

Diplomatic Negotiations from Islamic Point of View

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ABSTRACT

One of the oldest ways of solving disputes among human beings peacefully has been the diplomatic negotiation. Nowadays most of the nations use this method to ease strained relations, reduce hostility, and establish economical and political relations, as well as halting wars, and consolidating peace. Divine faiths have recognized and recommended this logical approach. The Holy Prophet, with respect to existing traditions and Quran teachings, signed diplomatic negotiations in ties with Arabian tribes and other states. He implemented this method by delegating ambassadors or representatives to different countries. Of course, today, international organizations have changed such common and rational rules and regulations to official laws and documents.

KEY WORDS: Negotiation; Islamic Diplomacy; Diplomatic Negotiations; Peace; War; International Disputes.

1. INTRODUCTION

In the international society consisted of countries with different ideologies, purposes, and interests, having disputes among each other is one of the inevitable aspects of today's social life. Sometimes these disputes have caused bloody wars with terrible consequences and tremendous human and financial lost. Heavy expenses, loss of human beings lives, uselessness of the wars, and most importantly fear of a nuclear war that destroys everything, have forced today's states to solve their disputes in a way, other than war. Whenever a state affair is considered as an international dispute, official and unofficial people and local and international organizations, call on the disputed states to try to solve their problems through intense negotiations. For centuries, diplomacy and peaceful methods have been used in international organizations, using international laws and regulations, to solve such disputes peacefully. Unfortunately, this method does not always lead to the desirable results. Because, when both states have no intention to decrease the flame of their disputes or to cease their violent contacts, it is impossible to achieve anything positive through negotiations. But, overall, these efforts have succeeded undoubtedly in preventing many armed clashes.

All of international rules and regulations indicate that countries and other members of international society have to solve their disputes in a peaceful way, and avoid starting war and violent contacts. This is the only way to have peace in the world. There are only two ways for solving international disputes: political diplomacy, and legal methods. The most common ways of solving international disputes are: negotiation, good offices, mediation, inquiry, and conciliation.

This paper talks about the role of diplomatic negotiation for solving the disputes as stated in Quran and Islamic writings. The main objective of this paper is to investigate the resources of these kinds of negotiations existing in Quran and in teachings of Islam. One of the most important goals of this paper is to discuss the following questions: What could we say about Islamic diplomacy? And what are the principals and characteristics of Islamic diplomacy? It is necessary to explain the first question first. This question could be expressed in another way: If the contemporary diplomacy is the product of the recent era of global history, and this idea at most goes back to the 18th century, how can we talk about Islamic diplomacy which has initiated in the seventh century? We think the answer to this question can be sought in some major points that have both comparative and historical nature. So, at first the concept of negotiation, its history and the place of this idea in international laws is studied, then diplomatic negotiations in Islamic resources is investigated.

2. Concept of Negotiation

Negotiation means dialogue, bargaining, justifying and persuading the other person, and this is one of the most common, general and oldest methods of solving international disputes peacefully and is considered as one of the important diplomatic means; to the extent that diplomacy is taken equivalent to negotiation[9,12,17]. We can express international negotiation as: "the way of peaceful investigation of the disagreements or disputes among states in order to reach a compromise, make the problems moderate or solve the disputes between two parties"[11].

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This concept is expressed by International Court of Justice as "Friendly method that is accepted all over the world"[14]. Besides that, the Court indicates that there is no need to concentrate on the characteristics of this method. One of the most important reasons for paying attention to this method and using it to solve disputes among the states, is its low cost and peaceful nature.

3. Historical Background of Negotiation

The bases of negotiation are the equality of states, mutual respect among states, non-interfere in each other affairs, and commitment to sustain the other one's interest. In order to achieve meaningful results through negotiation, it is required to create an atmosphere of confidence and observe it with a respectful and good-faith viewpoint. Negotiation is an old way to solve the disputes among states and tribes and avoid engaging in the war. Primitive tribes have used eloquent people to negotiate, establish and determine boundaries of their meadows[5]. So negotiation is an old and historic method for solving disputes. But, from the implementation point of view, this method is accompanied by different tactics in different eras. The negotiation method and the way it is carried out, depends on the nature of dispute, the tactics being used, and the talents of the negotiators. So, choosing the methods and tactics used in a negotiation, depends on incompatibility of the goals and benefits being sought, the commitment of the disputed governments to these goals, and tendency of the disputed governments to come up with a compromise [18].

