

A Declaration for International Relations

(Based on Islamic Sufi Teachings)

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Abstract

Purpose: Establishing peace, security and discipline for individuals, nations and states in contemporary international order is of the most important matters in this age. Regularization should be done through approaching natural rights of individuals and also through observing humanistic characteristics and ethics.

Design/methodology/approach: A draft for international relation declaration based on Islamic Sufi teachings was compiled and actually it is an abstract of the extended survey and conclusion on the subject and opinions in relation to the current international problems.

Findings: This draft has been codified in three main topics of public international law, foreign policy and diplomacy.

Research limitations/implications: To conclude the draft in the next step, it should be scrutinized by many different international scholars.

Practical implications: Since the mystical characteristics of Sufism and Gnosticism of all religions (Tariqa) are all united and is based upon love toward the Creator and consequently love toward the creatures of God, these provisions could be agreed upon and put into practice.

Social implications: Delicateness, truthfulness, and righteousness of Islamic Sufism, which is the gist of thoughts of humankind's elites who are Divine messengers/guardians during millenaries in turn, can regulate international relations.

Originality/value: International relations scholars have not touched the topic from a Sufi point of view. This paper brings this approach to a new challenging arena for those who are engaged in international relations related subjects of laws, politics, institutions and organizations.

Keywords: International Relations; Public International Law; Foreign Policy; Diplomacy; Sufism; Gnosticism; Tariqa; Sufism; Mysticism; Islamic Law

Paper type: Conceptual paper

Introduction

Contemporary international relations have reached a fragile condition. Moreover, prevailing disciplines and arrangements cannot bring stability and peace in international relations. Public international law also could not meet the required conditions, applying its current mechanisms. Perhaps, one of the reasons that the international law along with its disciplines has been unable to fulfill these provisions is that it ignored the law of the nature of the human. Thus, if new mechanisms based on common sense of human nature are designed in such a way that interests of countries are considered unilaterally, international relations in this period of human history will be improved.

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Due to a variety of reasons, many laws that have been derived from the religion's legislations lack the capability of uniqueness and publicity, especially at the level of countries. Because, different ethnical, governmental, geographical, political, racial, climate and many other characteristics do not allow to legislate a unified law. But the spirit of legislations which is the same in all religions is called the Tariqa (Sufi path), Sufism or Mysticism.

Thus, if the international law is defined and designed based on the spirit of all religions which is the same in all of them, a unified law will be agreed upon and it will also be accepted by the majority.

Methodology

Dialecticians and theosophists distinguish the definition of knowledge from that of theosophy. They believe that knowledge is to understand the truth of the world and theosophy is to understand the secrets of things. Though, both of them arrive at one another in higher ranks. Metaphor of theosophy in our viewpoint is the descent glimmering of the Legislator's matured theosophy that has been the reason for legislation of formal and minor commands of different religions. The general rule of the "principle of theosophy" that expresses the need of Wisdom and Sharia (as legislation) provides the main foundation of our approach to solve the problem. So here, considering this rational manner which comes from the united spirit of all religions, we try to prepare a set of general principles acceptable by world governments to provide a declaration for interaction of governments such as what has been provided for human rights as the Declaration of Human Rights. This declaration should be a legal draft which will be able to determine the framework of governments' behavior in their mutual interactions.

Public International Law Principles

International law is a branch of law, which regulates the relationship between individuals, nations, and states in international arena and attempts to regulate and exercise rights over diplomatic and consular relations among the states and also formalizes the relations of states with international organs, institutions, and entities. Private international law consists of a body of rules and regulations regarding the relations of citizens from different states, differences and conflicts of laws of nations, adjustment of these differences, and settlement of conflicts among them. We are focusing to extend Islamic Sharia commandments from a theosophical point of view over the field of international law. What the theosophy calls for is the reasons and secrets behind each order that should be the basis of its enactment. Therefore, by fully understanding of reasons and spirit of Islamic laws, we are going to extend these rules to the international law level.

1- Principle of: General authorization for acceptance of "General Principles of Law"

General principles of law which are recognized by civilized nations are of the independent and distinct sources of international law.

2- Principle of: Acceptability of statutory international law to the limited extent of conformity with Islamic Law

Sources and rules of international law consist of international conventions, no matter general or particular. They establish rules expressly recognized by the contesting states, international custom and general principles of law recognized by civilized nations and finally judicial decisions, and the teachings of the most highly qualified publicists from various nations as subsidiary means for the determination of rules of law, conditioned not to be in conflict with the Quran.

