

## Is Security Agreement with the United States Un-Islamic?

Farid Younos

A Mullah (religious man) told those who pray in a mosque in Kabul that the security agreement with the United States is infidelity and should not have been signed. My media colleague, Sajia Kamrani who has a popular show on Ariana Afghanistan television broadcasting from Los Angeles called me and requested if I could speak on her show for a few minutes about this issue. I thanked her kindly and agreed. After her show, Sunday, October 26, 2014, I had several calls from her viewers as well as my TV viewers that I should write about this issue to be distributed in Kabul and that we should try to educate our people and get them rid of narrow-mindedness. This is because most of our people are illiterate and speaking on these issues without proper knowledge and unauthentic sources could be very poisonous to the public. Before Sajia's show, I managed to watch the video clip on You-tube and this is the answer:

First of all, we should look if signing an agreement with non-Muslims is un-Islamic or illegal according to Islam. To find out our answer, we need to look at Islamic history in which the Prophet of Islam signed agreement with Jews of Medina for peace and security of Muslims and non-Muslims. This agreement is recorded as "Constitution of Medina" in history of Islam. In this agreement, the Prophet not only guaranteed the rights of Muslims but also at the same time guaranteed the rights of the Jews among themselves in which he called all Jewish tribes equal with each other and no Jew had a superiority over another Jew. For example, in article fortieth of this Constitution, we read that all Jewish tribes have equal rights among each other. Since both Muslims and Jews were included in this agreement, article forty-four says that both Muslims and Jews will pay for the expenses of war, and in article forty-five we read that if anyone stage war against the parties included in this agreement, both Muslims and Jews are helping and assisting each other. The Prophet of Islam not only signed an agreement with the Jews as non-Muslims but also guaranteed their rights. Now, we go to the Christians that how the Prophet dealt with them.

In 628 C.E. The Prophet of Islam, Muhammad granted a Charter of Privileges to the monks of St. Catherine Monastery in Mt. Sinai. It is as follows:

This is a message from Muhammad ibn Abdullah, as a covenant to those who adopt Christianity, nearby and far away, we are with them.

Verily, I, the servants, the helpers, and my followers defend them, because Christians are my citizens; and by Allah! I hold out against anything that displeases them.

No compulsion is to be on them.

Neither are their judges to be removed from their jobs nor their monks from their monasteries.

No one is to destroy a church, to damage it, or to carry anything from it to the Muslims' houses.

Should anyone take any of these, he would spoil God's covenant and disobey His Prophet. Verily, they are my allies and have my secure charter against all that they hate.

No one is to force them to travel or to oblige them to fight.

The Muslims are to fight for them.

If a female Christian is married to Muslim man, it is not to take place without her approval. She is not to be prevented from visiting her church to pray.

Their churches are to be respected. They are neither to be prevented from repairing them nor the sacredness of their covenants.

No Muslim nation is to disobey the covenant until the Last Day (end of the world).

The above document is a strong proof that the Prophet of Islam made constructive peace agreement, and security agreements with non-Muslims such as the Jews and the Christians for the sake of peace. Now we go to the second mistake of Mullah in Kabul in which he calls the Jews and the Christians infidel. Nowhere in the Qur'an we find that the Jews and the Christians are mentioned as infidel. The Qur'an allude to their mistakes and warns the Jews and Christians of their wrongdoing but not infidelity. On this issue, Dr Yusuf Al-Qaradawi, the most prominent as well as controversial scholar of Islam in the Middle East in his most popular book, "Al-Halal wal Haram fil Islam" (The Lawful and the Prohibited in Islam) under the title of "Special consideration for the People of the Book [Jews and Christians]" writes, "While Islam does not prohibit Muslims to be kind and generous to peoples of other religions, even if they are idolaters and polytheists, as for example, the polytheists of Arabia, concerning whom the above verses were revealed [ Chapter Al-Mumtahanah (The Test of Faith) verse 8 &9)], it looks upon the People of the Book, that is Jews and Christians, with special regard, whether they reside in a Muslim society or outside it. The Qur'an never addresses them without saying, "O People of the Book" or "O you who have been given the Book," indicating that they were originally people of a revealed religion. For this reason there exists a relationship of mercy and spiritual kinship between them and the Muslims, all having in common the principles of the one true religion sent by Allah through His Prophets (peace be on them all)" Dr Qaradawi has given further elaborations on the issue of "ahl al-dhimmah or dhimmies" meaning People of the Book, "That Allah, His Messenger (peace be upon him), and the community of Muslims have made a covenant with them that they may live in safety and security under the Islamic government." Qaradawi quotes from the Prophet saying, "He who hurts a dhimmi; hurts me, and he who hurts me, annoys Allah." another hadith (saying of the Prophet), he quotes, "Whoever hurts a dhimmi, I am his adversary, and I shall be an adversary to him on the day of Resurrection." In a third hadith, Qaradawi quotes from the Prophet saying, "On the Day of Resurrection, I shall dispute with anyone who oppresses a person from among the People of the Covenant, or infringes on his rights, or puts a responsibility on him which is beyond his strength, or takes something from him against his will."