4. Negotiation in the Framework of United Nations (UN)

Common customs of negotiation among societies and governments are regulated by international organizations, in a way that both parties who have disputes are obliged to solve their problems using one of the peaceful methods mentioned in Articles 1, 2, and especially 33 of the UN Charter. According to Article 33: "1) Both parties who have problems and their disputes may lead to war and harmful conditions among states, before doing anything, should solve their problems by means of negotiations, mediations, inquiries, arbitrations, judicial proceedings, local organizations or other peaceful means. 2) If needed, Security Council will ask both parties to solve their problems using the aforementioned means. Otherwise, the Council itself, or in response to the request from a member or even a non-member country or the Secretary of the UN or General Council (according to Article 35 of the Charter) takes the proper action (Chapter 6 and 7 of the Charter). Moreover, the General Council is eligible to give comments in any problem related to international peace (Article 11 of the Charter) and can give recommendations to cease the problem peacefully (Article 14 of the Charter)."

According to the UN Charter, the concept of dispute based on its importance, is categorized into two groups. The first is when the dispute is only a simple threat to the international peace and security. In such cases the Council only gives some recommendations (Articles 34, 36, 37, and 38 of the Charter). The second is when the dispute threatens the international peace and security seriously, then the Council gives orders (Chapter 7, especially Article 39 to 43).

History shows that the General Assembly of the UN often has recommended the negotiation method to disputed parties. The General Assembly in its resolution 40/9 of November 9, 1985, has directed all countries to solve their disputes using negotiation or other peaceful means.

The Security Council, based on Chapter 6 of the UN Charter (Articles 33 to 38), can also leave the selection of a peaceful method to the parties in conflict or recommend to both parties methods of its own. Sometimes the Security Council has recommended negotiation along with other peaceful means and in other cases has just recommended negotiation [13].

5. Negotiation in International Documents

Resorting to negotiation can be seen in regulations and by-laws of the UN treaties and of many other international organizations. When the member countries have disputes, many of these treaties force the disputed countries to negotiate. Examples of such treaties are: the 1979 regulations about the activity of governments in the moon and other heavenly bodies, (Resolution 34/68, General Assembly, Article 15, Part 1) and Convention 1975 about South Pole (Article 8 Part 2).

In accordance with these treaties, when there is a dispute in the interpretation or execution of one of the UN Articles, both parties have to solve their disputes by negotiation or consultation. In some of the treaties it is expressed explicitly that before using any other peaceful method, they should negotiate first. This idea can be seen in the following general pacts: the 1949 treaties about "solving international disputes", (Article 1) and convention 1948 about "international maritime organization" (Article 4) and convention 1969 about "interfering in high seas, due to damages of petrol pollution", (Article 8).

Besides the international rules, we must also mention the international organizations' advice about negotiations. International organizations and on the top of them, the United Nations, are proper places to have formal and/or informal negotiations among the countries.

6. Kinds of Negotiations

Negotiations are usually divided into 3 types (mutual, multi-party, universal).

6.1. Mutual Negotiations

Mutual negotiations are directly done by the representatives of both countries (usually foreign ministers), and in some cases via correspondence. Negotiators are usually foreign ministers or other senior authorities of the country. In many cases, negotiation starts by experts and, after they perform basic activities, it moves one level higher to the foreign minister's rank and from there to the leaders of the countries. It is very important for negotiators to be of the same rank and they should negotiate with their counterpart from their political statuses.

6.2. Multi-party Negotiations

Multi-party negotiations are considered when a number of countries are involved in a dispute and in order to solve their dispute, they have to participate in an international conference related to their problem.

6.3. Universal Negotiations

Universal negotiations are usually in the frame of international organizations.

7. Where Should Negotiation Takes Place

The place for international negotiation depends on the kind of negotiation (mutual, multi-party, and universal negotiation). If relations among the countries involved are not critical, the physical place for mutual or multi-party negotiation is usually in the capital city of one of the countries which have disputes. If they have critical relations, negotiation usually takes place in the head-quarter of an international organization or in a non-disputed mutually accepted country. The universal negotiation always takes place in an international organization or in the head-quarter of the UN.

