If it entails what Islam requires, then this alliance has no effect and is unnecessary, because Islam commands good, mutual support, harmony, unity, and the unification of the word. Thus, this alliance has no benefit or effect because it will command what Islam requires. Therefore, the alliance remains as it was in the pre-Islamic era. The pre-Islamic pact is undoubtedly invalid. Ibn Ishaq said: Muhammad ibn Zayd ibn al-Muhajir ibn Qunfudh al-Taymi told me that he heard Talha ibn Ubayd Allah ibn Awf al-Zuhri say: The Messenger of God, may God bless him and grant him peace, said: "I witnessed in the house of Abdullah ibn Jud'an an alliance that I would not exchange for the finest camels, and if I were called upon to uphold it in Islam, I would respond." This is the Pact of the Perfumed Ones, in which the Quraysh allied to support the oppressed and restrain the oppressor from his oppression, and so on. If this occurred in Islam, there is no doubt that Islam would confirm it, due to the requirements of Islam, and even strengthen it. As for the pact that was invalidated, it is the alliance of tribes whereby some of them would stand with others, support them, fight those who fought them, and make peace with those who made peace with them. This is not established in Islam. It is based on the ignorant pre-Islamic practice and blind misguidance, where one supports his brother, whether he is an

oppressor or oppressed, according to the way of pre-Islamic ignorance and not according to the way of Islam.

Thus, scholars and researchers have stated that the alliance negated by the Prophet (peace and blessings be upon him) was not the alliance of brotherhood he established, such as the one he made between the Muhajireen and the Ansar, which promotes fraternity and harmony. While there may have been alliances in the pre-Islamic era that aimed to support the oppressed, Islam came with provisions that necessitate and reinforce this. This is why the Prophet (peace and blessings be upon him) said, "It only increased its strength and emphasis," or words to that effect, as mentioned in the hadith.

Similarly, we find many examples that confirm the legitimacy of treaties in Islam. Among them are the numerous treaties the Prophet (peace and blessings be upon him) concluded with his enemies, including the Constitution of Medina, which is among the most valuable and worthy of consideration. It serves as a guiding light for Muslims in the principles of international relations between them and their adversaries. Other examples include the Treaty of Hudaybiyyah, his truces with many tribes such as Banu Damrah and Banu Mudlij, and his ratification of the Hilf al-Fudul (Pact of the Virtuous) in the pre-Islamic era, which was concluded in the house of Abdullah ibn Jud'an in Mecca. On the authority of Anas (may God be pleased with him), he said: The Messenger of God (peace and blessings be upon him) rarely addressed us without saying: "There is no faith for one who is not trustworthy, and no religion for one who does not keep his covenant."

THIRD TOPIC: THE GUIDELINES AND CONDITIONS OF ALLIANCES AND TREATIES IN ISLAM, THE OBLIGATION TO FULFILL THEM, AND SHINING EXAMPLES OF FULFILLING THEM.

First Requirement: The Guidelines and Conditions of Alliances and Treaties in Islam:

Islam established guidelines and conditions for treaties to ensure their conformity with Islamic law and the objective for which they were permitted. When Islam grants Muslims the right to establish treaties—for whatever purposes they deem appropriate—it stipulates three conditions for the validity of such a treaty:

irst, that it not infringe upon its fundamental law and general principles, which constitute the very foundation of Islamic identity. This is supported by the Prophet's saying (peace and blessings be upon him): "Every condition that is not in the Book of God is invalid." This means that the Book of God rejects and forbids it.

Based on this condition, Islam does not recognize the legitimacy of a "treaty" that violates Islamic identity, opens a door for enemies to attack Muslim lands, or weakens the Muslims by sowing discord and fracturing their unity. It is thus clear that alliances and coalitions in Islam are not based on economic or political interests, but rather on the principles established by God Almighty, on fulfilling covenants and avoiding treachery, in service to humanity and in implementation of what Islam commands so that goodness may be achieved. God Almighty says: {You are the best nation produced for mankind. You enjoin what is right and forbid what is wrong and believe in God.}

Secondly: They must be based on mutual consent. Hence, Islam sees no value in a treaty established on the basis of coercion, domination, and the roar of warplanes. This is a condition dictated by the very nature of the contract. If a contract of exchange for a commodity—buying and selling—requires the element of mutual consent: {Except it be a

trade by mutual consent among you} [An-Nisa: 29], then how much more so is a treaty, which for the nation is a contract of life or death?