3- Principle of: Acceptability of customary international law

International custom is a rule of law, which the states have enforced and observed in their relations during a long period of time, so that the common conscience of states believes them as enforceable is acceptable

as secondary source of law.

4- Principle of: Giving priority to forgiveness, benevolence and conciliation of hearts

In human relationships, whether municipal or international, forgiveness is always preferred to retaliation. On the level of international relations, any evil deed that are perpetrated through foolishness or the perpetrator looks suitably repentant to his action should not be responded. Forgiveness and connivance should not lead to establishment of a breeding-ground for oppressors. In such a case, the act is worse than cruelty. Finding forgiveness preferable to retaliation is a kind of meritorious preference which is not obligatory. The choice is up to the benevolent.

5- Principle of: Honoring the Treaties

Covenant brings obligatory responsibility and as far as the adverse party observes the honor of her commitments to the circumstances that the agreement rests upon and are essential condition to the consent of both parties to the treaty, obligations of covenant are enforcing.

6- Principle of: Mandatory observation of formalities of contract

To prevent international disputes emanated from the vagueness and obscurity of international treaties, necessary measures need to be taken for predictable and unpredictable disputable issues and inserted clearly in the treaties.

7- Principle of: Doing justice

Adjudication and arbitration with justice and impartiality is common for all groups and nations and there is no preference between parties to the dispute.

8- Principle of: Imposition of punishment, based on substantiation of the offence

No government has the right to propound conjectural excuses for taking hostile policies at the international scene; and is only authorized to take such kinds of measures when the commission of the crime is proved to be certain.

9- Principle of: Equality in law

There is no difference between states in regard to legal aspects and all are equal in front of law. Political considerations and privileges in international judiciary are rejected and condemned.

10- Principle of: Continuity of states

The acts and thoughts of the people who lived in the past shall not impose obligation on those who live in the future. By changing the government of state, there would be no change in sovereignty over territory of the state. If the preceding governments had made treaties with other states, then by changing the government these treaties should have been ratified again at their validity, reduced, or even cancelled, save the debts of the previous government that shall be transferred to the new government.

11- Principle of: Prohibition of abusing the rights

The states have no right to invade other states, especially the powerless states, pretending they are exercising their own rights. Whenever a state causes damage and inflicts injuries on another state by exercising unlimited power, the international court of justice is able to prevent the actions by taking advantage of the rule of "abuse of right".

12- Principle of: Prohibition of causing harm

"Exercising one's right" shall be neither a means of causing harm to others nor used against others' and public interests, and states have no right to cause harm to others just for recovering their own rights. While a state is at war with another one, it has no right to use the territory of the third state for recovering its

rights. And it should not encroach on third state's sovereignty and/or perform any action to be detrimental to the third state.

13- Principle of: Presumption of innocence

The “presumption of innocence” is based on “*nulla crimen sine lege*” and no act can be named crime unless, by virtue of law, it is called a crime. If someone claims to have a right of claims for a debt, he should prove it, otherwise the case results in the acquittal of defendant/respondent.

14- Principle of: Blocking detrimental means in international scene

Advancement and elevation of humankind depends upon the advancement of every individual of human beings and if the corruption spreads in a country, other states will also be damaged. Every kind of action which usually leads to a detrimental situation should be prohibited and blocked.

15- Principle of: Exclusive right of “juristic preference” for The Divine Master of Affairs and Authorization

“Juristic preference” is to approve something as being good and admirable, and it is the exclusive right of authorized persons.

16- Principle of: “Reasoning through exigency” in international relations

Issuance of decisions and adoption of policies should benefit all of the states engaged and consequently the material and transcendence of mankind are taken into consideration.

17- Principle of: Observing “International status quo ante” “providing the right is lawful”

In case of existing an established right, existence of what once has been existed will go on, provided that the right is lawful.

18- Principle of: Non-retroactivity of statutes

Effect of a statute is not extended to the previous rights of individuals, organs and states which have been acquired prior to the enactment of law in question.

19- Principle of: Continuity of uncontested possession

Long time uncontested possession establishes the sovereignty of a country over the possessed territory and recognizes the ununsurpative sovereignty of the states within their territory. Exceptions will be cited in the principle of recognition of the states.

20- Principle of: Remunerating the rightful attorney and punishing untruthful attorney

Untruthful attorneyship means an attempt for predominance of untruthfulness over righteousness, is similar to accessory of a crime (aider and abettor); to bring the legal proceedings toward its righteous path, the accessory should be assumed as partner in the punishment imposed on the criminal.