8. Negotiation Duration

Negotiation duration depends on the factors such as: good intention of parties, depth of disputes, initial consultation (both legal and technical consultation), political status, etc. So, we cannot set an exact time interval for a negotiation.

9. Existing Status of Political Negotiations in Government's Relations

Negotiation can be considered as one of the most significant foreign policy devices and is the main responsibility of diplomats and political representatives, toward meeting their government's interests. Negotiations are done in order to achieve certain objectives, realize certain values or to secure and defend countries' interests. For a long time, negotiation has been used for exchange of interests, expression of concerns, and modification and correction of mutual understandings. But today, political negotiations, with increasing importance, are responsible, for the main part, for a great number of political issues, to the extent that some authors define diplomacy as "bargaining power and negotiation techniques"[18]. Obviously, to solve a dispute, negotiation is the first step and the initial approach taken prior to the use of other peaceful methods. So, it means that before a dispute becomes the subject of an international action, it must be resolved via some diplomatic maneuvering.

Manila statement, regarding peaceful solutions for international disputes (resolution 37/10 dated November 15, 1982) states two characteristics for negotiation: flexibility and effectiveness.

Negotiation, as a flexible method, is the most proper method to solve all kinds of disputes, such as political, legal, business, and professional. Negotiation is an effective and efficient method as well. Even if negotiation might be unproductive and useless in some conflicts, in many other cases it has helped to solve intensive disputes.

Importance of negotiation could be seen even in the postwar periods. Because if two or more countries cannot solve their primary problems by negotiation and a war broke out, after the cease fire negotiation is resumed and "peace treaties" between countries are produced and conditions for such peace treaties are negotiated. Negotiation usually starts with a country realizing that it has a problem with another country, then inviting that country to discuss the subject, and finally the other country accepting the invitation. Sometimes the second country may set conditions to start negotiation which are, for the other side, impossible to accept. In these cases the negotiation is faced with serious and intensive constrains.

10. Relationship of Negotiation with Consultation and Exchange of Views

It should be noted that there is a distinction between the concepts of "negotiation", "consultation" and "exchange of views". Although, consultation in Article 33 of the UN Charter, is not considered as a method for solving disputes, but in most treaties this is regarded as a method, basically employed in interpretation and execution of the treaties. For example, Convention 1975(Article 84) on "representation of countries in international organizations" accepts every member's suggestions for consultation; Convention 1978 (Article 42) about "substitution of government in treaties", and Convention 1983(Article 41) about "substitution of government in properties/documents and debts of other governments" both suggest negotiation and consultation.

In some treaties, "consultation" is known as the first step of solving disputes. Examples of such treaties are: convention 1979(Article 17) about "physical protection of radioactive materials", convention 1959(Article 11) about "South Pole" and convention 1980(Article 25) about "protection of living sea resources of South Pole".

According to these Conventions, governments obliged to consult with each other to solve any dispute on anything, before taking any other action. In accordance with the regulations of these Conventions, consultation is a low-key negotiation which is carried out prior to the main negotiations.

At the same time "exchange of views" is a kind of consultation that has been predicted in some Conventions. For example, Convention 1982(Article 283) "about the seas rights" considers important role for "exchange of views", and states that:

"1- Whenever the governments have disputes on interpretation of this Convention, both have to exchange their views in order to solve their dispute using negotiation or any other peaceful method.

2- If negotiation does not lead to a desirable result, but conditions are favorable for achieving such result, they should continue to consult and exchange views"[14].

11. The Concept of Diplomacy

There is a close relationship between negotiation and diplomacy. Diplomacy is derived from "Diploma" (a Greek word) which means a scroll or writing that based on that some privileges are given to somebody or some group. Later the word "Diplomacy" was accepted by other governments and their representatives [2]. Gradually as number of transactions increased, the need to hire someone to preserve these documents, became a necessity. People who were hired for this job were called "Diplomats", and their occupation was named "Diplomacy"[3].

The present concept of "Diplomat" goes back to the late 18th century. Although there is a consensus on the consideration of the concept of diplomacy, there are about 50 different descriptions for "diplomacy", some of which are related to the special application of the word to group diplomacy. It should be considered that the difference among most of these descriptions is in words, not in meaning.

