

The Concept of Establishing Relations between Dar Al-Islam & Dar Al-Kufr in Islamic Jurisprudence

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Abstract

This article examines the concept of establishing relations between Dar Al-Isla and Dar Al-Kufr in Islamic jurisprudence. From the point of view of Islam, the world is divided into two territories; Dar Al-Islam and Dar Al-Kufr. Dar Al-Islam is a territory where political power is under control of Muslims and it has Islamic laws. On the other hand, Dar Al-Kufr is a territory where political power is under control of non-Muslims and it has non-Islamic laws. This study uses the library and comparative method to examine the historical division of the world into Islamic and non-Islamic territories, which are characterized by the terms Dar Al-Islam and Dar Al-kufr, respectively.

It addresses the problematic nature of these classifications, particularly the legitimacy of infidelity in contrast to Islamic law. In this research, two common theories among Islamic scholars regarding foreign relations have been identified: the theory of the principle of war and the theory of the principle of peace. The findings show that the fundamental approach of Islam towards non-Islamic countries is to invite them to accept Islam, and in case of rejecting the invitation, it is a request to pay Jizya, and if the payment of Jizyah is refuse, Jihad is permissible. Finally, this study concludes that the first step of Islam in its foreign relations has been an invitation to the holy religion of Islam, and if they do not accept the invitation, they will be obliged to pay the jizyah, and if they refuse to pay the jizyah, there is no other way but to fight against them; it means, there is Jihad against them.

Keywords: Concept, Islamic and Infidel countries, Relations, Invitation, Peace, Jihad, Jurisprudence.

Introduction

Understanding the principles of Dar al-Islam relations with Dar al-Kufr is one of the most important topics and has attracted the attention of every old and new author. The scholars of ancient Islamic jurisprudence have expressed these issues in jurisprudential books in various chapters. As Muhammad ibn Hassan Sheibani has mentioned it in the book "Al-Sir al-Kabir". The question of what are the principles of Dar al-Islam relations with Dar al-Kufr and what is important to know it, we refer to it in this discussion. The discussion in front of you includes a summary, importance of the subject, research objectives and methods, results and findings, controversy, conclusions, and a list of sources. Which we will now describe as follows.

Problem statement

This article discusses one of the most important political issues of Islam, which is the view of the Islamic State on non-Islamic states, and determines on what basis an Islamic state establishes its diplomatic relations. In this article, we try to know what is the principle of Dar al-Islam's relationship with Dar al-Kufr?

Importance of the issue

Understanding the principle of the relationship between Dar al-Islam and Dar al-Kufr is important because Muslims are the bearers of the mission of the prophets. And they have to offer Islam to the world. So there is no doubt that they encounter various obstacles in offering the religion of Islam to the world. One of those obstacles is the rulers of Dar al-Kufr societies. Therefore, despite these obstacles, a Muslim must know from which angle he sees this issue and on what basis he established his relationship with them

so that Islam can rule in the world and the nations of the world achieve freedom and justice.

Research Objectives

Each research has a purpose. The purpose of our research in this article is to express the principle of relations between the Islamic State or Dar al-Islam with non-Islamic states or Dar al-Kufr in the clarity of Islamic law, so that the rulers and presidents of Dar al-Islam can consider it in their relations.

On the other hand, according to the law and regulations of higher education, in promoting academic rank, researchers should research important and ambiguous issues and clarify the points of ambiguity. I have also discussed the principle of the relationship between Dar al-Islam and Dar al-Kufr in this article to clarify what is the principle of the relationship between these two territory?

Research methodology

Research in each field has its own methods. For example, the research method in science is experience and experimentation, and there are different methods in the social and historical sciences. Our method in writing this treatise is a library and mixed method of historical and comparative methods. In the first step, I studied books and treatises, and after taking notes, I made a scientific and research article to my dear readers.