21- Principle of: Ignorance of statute law is a good excuse but ignorance of natural law is no excuse

Ignorance of natural law is no excuse but ignorance of statute law is a good excuse.

22- Principle of: Respecting acquired rights

Rights and privileges that were legitimate in time of acquisition and by lapse of time are of the cases of “acquired rights” shall be respectable.

23- Principle of: Authority of res judicata

While a dispute is adjudged by a competent jurisdiction and the final decision is announced, the judgment is final for parties to the dispute, and there is no another prosecution for the same allegations except that

new evidences are acquired indicating discovery of truth.

24- Principle of: International responsibility

When some damage is caused by action of a person or a state to another, s/he is responsible.

25- Principle of: Compensation for unjustified damage

If a person or a state causes damage or injury to others through an action or omission, s/he is bound to making compensation for all losses and damages.

26- Principle of: Preserving the life in retaliation

Legislation of retaliation and obligation of the states to its enforcement is to prevent violation and transgression. Retaliation and taking reprisal for those who have been killed during wars is the subject matter of principle of international responsibility.

27- Principle of: Prohibition from excessive retaliation

Whenever a crime is committed by an ordinary or governmental citizen against the citizen of another country, the right of maximum retaliation would be equal to the said crime.

28- Principle of: Facilitation in Force Majeure (distress and constriction)

Facilitation is acceptable in case of exigency in rigidity of rules and regulations that unusual circumstances endanger the performance of a treaty or make its performance impracticable.

29- Principle of: Freedom of trade in international commercial law

Lawful trade in the international scene is free.

30- Principle of: Freedom of seas and space

The laws and regulations concerning public overland, marine and airways are recognized about the outer atmosphere space around the earth through public international conventions.

31- Principle of: Recognition on the basis of human beings' dignity rather than governments'

"Recognition" is an accidental phenomenon rather than an essential one and it is not acceptable as it is discussed in the existing international law. The territory which is in possession of a state is not a criterion for granting recognition and dwelling of individuals in any place they prefer to live is respectable.

32- Principle of: Full recognition of individuals' rights of ownership and de facto recognition of governments' sovereignty

Individual right of ownership is a definite right whereas the right of sovereignty over the territories is not considered as the right of ownership. Expropriation or infringement of individuals or nations' ownership is condemned.

33- Principle of: Granting nationality (naturalization) to applicants

"Citizenship" is political and legal relationship between an individual and a determined established state within a specified territory. Natural laws have superiority over domestic statute laws and only special legal and regional obligations are abrogating. Drawing borderline does not distinct peoples, and one who settles in any place he wishes subject to observing special legal and regional obligations; and nationality would not waste human beings' natural laws and political and social citizenship naturalization. Extradition of refugee to the state which is following him is not authorized. Exception is when there is infringement of the rights of people in other nations.

34- Principle of: Binding to testify truthfully and/or acknowledgment of faults and prohibition of

concealment of truth and/or committing perjury

The task of diplomacy in international disputes and adjudications is to strengthen the testifying in equity (justice). Prohibitions of concealment of truth and committing perjury or giving false evidence are of the topics included in this principle.

35- Principle of: Acceptance of inquiry for pacific settlement of international disputes

The process of “inquiry” for pacific settlement of international disputes is of high priority.

36- Principle of: Negotiation in settlement of disputes and acceptance of arbitration in international conflicts

The best way in international settlement of disputes is the method of consultation and resort to councils and its extension, to arbitration.

37- Principle of: Obligation for mediation and making peace (voluntary mediation)

Mediation and making peace between the nations, folks and states is one of the duties of governments, and if a party of war starts aggression against the other after establishing peace between the two, the mediator has the right for suppression of the aggressor to force it to peace. This is contrary to the current international policy that whenever there is a war; other states adopt the policy of “wait and see”, or get benefits from the fighting or sell armaments to the hostile parties.

38- Principle of: Conciliation and interference in international wars (compulsory mediation)

“Conciliation” is another policy concerning pacific settlement of international disputes and the subject of dispute is referred to a commission composed of experts, lawyers and diplomats; and is preferred to the voluntary mediation.

Foreign Policy Principles

States' foreign policy usually specifies the attitudes and confrontations of a state towards the other states. In today's world, the foreign policy-making of states is based on their interest necessitations, whereas, the attitude should be towards humankind's transcendence rather than towards a sole country's transcendence. The benefits emanating from humankind's transcendence is so great that every country would automatically get benefit from it and this benefit surely is greater than that of which just all countries maximize their own interests solely. Moreover, maximizing the interests of just one state is less than maximizing the interests of the same state that is emanated from maximizing the interests of humankind. This theory (viewpoint) has a delicate discussion, which is based on proved mathematical reasoning.