What all these different descriptions convey is that diplomacy has a peaceful nature and negotiation is one of its most significant characteristic. The highest priority of diplomacy is to achieve peace. It should be noticed that all of the diplomacy activities are in foreign policy category. So, according to the major characteristics and purposes of diplomacy, it can be said: Diplomacy is government's use of peaceful means, like negotiation, to reach its goals. With this definition, diplomacy is equal to negotiation. So, people who are representative of governments to execute this activity are called diplomats.

Diplomacy, as one of the political means, is affected by characteristics, purposes and concept of foreign policies. On the other hand, because foreign policy is part of international relations, it is under the regulations of foreign and international relations policy. So, in Islam, foreign policy of Islamic governments is departure point affected by foreign and international relations, and this determines the diplomacy nature of these governments. From Islamic point of view, foreign relations essence, from one hand, and principles of foreign policy, from the other hand, express the real nature of Islamic diplomacy. So, to learn more about the essence of the Islamic Governments foreign relations, an understanding of Islamic ideas about foreign relations and international systems is necessary. Then, the next step would be to explain foreign policy principles of Islamic governments. This, eventually, offers a view of diplomacy somewhat different from what exist currently in Islam. According to which, Islamic diplomacy is different in purposes, motivations, principles, and results with the other common diplomacies. In the following sections, the Islamic diplomacy will be explained in details.

12. Diplomacy in Islam

Present diplomacy with its rules and regulations in Vein, goes back to 1648 Westphalia treaty, that was officially regulated and qualified by Convention 1961. But this doesn't deny the historical background of diplomacy, as one of the common means to solve disputes peacefully and a mechanism to pursuit state's objectives. The historical background of diplomacy goes back to formation of the first human communities and civilizations. The first human civilizations used negotiation, as well, to solve their problems and achieve their goals[15].

Throughout the diplomatic history of the world, different eras of diplomacy can be mentioned. In this framework, one can mention the diplomacy of the Athenian committee versus Sparta, the diplomacy of the Iranian and Roman Emperors, and the diplomacy of Muslims versus the emperors of the time [16]. So, historically, diplomacy means the employment of peaceful means and use of negotiation to end war, resume peace, and realize common goals. In fact, in the past, negotiation didn't have any formal framework and was mainly based on the local traditions of the two parties involved.

Diplomacy, as the use of peaceful means in pursuit of goals and interests, has a history as long as the history of the human civilizations. But what is important is the historical evolution of this concept. The main nature of contemporary diplomacy, which distinguishes it from old-time diplomacy, is its complexity, compliance, and rule-based nature. Discussion of the historical roots and background of diplomatic issues somehow interconnected with Islamic civilization. In its early years of existence, Islam used diplomacy to pursue its goal of inviting people to divine instructions. After concluding the Hodaibiyeh peace treaty in sixth year of Hegira, Prophet Mohammad sent his representatives to the leaders of neighboring governments to announce his message to them. These countries included Rome, Persia, Egypt, Ethiopia, Syria, Bahrain, Yemen, and Oman[4]. The subject of all these messages was invitation to Islam[14]. Sending messages to the heads of other countries was the starting point of the Islamic government's foreign relations with non-Islamic governments. Analysis of these messages reveals the nature of the political relations between Muslims and non-Muslims, from the Islamic view point.

Although at first diplomacy was free from formality, and it was not regulated, Prophet Mohammad's behavior revealed the regulations of diplomacy. Emperors of some countries sent some presents with their messages, and holy Prophet accepted such presents[7]. This, by all means, regarded as legalizing accepting presents, even from enemy, and continued during the following Khalipheh eras [15]. It is very important to note that political immunity of ambassadors was for the first time established in Islam as an irrevocable rule.

Since the beginning of the establishment of Mohammad's government, attention was given to Islamic diplomacy, due to having goals such as inviting people to Islam, transfer of representatives, exchange of prisoners of war, search for common interests, and establishment and development of cultural and commercial relations. This diplomacy has been changed through time. For instance, at first Islamic diplomacy was usually used for invitation to religion that was continued by negotiation, in order to conclude peace, defend Islam, and develop religious instructions. But in the next eras, it was a mean to make the exchange between nations easier, consolidate cultural and commercial relations, exchange the war prisoners, and resolve disputes [15]. And till now the same method, more or less, have been used.