Definition of Dar al-Islam (Islamic territory)

The meaning of "Dar"

Dar in Arabic means home. As it is surrounded by a wall, and for this reason, it is also called the city, the neighborhood and the world. Example:

Dar of the world, Dar of the Hereafter, which refers to the place of life in this world and the place of life in the Hereafter. (Al-Najaf, A.K, 1382 SH, p. 321)

The concept of Islam

Islam means surrendering, turning and submitting. In definition, it is accepting the orders and prohibitions of the person who commands and forbids without having the right to object (Mawdudi, Abu al-Ali, 1987, p. 24). After explaining the meaning of "Dar" and "Islam", now we express the meaning of "Dar al-Islam" in the light of the theories of the four jurisprudential Madhhab:

1. Hanafi's Madhhab

Imam Abu Yusuf and Imam Abu Muhammad have said: Adding territory to Islamic and non-Islamic is the appearance of the islamic and non-islamic rules. This means that if the rules of Islam religion were apparent, it is the territory of Islam. (Al-Sorkhi, Muhammad ibn Ahmad, 1993, p. 194)

"Sarkhsi" in the expression of "Dar al-Islam" says: Dar al-Islam refers to a place that is under the control of Muslims in such a way that Muslims feel safe. (Al-Sorkhi, Muhammad ibn Ahmad, 1432 AH, p. 1253)

2. Maliki's Madhhab

Ibn Abd al-Barr states that the azan (call to prayer) is one of the signs of proof for "Dar al-Islam". Therefore, the difference between Dar al-Islam and Dar al-Kufr is that there is azan sound (call to prayer) in Dar al-Islam. As the Prophet PBUH sent his companions to war, He told them stop fighting against them if you heard the azan sound (call to prayer). (Ibn Abdullah, Abu Umar Yusuf, 1421 AH, p. 245)

3. Shafie's Maddhab

Allameh Ramli Shafie is one of the famous scholars of the Shafie madhhab and nicknamed "Shafie Saghir". Some people told him about the inhabitants of one of the Andalusian areas called Aragon. that the ruler is Christian and most of the people in the society are Christians too. But Muslims are able to do their religious affairs safely and without any problems. Then he was asked if the Muslims could stay in this place or whether this place is called Dar al-Kufr and the Muslims should emigrate?

He replied: emigration is not necessary for them. Because they have the ability to express their religion and this place is considered Dar al-Islam. (Al-Ramli, Shafi'i, N.D, p. 53)

4. Hanbali's Madhhab

In this case, Ibn Rajab Hanbali says: One of the things that the Prophet (PBUH) said about Dar al-Islam is the sound of the azan (call to prayer). Therefore, if the azan is heard from somewhere, the lives and property of the people of that area will be respected. In addition, since the azan is the prelude to prayer and causes sanctity, praying correctly will cause the sanctity of life and property. (Ibn Rajab, Zayn al-Din, 1996, p. 232)

The concept of Dar al-Kufr (non-Islamic territory)

A land with more non-Islamic rules is Dar al-Kufr. One of the most important and fundamental issues in the discussion of Islamic international relations is what should be the diplomatic relations between Dar al-Islam and Dar al-Kufr?

Should the principle of peace be considered or war? Or should another principle be considered? There are three islamic opinions in this regard:

Theories of relations

1. The "Principle of Peace" theory

The theory of the "principle of peace" is that at first an Islamic state has no right to subordinate other governments to its own state. And the relationship between Dar al-Islam and Dar al-Kufr is basically peace, not war. And the theory of the "principle of war" is legitimate only if a cause for war is found. Proponents of this theory are Allama Rashid Reza, Dr. Wahbeh Zahili, Sheikh Abdul Wahab Khalaf, Sheikh Mohammad Shaltout, Abdullah Daraz and Sheikh Abu Zahra. To confirm this theory, they have relied on the Qur'an and the hadiths of the Prophet, which we will discuss below:

Quran's reasons

And if they show a desire for peace, you also enter through peace and rely on God, who is All-Knowing, All-Hearing. (Al-Quran, Anfal, 61)

And fight in the way of God with people who are at war with you. And do not go too far in fighting that God does not love the aggressors. (Al-Quran, Baqara, 190)

And (during battle) with the pagans, Fight in groups, as they fight against you in groups, and know that God is with the pious. (Al-Quran, Tuba, 36)

“Fighting in” the Haram month is for “aggression committed in” the Haram month, and for “all” violations are legal retribution. So, whoever has assaulted you, then assault him in the same way that he has assaulted you. And fear Allah and know that Allah is with those who are pious (Al-Quran, Baqara, 194).