39- Principle of: Coinciding the Islam's expediency with the humankind's expediency

In Islam, the terms of nationality and ethnicity as well as national and ethnic interests do not conform to the conventional definitions. Islam follows that kind of policy which secures the expediciencies and interests of all humankind. The expediency of Islam and Islam's country coincide with the expediency of humankind. The same characteristic also exists in the other true divine religions. There is only one exception and it is when other states intend to transgress the inviolable border of Islam through practical war operations.

40- Principle of: Islam appertains to humankind

Religion of Islam does not exclusively belong to Muslims. On the contrary, it belongs to all mankind. All humankind is honored by Islam. The cause and objective of advent of Islam is for mercy for all humankind. Muslims have no right to consider themselves superior to other folks or nations. There is nothing to boast about. They should not guide others just by putting them under pressure. The same

characteristic exists in other true divine religions.

41- Principle of: Human being's dignity

All humankind in the world shall be considered honorable, aside from the colors of their skins, race, and/or nationality. There is no permission to degrade and humiliate human beings in different ways and without due legal permission. If there is hostility against a foreign state, this hostility should not be extended to their citizens and/or hostile measures should not be taken against them because they are the same children of Adam.

42- Principle of: Unity

The principle of unity is one of the most indisputable principles of all true divine religions. It is the constituent element of foreign policy and diplomacy. All humankind are placed in the impregnable fortress of the heavenly saying (word) of “There is no God but Allāh”. They are all brethren and are entitled to equally brotherly rights. Obtaining these rights is not based on religions, ideologies, and creeds of people. Governments are bound to grant equal rights to all individuals and groups of different faiths, opinions, and religions. The only exception is applicable for restricting the aggressors from infringement of others’ rights.

43- Principle of: Prohibition of racial discrimination

No privileges and/or restrictions should be considered for different races. One of the notable cases is the measures taken by governments through formulating special allocations and selecting people of different races in the process of immigration with the aim of preventing races integration resulting from immigration of different races and protecting the nobility of the race in the host country. These kinds of allocations and other similar privileges and/or restrictions are prohibited.

44- Principle of: Disdainful of idolaters

Thinking, piety and knowledge are triply inter-related and surely religions are sent down for humankind's enlightenment. Whoever says “there is no God but Allāh” even though s/he lies, s/he must be called a Muslim and should be entitled to all rights, which a Muslim has in Islamic society. The restrictions against idolaters are to make pagans think about their narrow-mindedness, by thinking about the book of creation and creator to avoid worshipping statues which are made of stones, woods, metals and/or jewels as their God.

45- Principle of: Islamic Internationalism versus states’ Nationalism

Nationalism should not become a desired means for justification of states’ powers to impose themselves on neighboring countries as well as on their own people. By weakening the concept of nationalism and racial, ethnical, and cultural differences and attempting to incline people towards principles of equality, the superstitions originated from so-called differences between ethnics, races, groups and tribes should be omitted. We, all human beings, are siblings and equal, therefore the political borderlines established by governments to protect their own benefits, and superiority over the other nations should not be barriers to human brotherhood.

46- Principle of: Prohibition of national boasting and seeking national superiority

The illusion of superiority emanates from ignorance and unawareness; and all of us are the creatures of The One Creator and no one has superiority over the others. We are all siblings and the existence of tribes, nations, countries, nationality and other characteristics and peculiarities would not be the cause of superiority and boasting.

47- Principle of: Peaceful coexistence

The principle is to remove hindrance of friendship among ourselves and enemies.

48- Principle of: Friendship with nations and folks

Religion is founded based on love; and amity and has different ranks. The believers' friendship with people and different groups, after love unto Allāh, prophet, divine guardians and divine executors, shall be prioritized as follows:

1. The believers (those who have taken special or general oath of allegiance (*Bay'at*), whether in the order of the honorable Prophet (S) or in the order of other divine religions).
2. Muslims (those persons who have taken a general oath of allegiance (*Bay'at*)).
3. Those Muslims who are stationed within Islamic nations (those who live within Muslim's societies without taking oath of allegiance (*Bay'at*) or are born to parents who were Muslims).
4. The people of scripture (Jews, Christians, Mandeans, Zoroastrians, and other orders of divine religions).
5. The people of scripture who are the mockers.
6. Idolaters (those who take other things as partner to the Almighty God, and worship them as their Lords such as things, human beings, and animals).
7. Disbelievers (Those who do not believe in the Almighty God).