According to historical documents and scripts of Muslim authors, since beginning, Islamic governments substituted diplomacy and peaceful means for war. And for executing foreign policies, and pursuit of their goals, they chose proper and humane means[8].

Wise words of holy Prophet Mohammad, about ambassadors' political immunity, and the treaties with other governments or tribes, confirm the mentioned points[6]. Some authors express that the number of contracts, peace treaties, and messages sent to the leaders of different countries, is 249; which shows the mobility and dynamism of the Holy Prophet Government in foreign relation area [19].

13. Diplomatic Negotiations in Islamic Resources

The concept, background, and place of negotiation in international law, and its relation with consultation, exchange of views, and diplomacy are investigated first, and then diplomatic negotiations are explained. Islam confirms negotiation in the framework of logic[15]. In Islam, negotiation is a logical and peaceful means to solve the disputes, and reach individual goals. Since nowadays negotiation is expressed as one of the foreign policy means, view point of Islam is somewhat different with other common ideas about negotiation.

It is logical to solve the disputes in the best ways. For instance, from the old time, foe's representatives were immune of any harm. This idea was confirmed by Islam. This paper refers to the most significant Islamic resources, which can help to realize the meaning of the concept of diplomatic negotiations:

13.1. Quran Verses

Some of Quran verses state that some of the best ways to reach religious goals are: use of logic, advice, and best argument.

12-1-1) invite people to God's mean with proper advice, and negotiate with them in a peaceful way, and have discussions with them in the best manner. (Sura Nahl, verse 125).

"Discussion" has three forms: "bad," "good," and "the best." The type of arguments used to justify "Rights" is of "the best" category, and is obligatory. Diplomatic negotiations concerned with peaceful and humanistic goals are in this category too[22].

In some other verses of Quran, Muslims and the Islamic governments are advised to argue with non-Muslim societies with "the best" argument.

12-1-2) do not dispute with the people of the book (those who believe in God) except in a manner which is the best. (Sura Ankabut, verse 46).

In some of Quran verses, Muslims are told when your foes demand for negotiation, you should accept such demand, if they tend to make a peaceful negotiation.

12-1-3) if they tend to have peace, you should negotiate peacefully, and put your trusts in God (Sura Anfal, verse 61).

12-1-4) say: O'people who believes in God! Come to the words which are the same for both of us; do not worship but God; and do not equate him with anything; and some of us should not accept others as God; and whenever some of them deny this invitation, say: "confirm that we are Muslims." (Sura Al-e-Imran, verse 64).

To explain the above two verses, it has been stated that God's command to his Prophet concerning the acceptance of the peace request from the enemy is subsidiary to entering negotiations with the enemy to resolve disputes. Moreover, it is obvious that the peace terms for peace treaties require extensive negotiations. The second verse is clearer, in that the Prophet does not state any precondition to enter peace negotiations with non-Muslims, and only emphasizes the common point between the two parties, that is, monotheism. In another verse, the type of interaction with non-Muslims is categorized as "the best" argument, which emphasizes the importance of negotiations. In addition to the above verses, the Prophet's political behavior clearly shows his preference for negotiation in order to achieve his goals, including religion invitation and prevention of war. As an examples, we can refer to the Prophet negotiations with Qureysh representatives and with Jewish people of Bany Nazir [20].

13.2. Practical Behavior of Prophet in Diplomatic Negotiations

Holy Prophet Mohammad sent some representatives to different tribes and neighboring countries to fulfill negotiations. Moreover, he himself carried out many negotiations with representatives of tribes and groups of people. In most cases, negotiations were managed by the Prophet. This indicates the importance of negotiation from the Islamic point of view. There are many instances of the Prophet's negotiations [3]. The main reasons for most of these negotiations were invitation to Islam, solving economic problems, delegating political and administrative responsibilities, and signing bilateral contracts. Here some of the more important instances of the Prophet's diplomatic negotiations are described in detail.