Sunnah's reasons

The Prophet (PBUH) has forbidden wishing to confront the infidels. As he has said: O people, do not wish to face the enemy, and ask God for forgiveness. But whenever you encounter them. Be patient. Because paradise is under the shadow of a sword. (Al-Bukhari, Muhammad ibn Ismail, 1422 AH, p. 51)

Therefore, regarding the Prophet's expeditions, they think that all those wars were defensive, not offensive; As Dr. Zahaba Rahili, may God have mercy on him, says: The battles of the Prophet PBUH were to avert their inevitable dangers. As we know, the war with the Quraysh was because they had usurped the property and assets of the Muslims and inflicted a lot of oppression on the Muslims. But the war against the Jews was due to their breach of treaty and their plan to assassinate the Prophet PBUH. And the war with the Romans was because in addition to rejecting the invitation, some of their governors also killed the ambassadors of the Prophet of Islam.

For this reason, it was necessary for the Prophet (PBUH) to launch a military move against all these oppressions and betrayals to stop them so that they would not have such courage against the Muslims again. (Al-Zuhaili, Wahbah bin Mustafa, 1393 AH, pp. 123-128)

Sheikh Abu Zohra Rahmatullah, while confirming the above theory, expressed the opinion of Imam ibn Taymiyyah Rahmatullah on whether the reason for the war with the infidels is their infidelity or their aggression. After that, he confirmed that the reason for the war with the infidels is not their infidelity but their aggression. He concludes that the principle in relations is peace, not war. As he says: Islam considers peace as a principle in human relations between governments, and does not allow Muslims to interfere in the affairs of other countries, unless it is to protect public freedoms or if the oppressed want help. (Zohra, 1382 SH, p. 38)

2. The “principle of war” theory

Most jurists believe that the principle in the relations between Dar al-Islam and Dar al-Kufr, if not accepting Islam and Jizyah, is not peace but war. And peace comes when it is based on the treaty, and because of the readiness for war. As Imam Shafi'i (may God have mercy on him) says: God's command about the polytheists is to fight with those who worship idols so that they will believe. "People of the Book" until they become Muslims or pay Jizyah. (Al-Shafi'i, Muhammad ibn Idris, 1400 AH, p. 56)

Imam Muhammad ibn Hassan al-Sheibani, may God have mercy on him, says: Whenever Muslims leave jihad, they all become sinners in this regard. And it is necessary for the Imam to protect the borders and encourage Muslims to jihad. And do not leave the polytheists without inviting them to Islam until they either become Muslims or pay Jizyah. (Al-Sheibani, Muhammad ibn Hassan, 1424 AH, pp. 187-189)

Allama Shokani, may God have mercy on him, says: Jihad and fighting with the infidels and accepting Islam by them, or paying jizyah by them is a necessity of religion. (Al-Shukani, Muhammad ibn Ali, 1405 AH, p. 518)

Proponents of this theory use the Qur'an and Sunnah to confirm their theories. They also reject the theory of the first scholars (the principle of peace). So, first we will express the theory and opinions of this theory, and then we will deal with the controversy and the reasons for the first theory.

Quran's reasons

Most of the verses that state the necessity of jihad do not state that jihad should not take place as long as the infidels do not start a war.

Therefore, it seems that most of the verses of the Qur'an are without this condition. As Allah Almighty says:

Jihad in the way of God was assigned to you; While you do not like it. You may not like something, but your goodness is in it. Or love something, but it's bad for you in it. And God knows and you do not know. (Al-Quran, Baqara, 216)

Imam Muhammad Ibn Jarir al-Tabari, may God have mercy on him, says: It means that God has assumed jihad over you. (Al-Tabari, Muhammad ibn Jubayr, 2000, p. 357)

(But) When the "Haram" months are over, kill the polytheists wherever you find them. and capture them and encircle them. And be in their way in every ambush. Whenever they repent and perform prayers, and pay Zakat, release them. Because God is Forgiving and Merciful. (Al-Quran, Tuba, 5)

In general, this blessed verse demands the murder of other polytheists and the People of the Book. And nothing is accepted from the polytheists except converting to Islam; Either Islam or the sword. But in the case of the People of the Book, the command of God is to take Jizyah from them. As Abd al-Rahman Ibn Awf (may God bless him and grant him peace) testifies that the Holy Prophet (PBUH) received Jizyah from the Magi. (Al-Bukhari, Muhammad ibn Ismail, 1422 AH, p. 182)

Fight the polytheists in groups, as they fight with you in groups. Know that God is with the pious. (Al-Quran, Tuba, 36)