We can clearly see that how much rights and respect were granted to the People of the Book at the time of the Prophet. Unfortunately now, all these Wahhabies, Salafies such as the Taliban, Al-Qaeda, ISIS and so on brought such a disaster by the name of Islam as Hitler did by the name of nationalism. On the topic of People of the Book that are not infidel, also, please refer to a co-researched essay by Professor Abdullah S. Ghoriani and Dr Farid Younos titled, "Muslim symbiosis with People of the Book: Are Jews and Christians infidels?" in Farsi language cataloged in the Library of Congress.

Now we go to the third mistake that the Mullah did. Since this person did not know Arabic philology, he used the literal meaning of "Wali" (friend) with plural form "Awalia" mistakenly as "Mawaalat" that also means friendship in plural form. The difference in the context of the verse 51 and 52 of chapter 5 of the Qur'an is this that the verse allude to a special relationship that Muslims affairs cannot be granted to non-Muslims or non-Muslims become in charge of socio-political affairs of Muslims not casual friendship. It hasn't got anything to do with agreements, contracts or truce. We saw above that the Prophet had agreement with the Jews and the Christians. The Prophet also signed agreement with the infidels of Mecca. In one of agreement between Muslims and the infidel tribe of Quraish of Mecca,

the draft of agreement underneath had the name of the Prophet as “Muhammad the Messenger of Allah.” The Quraish reused to acknowledge this undersigning and Muhammad said “that is fine, put as Muhammad son of Abdullah.” Based on verse 51 and 52 of chapter five of the Qur'an, the Prophet did not establish a friendship to give the infidels an authority over Muslims. On the contrary, he signed an agreement of peace and security for the sake of Muslims and peace. Consequently, Muslims can sign peace agreement with everyone as long as the interest of Muslims is safeguarded.

About the security agreement between Afghanistan and the United States there is one issue that needs attention. First of all the United States forced Afghans to sign the security agreement. American officials in different levels frequently traveled to Afghanistan to convince Afghans to sign the security agreement to a point that they mentioned if they did not sign all aid will be cut off. Karzai refused to sign despite the fact that general assembly of Afghans wanted him to sign. This means the security agreement forced upon Afghans. Secondly, the item on agreement that “whether U.S. forces remaining in Afghanistan would be immune from Afghan law, as they have been since entering the country in 2001. The BSA addresses this question directly, saying Kabul "agrees that the United States shall have exclusive right to exercise jurisdiction" over U.S. soldiers who commit "any criminal or civil offenses" in Afghanistan.” This clause of agreement gave the US an upper hand and proves that the agreement is not truly bilateral. Afghan statesmen after Karzai never thought that as much as Afghanistan needed the US, the US needed Afghanistan for her strategic interest in the region. This agreement shows that Islamic justice is weak compared to US laws and this is an unfaithfulness to Islam and Islamic justice.

Cairo Declaration of Human Rights in Islam dated August 5, 1990 declares:

“Every human being is entitled to human sanctity and the protection of one's good name and honor during one's life.” Also, it declares that “all individuals are equal before the law, without distinction between the ruler and the ruled. The right to resort to justice is guaranteed to everyone. A defendant is innocent until his guilt is proven in a fast trial in which he shall be given all the guarantees of defense.” If American soldiers commit wrongdoing and play with dignity and integrity of Afghans in the country as they did in Japan and other countries and the true justice is not fulfilled all those who signed this agreement are responsible in the future. If the United States imposed this law on other countries, Muslims should not have accepted this clause. Islamic law does not have any shortcoming or deficiency. I believe, the United States argued that since the Saudis accepted their terms having a military pact with that country, every one else should accept it too. If this theory is true, then Afghanistan is a victim of the second triangle of sin that is the association of America, Saudis and Pakistan.

My suggestion to the Afghan government is this that they should hold seminars on Islamic history, philosophy and interpretation of the Qur'an and invite all those who deliver sermon in the mosques mandatorily so they should not deliver biased sermon and resort people to radicalism and fanaticism. We should all fight radicalism, fanaticism, prejudice and narrow-mindedness.

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Dr. Farid Younos is Professor of Cultural Anthropology of the Middle East at California State University-East Bay and anchor at ATN News.