49- Principle of: Protection of all nations' and states' interests whether in their presence or absence

Every government is responsible to protect the interests of all nations and states in the world publicly or secretly, in the presence or the absence of them; and has no right to infringe others' rights just for protecting the interests of its own nation. Refraining to protect others' rights is considered as betraying them. There are some exceptions such as standing against the aggression of other nations, and where there is an event of oppression and cruelty. Protecting the interests of the oppressed and confrontation with the oppressor are of the tasks of other governments.

50- Principle of: Trustworthiness

Every kind of property and asset of individuals and government of a country in another country is considered as a deposit and the host state should observe trustworthiness and restoring them to their owners.

51- Principle of: Prohibition of impeding the benevolence

Development and economic growth of countries depends on interaction in development and economic growth of the others. In this regard, the international policy of all governments concerning all the other nations and states in the world should be arranged so that it leads to removing the quantitative and qualitative impediments and barriers of economic, political, cultural and social growth and development of all countries around the world.

52- Principle of: Imperfect political neutrality

Governments are responsible to human beings whether domicile citizens or foreigners; whenever they are under oppression and/or in need of protection, they shall be protected and the aggressor shall be confronted against. It would not be acceptable for other states to remain neutral towards the oppressed and the oppressor while there are many people under oppression.

53- Principle of: Negation of protectorship and authorization of protection

The true Islam's Government shall never be under control and protectorship of any other states, while protects the others.

54- Principle of: Non-intervention in other states' affairs

Any state has the right of self-determination and nobody has right for determination or drawing her destiny. No state has the right to intervene, directly or indirectly, in the internal affairs of another state. The mutual action and non-intervention in the states' affairs are of principles, except where there is a

group of people under cruelties and oppressions.

55- Principle of: Obligation for liberalization of oppressed people

Governments have responsibility to remove the cruelties imposed on those people who are weak, even by fighting. This assistance is provided on the basis of international laws and agreements and should not be done as an excuse by other states to invade the smaller states under the pretext of liberalization of nations. Exception is for those covenants which have already been concluded.

56- Principle of: International protection of minorities

Governments are bound to removing racial discrimination, anti-foreigners actions and other forms of inequalities concerning national, ethnical, religious and lingual minorities as well as giving them equal social, political and economic conditions and the freedom of them in their beliefs, conscience, traditions, rituals, religions, languages, ethnicities and nationalities upon their own viewpoints and wills. The exception is about overtly committing sinful conducts and infringement of others' rights.

57- Principle of: Inapplicability of slavery and slave trade at this age

There are doubts on the correctness of slavery imposed on those women and men who are treated as slaves at the present time; and they are all freemen and freewomen.

58- Principle of: Unity for the truth

Different unions among groups of states, whether military, political, economic, and commercial, and follow general goals of increase of efficiency of gaining benefits among member states of the union and increasing the benefits or preventing the losses caused by non-member states to maximize the collective interests of member states can be established when the rights of the other states are not to be violated; and entering into a treaty or being a member of a union for exercising cruelty and oppression against another weak state is not authorized. Extending this principle to an international integrated treaty shall lead to establishment of a universal unity that would be a guarantee for enforcement of international law.

59- Principle of: Prohibition of committing injustice and its aiding and abetting

Injustice means to place or prevent a thing to be placed in a position other than the locus where it must be placed, and is interpreted as granting the "right" to someone who is not entitled and barring the right from the person who is originally entitled to have it. Refraining to do justice is called injustice and is considered among the crimes. Governments shall perpetrate no acts against other nations or people, which is far from the "right" and close to the "injustice" and even shall never assist those states or people who are unjust towards other nations and individuals.

60- Principle of: Unauthorization of hegemony and rebellion

Governments are not authorized to seek hegemony, expansion of domination, sovereignty and presidency over communities whether in the peacetime or during the war.

61- Principle of: Disinclination to engage in hostilities

Defensive wars against aggressions, helping the oppressed and seeking succor are obligatory to all; and in other cases, under any pretexts, no one may transgress, excommunicate or attack the other ones, no matter what their religions or ideologies are.

62- Principle of: Prohibition of aggression and permission of defense

Reconciliation and peace amongst the nations is principle. "Transgression" of any kind is forbidden, whether transgression at the beginning means waging war on others, and transgression at the middle means to exceed the limits and to harm the enemy more than what is needed, and/or continuing the fight while the enemy has surrendered, and/or doing harm against the captives or civilians.