Fight those of the People of the Book who do not believe in God or the Day of Judgment, and do not forbid what God and His Messenger have

forbidden, and do not accept the behavior of the truth. Until they pay the jizyah with humbleness and surrender by themselves. (Al-Quran, Tuba, 29)

Never be weak and do not invite (enemies) to (humiliation) peace because you are better and God is with you and nothing diminishes (reward) of your deeds. (Al-Quran, Mohammad, 35)

Imam Abu Bakr Jasas wrote in the explanation of this verse: This verse is about the prohibition of peace and seeks peace among the polytheists. This verse also indicates that the Prophet PBUH did not enter Mecca through peace but conquered Mecca by force. Because God Almighty has forbidden him to make peace according to the mentioned verse. This verse also makes it clear to us that Muslims are great and dominant. So if they enter through peace and satisfaction, it means that both are equal in power. (Al-Jasas, Ahmad Ibn Ali, 1405 AH, pp. 271-272)

Dr. Abdul Karim Zidan says: Considering what the commentators have said, it allows me to say that the conditions of the verse are general and include all situations, even the power of Dar al-Islam. Therefore, if Dar al-Harb offers peace and the abandonment of war and accepts the citizenship and submission of Dar al-Islam and giving Jizyah, reconciliation and peace will be accepted. Because this situation indicates submission and obedience to the Islamic State. (Zidane, Abdul Karim, 2016, pp. 253-254)

O you who believe, fight the infidels who are closer to you (and the farther enemy should not distract you from the nearest enemies). They must feel intense violence (and power) in you. And know that God is with the pious. (Al-Quran, Tuba, 123)

Sunnah's reasons

The Prophet (PBUH) said: I have been commissioned to fight the people until they testify that there is no god but Allah, and Muhammad is His Prophet, and they should perform prayers, and pay zakat, and then their wealth and lives are safe, except in the way of Islam and their account is with Allah. (Al-Bukhari, Muhammad ibn Ismail, 1422 AH, p. 17)

Discussion of the reasons for the first theory

1. Discussion on the Quran's reasons

And if they show a desire for peace, you also enter through peace, and trust in God, for He is All-Hearing, All-Knowing. (Al-Quran, Anfal, 61)

Refer to this verse about peace has the following drawbacks:

1. If we look at this blessed verse, it is clear that almighty Allah says that if they want peace, you will enter through peace.
2. In the previous verse, the provision of forces and equipping weapons and preparation to create fear in the hearts of the enemies of God is discussed. And the purpose of preparing the force is to create fear in the hearts of God's enemies. As we know, if the principle is based on the theory of peace, the first thing that is provided in peace is security. So, if fear is created, peace is disrupted and the theory of the principle of peace loses its meaning.
3. In this verse, the betrayal of the infidels is discussed, and after that, the order is to equip and preparation of the forces. So, it turns out that the infidels are betrayals, not the people of peace.
4. Allama Abu Ja'far Tabari Sheikh al-Mufarsin considers the meaning of "Salam" in this verse to be the meaning of Islam. As Ibn Abbas, Mujahid, Qatadah, Sadi, Ibn Zayd and Zahak believe in that opinion. So it turns out that the explanation of "Salam" as the meaning of peace,

does not have a common meaning that we use in the meaning of peace.

In this case, the meaning of this verse is that if they apparently turn to Islam, accept their apparent Islam and rely on God in their hearts. (Al-Tabari, Muhammad ibn Jubayr, 2000, p. 14)

5. Imam Muhammad Rahmatullah says:

The purpose of this verse is to allow the legitimacy of peace and leave the war when the Muslims are weak because of the readiness for Jihad, not complete peace.

6. Allama Abu Bakr Jasas Rahmatullah says: The situation in which we were commissioned to peace is the situation of our weakness and the strength of the infidels.

And in the way of God, fight those who fight against you, and do not exceed. Because God does not like abusives. (Al-Quran, Baqara, 190)

In response to the principle of peace, the following points can be considered from this verse:

1. Imam Abu Bakr al-Jasas, may God bless him and grant him peace, says: The commentators of the Qur'an disagree in this verse. Some say that this verse is the first verse about the legitimacy of jihad. As Rabi and Anas, may God be pleased with him, have this opinion.
2. Considering the interpretation of Umar Ibn Abdul Aziz, may God bless him and grant him peace, "Yuqatelunakum" means those who are practically at war with you, and fight with them and avoid killing women and the weak people who have not aggressed you.