13.2.1. Negotiating with Qureysh Representatives

The first experience the Prophet had in using negotiation is in the early years of Be'that. In order to stop the Prophet from invitation to Islam, Qureysh asked his uncle, Abutalib, to visit him as their representative, and negotiate with him to solve the existing disputes peacefully. Although Abutalib believed in the Prophet's Be'that, he tried to avoid violence by peaceful negotiation. Moreover, the Prophet respected him very much. Therefore, Qureysh preferred to send Abutalib to the Prophet to remove any threats to their interests [7].

13.2.2. Negotiation with Yathrib Representatives

One of the most significant events of the Prophet's political success was negotiation with Yathrib representatives, which was carried out in two steps: first, he met and negotiated with a committee of twelve people, and next, he negotiated with a committee of 75 people, including two women. The results of these negotiations provided a great contribution to Islam's rapid development. It later laid the ground for the great and successful departure to Medina (Hegira).

13.2.3. Peace Negotiations

When the Prophet wanted to go to Mecca, in the sixth year of Hegira, in order to perform the Haj ritual, Qureysh denied him permission to enter the city. The Prophet did not intend to enter military combat into the city. So, he received Qureysh representatives and tried to persuade them to let him and his followers enter Mecca, and perform the Haj ritual. These negotiations laid the ground for a peace treaty between Muslims and Qureysh. The fifth round of this negotiation was continued with each side having different interests, but being forced to commit to the peace agreement with different incentives for each party, and they were obliged to observe the agreement. The Prophet agenda was to negotiate peacefully the following items for his people: to perform the Haj ritual, to go back to their city (Medina), to lift the monopoly of the Qureysh on Kaabe, to refresh the feelings of emigrants, and to solve the problems which existed for some years. Qureysh representatives' agenda was to avoid the unequal armed combat, to return the Prophet to Medina, and to prevent the Prophet from entering Mecca. Although, sometimes both parties felt disappointed about achieving any meaningful treaty, and the peace negotiation was close to fail, but both

parties committed themselves to a political and peaceful method. So, every time through negotiation, one party gave the other one some privileges and the negotiation continued until it led to the desirable results. When the Qureysh representatives objected to the word "Prophet" being included in the treaty and said: all of our disputes are on this word. Mohammad agreed to remove the word from the treaty [21].

At last, a treaty was signed between the Prophet and the Qureysh special representatives. This were called Hodaibiyeh peace treaty. Although the Prophet had to give them some privileges, he took some privileges that laid the ground for quick development of Islam in Arabian bay. This treaty, in Quran's words, was called the great victory.

The most important privilege earned by Qureysh, according to one of the articles of this treaty, was: if someone joined the Prophet without permission of Mecca, he must be given back to Mecca. But if any one of the Muslims tended to join Qureysh, that person will not be returned. In some cases this was the situation, and the Prophet invited his people to have persistence and patience [9].

13.2.4. Diplomacy, a Means to Solve Political Problems

After Hodaibiyeh peace treaty, the way for inviting people to Islam became smooth again. The number of people joined Islam in one year was more than the number of people who joined Islam in the last 19 years of the Prophet invitation [3]. But this great success of the Prophet had many political problems, such as his commitment to the privileges he gave to Qureysh. Although the Prophet had a great emotional feeling for those joining him, he decided to be faithful to the peace treaty articles, and persuaded those who joined him without Mecca's permit, to go back to Mecca [3].

13.2.5. The Prophet's Diplomacy in Conquering Mecca

The Prophet's diplomacy victory during the sixth year of Hegira which led to a peace treaty was the main cause for both rapid development of Islam and falling of Mecca. In spite of Qureysh's old prejudices, they could neither be a political nor a military force competing with the Prophet. So, the Prophet's invitation to Islam became global. Simultaneously, the Prophet insisted on commitment of treaty article. During the eighth year of Hegira Abusofyan suddenly entered Medina, and no one in Medina went to the Prophet to intermediate. Abusofyan came back to Mecca disappointedly, and told this story to the leaders of Qureysh. They got too angry, and were waiting for the retaliation.