63- Principle of: Severe fighting with the belligerent aggressors

Punishment of the aggressor would not only be a correctional and punitive action for him, but also it would be a warning to others to refrain from aggression. Severe confrontation of this kind, shall establish the survival of the human community, just the same as the legal institution of retaliation.

64- Principle of: Having duty to assist in goodness and prohibition to assist in transgression

States are not permitted to give assistance to one or more parties engaged in war, just for the reason of having some probable present or future interests or because of disliking the ideologies of the oppressed state.

65- Principle of: Tactics and strategies of wars being at the discretion of the Master of Affairs

The heads of the governments who declare war under different pretexts and get their own and the opposite side's peoples to be killed in the battle are responsible. Many subjects are mandatory such as: unity in commandship, resistance and perseverance, retreating and withdrawal, collective duty (sufficient necessity) for taking part in the war, preparedness for fighting and general mobilization, good behavior towards the enemy and observance of human-right issues, war tricks and killing the military personnel and civilians who have been forced to take part in the war, rights of civilians, surrendered persons, deserters (escapees), those converted to Islam, wounded persons and prisoners of war, non-military targets, economic blockade, destroying enemy's properties using war tactics and chemical, biological and radiological warfare, war booties whether movable or immovable, cessation of hostilities, making subsidiary treaties and prohibition of attacking the residential areas and civilians and other subjects of approved international law of war related to humanitarian aspects and principles.

66- Principle of: Obligation of accepting the peace proposal

Whenever the aggressor offers peace without having the intention of deceiving then it would be a must for belligerent states to accept it.

67- Principle of: Unauthorization of keeping prisoners of war after termination of war

When the aggression is suppressed and the enemy forces are taken as captives, then there would be no permission to keep the prisoners of war. They should be released freely or be released by taking ransom.

68- Principle of: Prohibition of torturing and molestation of the enemy's captives

Molestation of enemy's captives and even the criminals are considered as transgression and is prohibited and the torturer and molester are all liable to be punished. Because of enemy's attacks and invasions, it is forbidden that the prisoners of war who had been taken as captives in earlier military operations be retaliated or tortured in revenge.

69- Principle of: Prohibition of illicit trades and measures against humanity and the environment

Activities which are the cause of damaging the environment, plants, animals and/or human beings such as producing and trading harmful materials and poisonous chemicals for the purpose of killing human beings, destroying farms and livestock to damnify the others, offensive and mass-destructive weapons, burying nuclear wastes in territory of the weak countries through conspiracy with their leaders and agents, production, consumption, exportation and importation of all kinds of raw and intermediate materials which are the cause of harm and damage to the plants, livestock and human beings and the like are forbidden.

70- Principle of: Unauthorization of destroying food sustenance for acquiring material profits

Increasing food prices through destroying a part of food substances, or decreasing in the cultivated areas of lands for the purpose of reducing products and market supply that leads to food prices increase is not permitted; and the rights of powerless and disabled persons of other nations should not be ignored in order

to acquire profits just to achieve the national interest.

71- Principle of: Prohibition of international hoarding of food and obligation of feeding the starving people throughout the world

Hoarding the public sustenance whether domestic or foreign is not authorized and in case of famine and starvation whenever the people are in the state of hunger, then the legal authorities are authorized to order to open the warehouses and sustenance be distributed amongst the people to prevent them from dying due to starvation and hunger.

Diplomacy Principles

Diplomacy in two general meanings are ascribed to the guidelines or policies of a state about international political issues, regarding to foreign states or different regions, and also concerning the international or regional meaning of the skill or art of negotiation for reaching to a common understanding in international scene; and in both contexts becomes comprehensible to "the conduct of relations and communication". The main objective and motive of diplomacy principally is due to the reason of establishing communication/relation with others in the world and it should not be restricted only to ensuring security and obtaining benefit and in spite of paying attention to obtain all components required for ensuring security and earning interest for the nation and government, it should follow a more valuable objective when planning for diplomacy and establishing international relations. The objective of diplomacy should be development of human transcendence. General rules of diplomacy are about how a government should behave towards other states and nations. In this section, we are going to explain its binding principles.

72- Principle of: The assignment based on authorization

Receiving religious, judicial, political and executive assignments are based on authorization and no one has the right to make decisions on his own, even for trivial secondary issues.