And fight against the polytheists in groups during the battle. As they fight against you in groups, and know that God is with the pious. (Al-Quran, Tuba, 36)

As can be seen, the principle of peace is not inferred from this verse. Because the blessed verse speaks about the unity of the infidels in the conditions of war, not about peace. As Allama Shiravi, may God have mercy on him, says in the interpretation of this verse: Fight against the polytheists in a united manner. Because it is obvious that falsehood is combined with falsehood and fights unitedly against the other group. It has been seen in the history of Islam that the Jews united with the polytheists against the Muslims, and you must unite against them. (Al-Sha'rawi, Muhammad Motavi, 1997, p. 1258)

“Fighting in” the “Haram” month is for “aggression committed in” the Haram month, and for “all” violations are legal retribution. So, whoever has assaulted you, then assault him in the same way that he has assaulted you. And fear Allah and know that Allah is with those who are pious. (Al-Quran, Baqara, 194)

As it is clear from this blessed verse, it discusses the sanctity of the "haram" months, not about jihad and international relations. The meaning of this verse is that if the enemies of God violated the sanctity of the "haram" months and attacked you, you also have the right to take revenge. And repel the invasion against their invasion. And you are not allowed to attack during the "haram" months.

2. Discussion on Sunnah's reasons

O people, do not wish to face the enemy, and ask God for forgiveness. But whenever you encounter them. Be patient. Because paradise is under the shadow of a sword. (Al-Bukhari, Muhammad ibn Ismail, 1422 AH, p. 51)

In this hadith, it is forbidden to face the enemy. But the meaning of the verse by desire is the kind of desire that man has relied on his material

power and without relying on God, he has proudly wished for war. (Al-Asqalani, Ahmad Ibn Ali, 2000)

But it does not mean facing the enemy and reaching the status of martyrdom, as the next part of the hadith considers paradise under the shadow of swords.

Regarding the historical expeditions of Islam, it should be said that the invitation of Islam is a universal invitation, so that this invitation reaches all the people of the world. And the people must get rid of the worship of the servants, they must worship the true God. As it became clear from the hadith of Salem ibn Barida that the polytheists should either pay Jizyah or be killed. The People of the Book and those who are like them should also pay Jizyah or believe in Islam or be killed. From the text of this hadith, it is clear that the wars and battles of the Prophet PBUH were defensive and sometimes had an offensive form. The purpose of it, was either to help the oppressed or to repel aggression, or to remove material obstacles through the invitation.

Given the analysis of the reasons, it is understood that the principle in relations is war, not peace. The question arises whether the existence of governments and the flags of infidels should be religiously confessed or realistic confession? If it becomes a religious confession, it means that the existence of infidelity on earth is permissible according to the religion of Islam. But this is against the goals of the mission of the prophets (peace be upon them).

So we have to make a realistic confession to the existence of infidel flags. That is, as an undeniable fact, it must be admitted that they exist. But according to Islamic law, the flag of infidelity should not be raised. Power must be in the flag of monotheism (Islam). So the fundamental argument is

that the existence of two flags are opposite to each other. Each of them does not accept each other's domination and considers themselves right to and the other side as false. These two powers are always trying to defeat each other. So we can say that the basis of the reason for war is here, and the principle in relations is war, not peace. (Zidane, Abdul Karim, 2016, pp. 241-242)

3. Mukhtar's theory (the theory of the principle of invitation)

Considering the above texts expressed by the proponents of the theory of war and peace. I want to choose the middle way according to the purposes of Sharia. Therefore, by researching and studying the subject, we will explain the opinion of Imam Muhammad ibn Hassan Sheibani, may God have mercy on him:

Imam Muhammad ibn Hassan Sheibani (may God have mercy on him) says: Whenever you encounter the polytheists, they do not have more than two cases, the first case is that the invitation of Islam has not reached them. In this case, war against them before the invitation is not the right thing to do; However, if the invitation has been sent to them, but they have not accepted Islam, then they should be invited to pay Jizyah, and the declaration of war before the invitation to pay Jizyah is still not the right thing to do, because we should call them to pay Jizyah.