Third: The treaty must have clear objectives and unambiguous features, defining obligations and rights precisely, leaving no room for interpretation, ambiguity, or playing with words. The treaties of civilized nations—those that claim to strive for peace and human rights—have failed and been the cause of successive global calamities precisely because of this very path. The path of ambiguity and deception in drafting treaties and defining their objectives, and in warning against such treaties, God Almighty says: {And do not take your oaths as a means of deception among yourselves, lest a foot slip after it was firmly planted, and you taste evil for having averted [people] from the way of God} [An-Nahl: 94]. Deception is a hidden fraud that enters into something and corrupts it.

The second requirement: The obligation to fulfill alliances and covenants:

The verses of the Quran and the hadiths of the Prophet, peace and blessings be upon him, emphasized the obligation to fulfill covenants; This includes the words of God Almighty: {O you who have believed, fulfill your contracts} [Al-Ma'idah: 1], and His words: {And fulfill the covenant of God} [Al-An'am: 152], and His words: {And fulfill the covenant of God when you have taken it} [An-Nahl: 91], and also: {And fulfill the covenant. Indeed, the covenant will be questioned} [Al-Isra': 34], and He, the Exalted, said: {And the covenant of God will be questioned} [Al-Ahzab: 15], and He, the Exalted, says about the polytheists in the twelfth verse of Surah At-Tawbah {And if they break their oaths after their covenant and attack your religion, then fight the leaders of disbelief} [Surat At-Tawbah (12)]. This is evidence of the high status of covenants and agreements in Islam, as the verse did not permit fighting them despite their associating partners with God, except because they betrayed their covenants concluded with the Muslims. This is confirmed by the verse's strictness in dealing with them by rebuking them that they have no covenant after their betrayal by breaking it. The verse that follows supports and reinforces the idea, which is the Almighty's saying: "Will you not fight a people who broke their oaths and plotted to expel the Messenger, and they were the first to attack you? Do you fear them? But God is more worthy of your fear, if you are believers." [Surat At-Tawbah (13)], and He urged the Muslims to fight. Then He, may His name be glorified, said: "Will you not fight a people who broke their oaths?" They broke their covenant, and they are the ones who broke the peace treaty at Hudaybiyyah and helped Bani Bakr against Khuza'ah. And they plotted to expel the Messenger from Mecca when they gathered in the House of Assembly, and they were the ones who initiated the fighting against you the first time, meaning the day of Badr, because they said when the caravan was safe: We will not leave until we have eradicated Muhammad and his companions. A group of commentators said: He meant that they began by fighting the Khuza'ah, allies of the Messenger of God, may God bless him and grant him peace. "Do you fear them?" meaning, are you afraid of them and therefore refrain from fighting them? "But God is more deserving of your fear," meaning, of your refraining from fighting them, "if you are believers."

The Quran, the eternal constitution of Islam, gives paramount importance to fulfilling international agreements and treaties once concluded. After this compelling divine proof, no one can unjustly and aggressively claim that infiltrating the ranks of armed extremists into the heart of independent nations to incite strife and war has anything to do with Islam. Numerous verses point to this profound meaning.

The Quran is the ultimate and most important constitution of Islam. As for what is mentioned in the hadiths of the Messenger of God, may God bless him and grant him peace, among them is what was narrated by Abdullah ibn Amr, may God be pleased with

them both, who said: The Messenger of God, may God bless him and grant him peace, said: "There are four characteristics, whoever possesses them is a complete hypocrite, and whoever possesses one of them has a characteristic of hypocrisy until he abandons it: when he speaks, he lies; when he makes a covenant, he breaks it; when he promises, he fails to fulfill it; and when he quarrels, he resorts to foul language." It is authentically reported that he said: "Whoever has a treaty with a people should not break it, nor should he strengthen it, until its term expires, or he should give them due notice."