73- Principle of: Obeying the holders of authority

Every measure taken without having the permission of the holders of authority would be considered as meddling in affairs and is not permitted. This principle has deterrent effect on self-imitated diplomacy or discretionary judgments.

74- Principle of: Diplomatic responsibility

As a general rule, the agent is not excused but he is responsible and is under obligation to perform his function in such a way that leads to establishment of right rather than just to conduct his nominal mission. In other words the political agent's mission is to support justice (right) against injustice, in the vast meaning of justice and injustice. The function of political agent is not just to protect national, ethnical and/or individual interests and when he is sent as a representative, negotiator or reporter and/or for promoting relation, he is principally sent to protect the humankind's interests and is not sent just to protect the interests of his state or his chief and/or his own interests. In the said mission, his tasks are to protect and take care of, and paying attention to all bondmen of Allah, according to their dignities and positions.

75- Principle of: Political immunity and social or personal non-immunity for diplomats

The functions of diplomats within the enumerated cases in Vienna Convention are respected and accepted. Moreover, the agent is also bound to protecting the interests of other nations by taking the glorification of the right and removal of the injustice and exaltation of humankind into consideration. If a diplomat infringes the rights of other persons, which requires punishment on the basis of laws and regulations; he will not be exempted from the punishment. But when there is no private complainant and the crime perpetrated is not considered as one of the crimes related to the private law, then the diplomat would be

pardoned or returned to his country, considering the interests of the receiving state. And since this kind of action is often responded mutually according to the international custom, it should be based on forgiveness to prevent the enmity amongst nations and states. Governments are not permitted to persecute the diplomats of the other countries in order to just take revenge on the other state.

76- Principle of: Propagation by deeds and restriction on verbal enjoining and forbidding

By the way of education of diplomats and the others effectively, this subject needs to be made clear that their propagation be based on their proper and righteous deeds. The verbal propagation is restricted to those who are authorized for.

77- Principle of: Prohibition of imposing opinions

Imposing one's opinion and ideas on other persons is not authorized. The range of individual liberties could be extended up to the point where it does not injure other's liberties.

78- Principle of: Respecting others' opinion and prohibition of inquisition

Everyone is free to hold his own opinion and belief. Different religious beliefs among people and nations throughout the world are respectable -idolatry is an exception- and mocking others' beliefs is forbidden.

79- Principle of: Harmonization and conformity of words and deeds

Governments should put into practice what they believe in; and whatever they do should be in conformity with what they say.

80- Principle of: Disagreeability of political and economic deception

"Principle" is something on which other things are founded. Honesty and truthfulness are "principles". Deception is to hide the purpose and to express something different because of inability to reach the goal openly. Stratagem and deception or cunning trick is directly related to the infringement of others' rights to self's own advantage. It is done by devising a plot in a way that the holder of the right, consciously (knowingly) or unconsciously (unknowingly), voluntarily or involuntarily, with due consent or without consent renounces his legal right to the benefit of the opposite side, without receiving a fair consideration. It is far from any government's dignity to practice deception to appropriate others' rights just for protection of its own interests and take the rights and interests of others into its possession. So, every step or measure taken to hide the reality in order to achieve national interests is prohibited. The state of war is an exception.

81- Principle of: Honesty in negotiations

Honesty and justice in negotiations are principles and should be observed by negotiators. The representatives of powerful states, while making contracts with the weak and undeveloped states, should not try to insert some tricky terms in the contracts which are against the interests of the deprived nations of the said states through various methods and by practicing deceptions and playing political/diplomatic tricks; consequently to misappropriate the national interests of the weak countries to the benefit of their own states. Those seemingly amicable contracts that practically are the cause of taking advantage from the weakness and backwardness of the contracting nations are void. In multilateral negotiations, backing and supporting should be done of the honest side.

82- Principle of: Prohibition of fabrication of words and political lies and false accusations

Telling lies and attributing them to others and disseminating faults; namely making false accusation, slander or calumnies are all prohibited and rejected and for approaching political goals one should not resort to fabrication of words, lies, slander, and calumny in the international scene.

83- Principle of: Unauthorization of insulting or mocking

Vilification, insulting and/or mocking are not relevant to the dignity and status of governments, diplomats and people; and are severely prohibited. Any kind of defamation, chanting slogans such as “death to ...”, “down with ...”, drawing caricatures, burning the heads of other states in effigy, making faces, setting fire on the national flag of a country or throwing it down on the ground under the stepping, drawing the national flag of a country or its picture on the ground in order to degrade it, showing comedy TV shows, telling jokes or singing obscene songs about a country in the mass media and many similar actions, are all against humanistic instructions.