As the Messenger of Allah (PBUH) invited the commanders of the army to accept Islam first of all, if they did not accept Islam, he would invite them to pay Jizyah, and if they did not pay Jizyah, he would invite them to fight. As Allah Almighty says: "As long as they pay the jizyah by surrendering". (Al-Quran, Tuba, 29)

Unless they are among those whose payment is not accepted according to the law of payment of Jizyah, such as the Arab polytheists and apostates.

Because they had only two ways, either to accept Islam, or they will be killed by the sword. (Al-Sheibani, Muhammad ibn Hassan, 1424 AH, pp. 75-76)

Considering what Imam Muhammad ibn Hassan Sheibani (may God have mercy on him) states, the relationship between Dar al-Islam and Dar al-Kufr is neither based on the principle of peace nor on the principle of war; Rather, the basis of the relationship is the invitation. Invitation to accept Islam or invitation to pay Jizyah. Therefore, it is not right thing to call them to war before inviting them. As God Almighty says:

And we will never punish a tribe unless we have sent a prophet (to state their duties). (Al-Quran, Asra, 15)

Therefore, it is not right thing to punish them by war until the message of Islam reaches them. Therefore, we must first invite them to Islam. Perhaps the question arises why we put them between accepting Islam and paying Jizyah?

In response, two points should be added:

– **The first point:**

Islam is the last divine law that God Almighty has sent for the happiness of humanity in order to lead humanity from the worship of the servant to the worship of the true God; Or from the narrowness of this world to the Hereafter; From the cruelty of the rulers to the justice of Allah; From slavery to freedom from retribution to blessing.

– **The second point:**

When we think about the universe and the earth, we find that Allah is the creator, owner, and possessor of the universe. As we look at the Qur'an,

we find that the relationship between the earth and Allah is discussed in four ways.

1. Allah is the Creator of the earth, as he says: “He is the One who created the heavens and the earth”. (Al-Quran, Ana’am, 73)
2. Allah is the owner of the earth and the heavens. As he says:
“The rule of the heavens and the earth and what is between these two belongs to God”. (Al-Quran, Maeda, 17)
3. It is creational, as God says: “Do you not see that we are constantly coming to the earth and reducing (its creatures)? Are they dominant (or us)?”. (Al-Quran, Anbiya, 21)
4. legislative possession. Considering what we have said, God is the creator, owner and possessor of the creation of the universe. Therefore, it is clear that he must also be a legislator, and he has the right to order not to commit corruption on the land, and to punish those who commit corruption on earth, and order his righteous servants to migrate from the place of corruption to the place of righteousness and better, and inherit the earth to His righteous servants. In this regard, as we have understood, the earth belongs to Allah and man is the caliph of Allah on earth, and the legislative and legal sovereignty must be from those Muslims who are the caliphs of God on earth. (Al-Najaf, A.K, 1382 SH, pp. 92-94)

Therefore, it is clear that these caliphs, who are the righteous servants of Allah and the successors of the prophets, should invite people to Islam, and invite the people to justice and abandon the servitude of the servants. These righteous servants should make their invitation in such a way that they

show the symbol of the mercy of the Holy Prophet PBUH to the world, and in their morals and behavior, in their politics and government, in their economy and society, they should be a good example and a good model, not that their invitation is accompanied by coercion and oppression, violence and aggression, terror, corruption and destruction. Because such acts of oppression are not related to the purpose of the Islamic call and the purposes of Islamic law and ethics and the Sunnah of the Prophet. So choosing the principle of war in diplomatic relations would be wrong. But it is also not right for us, under the pretext of the principle of peace, to allow governments that have tyrannical rulers to commit oppression, violence, corruption, prostitution and destruction, and not to interfere in their affairs. Rather, we must choose the way of invitation in a good way. And to gather the whole world under the flag of justice, monotheism and godliness. And let us raise this flag, which is a symbol of anti-oppression, anti-corruption and a symbol of peace, security and health of humanity.