The Prophet's (peace and blessings be upon him) verbal and practical Sunnah is consistent with the overall principle of the transtemporal and spatial interdependence between the general interest and entering into treaties with non-Muslims, whether they were the disbelievers of Quraysh in Mecca, the Jews in Medina, Wadi al-Qura, Tayma, or others. The field here is vast and diverse, and its abundant material enables the researcher to navigate in a balanced way, considering the numerous historical occasions in which the first legislator took into account the interests of those who willingly entrusted him with their leadership. He sought their best interests in all his negotiations and international alliances, and in none of those historical circumstances did he choose to apply any of the legal texts he implemented within the Islamic state, but rather what he believed to be in the best interests of himself, his companions, and the non-Muslims living under the banner of the Islamic state, such as the Jews of Medina.

These are the broad and diverse areas of study, and their rich content allows the researcher to navigate in a balanced way, taking into account the many historical instances in which the first legislator considered the interests of those who willingly submitted to his leadership. The jurists believe that jihad is permissible with both the righteous and the corrupt ruler, and most of them maintain that jihad is not permissible with a ruler who does not adhere to the covenants. Contrary to the positive law in contemporary civilization, changing circumstances do not justify breaking the covenant. Even if Muslims are unable to fulfill their obligations in certain circumstances, they must respect the obligations of the other party. From this perspective comes the famous story when the Muslim commander Abu Ubaidah ibn al-Jarrah took control of Homs and collected the jizya (tribute) from its inhabitants. He was then forced to withdraw from it and returned the jizya he had collected from the residents, saying: "We have only returned your money to you because we have learned of the forces that have been gathered against us, and that you stipulated that we protect you, and we are unable to do so. We have returned to you what we took from you, and we are bound by the condition and what we wrote between us and you if God grants us victory over them."

There are many examples of this in Islamic history. Changing circumstances and national interests do not justify breaking a covenant in Islam, nor does the perception of Muslims as being in a position of power over the other party. This is explicitly stated in the Quran: {And fulfill the covenant of Allah when you have taken it, and do not break oaths after their confirmation while you have made Allah your guarantor. Indeed, Allah knows what you do.} [An-Nahl: 91]. It is important to note that this emphasis on Muslims fulfilling covenants was placed at a time and in an environment where fulfilling covenants was not the norm. This is the ruling of Islam regarding treaties signed by the Islamic state with other countries to maintain peace. We are required to fulfill them, uphold them, and not break them, unless the enemy breaks them. If they do not break them and do not show hostility towards Muslims, then Muslims must fulfill their obligations to them, as Allah Almighty says: {Except those with whom you made a treaty among the polytheists and then they have not failed you in anything and have not supported anyone against you - so fulfill for them their treaty until their term [has ended]} [At-Tawbah: 4].

Fulfilling a treaty is a religious obligation for which a Muslim will be held accountable before God. Breaking a treaty is treachery and betrayal, characteristics of hypocrites. God commanded it in the Holy Quran, and the Prophet Muhammad (peace be upon him) urged it, as it is the foundation for building trust and ensuring stable relationships within society, between individuals and nations.

Third Point: Shining Examples of Fulfilling Alliances and Covenants:

The virtue of fulfilling covenants was not limited to treaties concluded by the Islamic state or the Muslim community. Rather, the Prophet (peace be upon him) obligated individuals to fulfill the covenants they had made individually with non-Muslims.

A shining example of fulfilling covenants is found in the most critical situations. Hudhayfah ibn al-Yaman (may God be pleased with him) said: "The only thing that prevented me from participating in the Battle of Badr was that my father, Husayl, and I had set out. The disbelievers of Quraysh captured us and asked, 'Are you going to Muhammad?' We replied, 'We are not going to him; we are only going to Medina.'" They made us swear by God and His covenant that we would return to Medina and not fight alongside them. We went to the Messenger of God (peace and blessings be upon him) and told him what had happened. He said, "Go back. We will honor our covenant with them and seek God's help against them."

Although this covenant was made individually with the polytheists, and despite the great need for these two warriors in the Battle of Badr, the Messenger of God (peace and blessings be upon him) prioritized fulfilling their covenant with the polytheists who came to fight him over their participation in the battle. This clearly demonstrates the importance of fulfilling covenants for the Messenger of God (peace and blessings be upon him) and for the Muslims.