84- Principle of: Greeting and responding in fair and giving reward by the best

One of the principles of ethics is to treat people amicably, to respond to them well and giving them a greater reward in return for what they have granted beforehand.

85- Principle of: Unsupporting the traitors and authorization for reciprocity

Betrayal (treason) is one of the prohibited and wicked attributes and is forbidden; and only defending traitors is not permitted, but also treating him in the same way is allowed. The following cases could be considered as instances of betrayal in the international affairs and diplomatic issues: operations of spies who have betrayed their duty, the governmental agents and delegates who have been neglectful in their tasks, and the foreign states which have not fulfilled their obligations.

86- Principle of: Unauthorization of giving or receiving bribes

Giving or accepting bribes is prohibited. There is only one exception i.e. giving bribe in order to restore the right.

87- Principle of: Prohibition of usurpation and unlawful ownership of other nations' and states' properties

Devouring (consuming) properties, rights, tangible or intangible assets of other nations or states is prohibited and governments without judicial permission are not permitted, under any pretexts, to confiscate, take possession of, distraint or lien on the properties, estates, banking accounts and tangible or intangible assets/properties of other states and their dependents, and/or take them as a pledge; unless under certain conditions of real war – and not cold war – that will be applied to prevent others from supporting the hostile parties. In other cases, no permission is given to perpetrate such transgressions. Usurpation is also similar to forcible possession of other's property, belongings or rights and the usurper should give the property back (restitution) to its owner and if the usurped property were destroyed or damaged, the usurper would be responsible to give something identical or equal to its price to the owner.

88- Principle of: Prohibition of the acts of terrorism

Act of terrorism and killing the domestic or foreign citizens with any instrument and tool, and by any person or government, with or without mediator, individually or collectively, with or without ideological pretext or justification, secretly or openly in every form and type is forbidden and one who gives accessory and perpetrator in crime is criminal, and the heir authority has the right of retaliation.

89- Principle of: Respecting and generosity towards the guest

Whosoever enters a country, not only enjoys most of the individual rights as well as his own acquired rights but also enjoys special rights which are specifically known for the guests. Taking refuge even by idolaters is also obligatory to be accepted by the host government. The acquired nationality which is originated from seeking asylum and/or application for immigration are both basis of granting citizenship rights of the host country to the applicant and the said person principally should not enjoy any of the social rights less than other people in the same society. On the basis of the rule of international respect to the acquired rights, the acquired rights of refugees or applicants of immigration are accepted and respected.

90- Principle of: Prohibition of banishment and revoking the nationality
Banishing people, whether in nationally or internationally, and negation of citizenship of individuals except in certain cases of rebellion and doing mischief in the earth is not permitted.

91- Principle of: Freedom of movement and cancellation of visa formalities
Governments should provide the necessary conditions for entrance and exit of tourists to their own countries and remove the requirements of acquiring visa mutually.

92- Principle of: Freedom of migration and domicile for all human beings in the world
The earth belongs to the Creator of human beings and is the homeland of all humankind. Every person has the right to reside in, or to immigrate to or emigrate from any country s/he wishes. Immigration and emigration both are of the individual rights, and the foreigners and/or citizens could not be deprived of the said rights unless in very rare occasions of spoiling the other citizen's rights.

93- Principle of: Obligation to concealment of the secrets
The principle is to conceal the secrets except when it spoils other's rights.

94- Principle of: Prohibition of inquisition into personal and private affairs of people
People's privacy is respected and inquisitive activities, apart from its method of performance whether to be performed by means and equipment of espionage or without them by stepping in, looking at and/or eavesdropping with every other possible means is prohibited. Being on alert and supervising the hostile measures and movements of the enemies and foreigners are excluded from the said rule, and in cases, inquiry into the activities of those who are under suspicion of collaboration with the enemy in war time or those who spy for the enemy is authorized.

95- Principle of: Obligation for inquisition into performance of government officials, foreigners, enemies and crimes detection

The following categories of inquisition are known to be authorized:

1. Inquisition into activities and performance of government officials' duties and those persons working in public sector to prevent their wrongdoings.
2. Inquisition in the borderlines to prevent the entrance of harmful goods to the public safety and entrance of enemies as well.
3. Inquisition into the activities and movements of foreigners, whether enemies or others, to establish safe conditions and to protect the life of the citizens from others' aggression.
4. Investigation for crime detection and punishment of the criminal and restoration of the rights to the owner.
5. Inquisition into activities and performance of inquisitors (counter-espionage function).

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