As we have pointed out, although Muslims carry the message of justice, freedom, reform and prosperity, and they lead humanity to the light of this world and the hereafter, they never impose their beliefs on anyone. They leave people free to determine their own destiny, and they have nothing to do with anyone's opinion. But at any cost, the flag of oppression and injustice, polytheism and corruption must be overthrown. As long as the power and the government must belong to God, who has formative and legislative domination, and the nations should participate in the mansion and settlement of their homeland by paying jizyah, and have all the rights and benefits of the citizenship of the Islamic state. For example, Imam Abu Hanifa orders the retribution of the murderer of Dhimma, even if a Muslim

has killed the people of Dhimma, retribution should be ordered against it.
(Al-Kassani, Aladdin, 1982, p. 237)

It should also be noted that it is clear that the oppressive and oppressive rulers may oppose this Islamic invitation. Because they do not want their scum and authority, their dignity and their oppression to be lost. Therefore, it is necessary for the ruler of the Islamic State to end the oppression of these rulers with a correct and firm position. This political line is clearly seen in the golden Sunnah of the Holy Prophet (PBUH), as he ordered the commanders of his army to first invite people to Islam, and if they accept the religion of Islam, they should stop fighting them. If they do not accept Islam, they should ask them to pay Jizyah, and if they refuse to pay Jizyah, they should fight them. (Abu Dawood, Suleiman Ibn Al-Shaat, N.D, p. 43)

The purpose of inviting the prophets of Islam is to overthrow the flag of infidelity and polytheism, and to raise the flag of justice and freedom of Islam. Thus, it turns out that the relationship between Muslims and other nations, despite differences such as color, language and religion, is neither based on the principle of war nor on the principle of peace, but the basis of the relationship is invitation. After it becomes clear that the position of other nations or governments against the invitation of them to Islam whether they accept or reject it, will become clear that the principle in relation to them is principle of war or peace? (Zamiriya, Uthman Juma, 1999, pp. 392-393)

Dispute and analysis

The concept and principles of Dar al-Islam relations with Dar al-Kufr is a dispute between Salaf and contemporary scholars. As we found in the texts of this article, the scholars have three different views in this regard. One

was the theory of the principle of war, the second was the theory of the principle of peace, and the third view that lies between the two was the theory of Imam Mohammad ibn Hassan Sheibani, may God have mercy on him. That he considers the principle in relation to Dar al-Islam and Dar al-Kufr to be neither war nor completely peace. He says the principle in the relationship is invitation. Because, until the invitation is reached, the declaration of war with them is against the intentions of the prophets. As it is stated in the Holy Qur'an: No nation will be punished unless a messenger has been sent to them.

In the same way, those who choose the theory of the principle of peace, they refer to the early verses of jihad, which are obsolete to some and to some to be related to the period of weakness of Muslims. Those who believe in the principle of war, cite the verses of Surah of Tawbah, the verses which are the last Surahs about interacting with the infidels, and in the verses of Surah of Tawbah, jihad is with the infidels and the people of the Book until they criticize Islam or pay Jizyah, and whenever they pay Jizyah, the war ends.

In view of what we have stated, the average theory between the two theories of war and peace is the theory of the principle of invitation. Because if the infidels and the People of the Book accept the invitation of Islam or pay Jizyah and enter into the covenant of Dhimma, there will be no war. The same theory is in accordance with the spirit of Islam.

Conclusion

The following results can be obtained from the research on the description of Dar al-Islam relations with Dar al-Kufr in Islamic jurisprudence:

Islam is a safe and sound religion and strives for security throughout the world. It has nothing to do with violence and aggression. This religion

wants to convey its safe and secure claim to all the worlds and lead the servants of God from serving the servants to the serving of Almighty Allah. Muslim rulers must guide the weak nations of the world from the oppression of the oppressive rulers to the justice of Islam and from the narrowness of this world to the hereafter. Because the goodness of the Muslims is in promotion of virtue and the prevention of vice. so, the greatest vice is corruption, oppression and idolatry, And the most important virtue of Islam is justice and monotheism. Therefore, Muslims need to be a model of justice and freedom, compassion, security and comfort in the world. And invite the nations of the world through good preaching, wisdom and controversy. If in this regard, the rulers of the infidels prevented the publication of the message of Islam which is the message of the freedom of humanity, inevitably, for the freedom of human beings from the shackles of the oppressive rulers, they should jihad and mobilize forces. But in this regard, they should not try to impose their opinion on anyone., and they should ask the rulers to either accept Islam or enter into a contract of safety (Dhimma) by paying jizyah. If they do not do so, they should wait for the Muslims to declare a freedom war against them. In this way, the oppressed nations will be safe and secure by paying Jizyah as a government tax. According to what was discussed in the above discussions, it proves that peace after the war and the war is after the rejection of Islam and the payment of Jizyah. And the first suggestion is to invite to Islam, as the Holy Prophet (PBUH) ordered the commanders of his army.

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