It is evident that Islam preceded all other nations in its legislation regarding the codification of international treaties. Moreover, Islam distinguished itself from them in its justice and tolerance towards its enemies. Most importantly, this precedence was practical, not merely theoretical. This is evidenced by the treaties Muslims signed with their enemies, beginning with the time of the Prophet Muhammad (peace be upon him), continuing through the era of the Rightly Guided Caliphs, and subsequent Islamic periods.

One example of this is the protection afforded to messengers in Islam. Islamic law is exceptionally clear regarding the protection of messengers. Explicit texts and the Prophet's actions demonstrate that killing messengers is absolutely forbidden. Islamic jurists have obligated the leader of the Muslims to provide protection for the person of the messenger and guarantee his freedom of belief and the ability to carry out his duties with complete freedom. Ensuring the personal protection of the Messenger entails that he may not be taken prisoner, nor may he be handed over to his own state if it requests his extradition and he refuses, even if the Islamic state is threatened with war. This is because handing him over would be considered treachery, and because he enjoys protection within the Islamic state. The Messenger's mission plays a crucial role in establishing peace, forming alliances, or preventing war. Therefore, all necessary means and resources must be provided for him, not for his personal benefit, but to enable him to fulfill his assigned task. He represents his sender, even if he holds a different opinion, as long as he has accepted the mission. The recipient of the message must take this into consideration. Abu Rafi' narrated: "Quraysh sent me to the Prophet Muhammad. When I saw him, Islam entered my heart. I said: 'O Messenger of God, I swear by God I will never return to them.' He said: 'I do not break covenants, nor do I withhold messengers. Return to them. If what is in your heart is what it is now, then return.'" Al-Haythami, in his book *Majma' al-Zawa'id wa Manba' al-Fawa'id*, included a collection of hadiths under a chapter entitled "The Prohibition of Killing

Messengers," among them the hadith narrated by Abdullah ibn Mas'ud (may God be pleased with him) who said, upon the killing of Ibn al-Nawaha: "This man and Ibn Uthal came to the Prophet as messengers of Musaylima the Liar. The Messenger of God asked them, 'Do you bear witness that I am the Messenger of God?' They replied, 'We bear witness that Musaylima is the Messenger of God.' He said, 'If I were to kill a messenger, I would have beheaded you both.'" Al-Haythami commented, "Thus, the Sunnah became established that messengers are not to be killed." In this way, Islamic civilization preceded Western societies by more than 1400 years in establishing the foundations of humane civilization. For the messengers, those societies that did not recognize this rule until recently.

CLUSION:

With God's help and guidance, I have completed what I intended to explain and detail in this research. It remains for me to conclude with the most important findings and recommendations I have reached through this research: - First: The most important findings:

1. Alliances and treaties are synonymous. An alliance is a treaty based on mutual support, assistance, and agreement. It is a contract and treaty based on mutual support, assistance, and agreement.
2. Islam has established controls and conditions for treaties to ensure their conformity with Islamic law and the objective for which they were authorized.
3. The controls for treaties in Islam are based on complete adherence to Islamic law, justice, mercy, and fulfilling covenants as fundamental principles, while considering the interests of Muslims and not contradicting the principles of Islamic law.
4. International treaties have played a significant role in creating international legal rules and are considered the primary and foremost source.
5. Fulfilling treaties is a religious obligation for which a Muslim will be held accountable before God, and violating them constitutes treachery and betrayal.
6. Islam preceded all other nations in its legislation concerning international treaties; this precedence was practical and not merely theoretical.

Secondly: Key Recommendations:

1. Alliances and coalitions in Islam must be based on the principles established by God Almighty, on fulfilling covenants and refraining from treachery, in service to humanity and in implementation of Islamic commands to achieve good.
2. Treaties concluded between Muslim states, or with other nations, must have clear objectives and well-defined parameters, specifying obligations and rights in a way that leaves no room for interpretation, ambiguity, or manipulation of language.
3. Incorporating into law school curricula the distinctive features of Islamic law in its pioneering legislation concerning international alliances, agreements, and treaties, and the regulations governing their fulfillment.
4. Encouraging conferences, seminars, and workshops, and urging researchers and authors in the field to highlight the unique aspects of Islamic law in codifying the principles and regulations of agreements and treaties.

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