In the eight year of Hegira (in the month of Ramadan), Qureysh broke one item of the peace treaty and the Prophet decided to declare public mobilization to go to Mecca with 10,000 people. Although it was obvious that Qureysh could not resist against the strong Islamic army, the Prophet preferred to conquer Mecca without war, and once more demonstrate the glory of Islamic mercy and kindness. Even toward those who were enemies of the Prophet and Islam for years and now have broken their treaty. This, as a historical event, was a milestone for those who recognized the reality from the comparison of the behavior of the involved parties.

By demonstrating the military forces from one hand and showing kindness toward the Qureysh representatives on the other hand, the Prophet conquered Mecca without any resistance. Abusofyan was brought to the Prophet in such atmosphere of terror. In spite of his 20 years of continuous violence against Islam, the Prophet ordered with glory: "Abusofyan can assure people that anyone giving up his weapon and taking refuge in Masjedolharam or going to his house and close the door, or take refuge in Abusofyan's house is immune"[7].

Separating Abusofyan from other heads of Qureysh by Abbas, who brought him to the camp of Muslims, had two important effects: first was that Qureysh heads lost their strategist and the second was after seeing the glory and power of Islam forces, Abusofyan lost his last drop of resistance. When Abusofyan saw the glory of the army, he told Abbas: "no force can fight against Mohammad. He is too powerful now!" Islamic army entered Mecca without any resistance by Qureysh and the Prophet announced amnesty for all [7].

13.2.6. Active Diplomacy of the Prophet in Negotiation with Ambassadors

Representatives of kings of Hemdan and Hemyar met and negotiated with the Prophet in Medina and took the Prophet messages to their leaders [21]. In those messages, it was emphasized that "whoever wants to remain in his religion, he is not obliged to change"[1].

After getting rid of the arguments with Qureysh, the Prophet had a good opportunity to actively negotiate with ambassadors of other governments and tribes. After the sixth year of Hegira, peoples of Medina were witness to the commotions of representatives of governments, tribes and religious group to and from Medina; and every year the number of such representatives and the level of negotiations increased. The Prophet welcomed the representatives of all parties warmly and negotiated with them with honesty and assertion and assured them that they can have a safe and peaceful life in Muslim societies [3].

14. Conclusions

After review of the international relations, it can be concluded that having disputes between governments is a natural phenomena and the best way to solve such disputes is to use peaceful and inexpensive methods. One of such methods is diplomatic negotiation. Negotiation is one of the oldest means of solving disputes and ceasing national and tribal wars. The foundation of negotiation is mutual respect for both parties. Throughout the Islamic culture, especially in the Prophet's era, this method was used in a variety of cases. The Islamic political negotiation has the following characteristics:

- 1) Islam has accepted the common intellectual tradition's between different societies.
- 2) Small governments (such as Arab Tribes) and great governments (such as Persian Emperor) have had negotiations with Islamic governments.
- 3) Islamic Diplomatic Negotiations were fulfilled without any pre-conditions.
- 4) Negotiations were performed bilaterally.
- 5) Islamic government considered sending of messages by ambassadors to the leaders of governments, the starting point of political negotiations.
- 6) Formation of free discussion session and logical deal with opponents were the signs of active diplomacy of the Prophet.
- 7) The negotiations were done in one round or, when needed, several rounds.
- 8) The negotiations were fulfilled in the committee of one or more individuals.
- 9) Negotiators could be male or female.
- 10) In fulfilled negotiations, peace and prevention of wars were the major goals.
- 11) Some of the negotiations led to peace treaty and Muslims committed to the items of these pacts.
- 12) Among the Islamic diplomatic approach negotiation was the most important one. Because, this method was the best way to become aware of the opponent's ideas and respect them.
- 13) Ambassadors sent for negotiation with Islamic governments were politically immune.
- 14) The holy Prophet accepted the representatives and ambassadors of other governments while observing all diplomatic principles.
- 15) In Islamic law, the person who participates in a negotiation is either the leader of Islamic government or his representative.

The formation of new states and international organizations requires that Islamic governments, with commitment to the Islamic rules and the help of the international principles, adapt to the modern world. And in order to solve their disputes and achieve global peace and justice should use peaceful methods and new mechanism, especially diplomatic negotiations. And they must respect the observations and investigations of the international organizations.

With the hope for a world full of peace instead of war, mercy instead of violence, justice instead of injustice, and negotiations instead of war, we conclude this paper.

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