ISLAMICJERUSALEM UNDER MUSLIM RULE: A STUDY OF THE IMPLEMENTATION OF INCLUSIVE VISION ON THE REGION

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Abstrak

Artikel ini mengkaji beberapa pendekatan yang diperlukan ke atas masalah-masalah yang dihadapi oleh Muslim dalam konteks Islamicjerusalem masa kini. Dalam membincangkan hal-hal berkaitan, penulis berusaha mendatangkan beberapa fakta-fakta sejarah, kedudukan masa kini rantau tersebut dan perspektif al-Qur'ān mengenai keadilan dan persamaan sebagai elemen untuk mencapai keamanan sejagat. Selain itu, artikel ini turut memberikan sedikit refleksi terhadap masa depan rantau yang menjadi rebutan ini. Penulis mendatangkan hipotesis dalam penulisan ini iaitu "di sana tidak akan wujud keamanan mahupun kestabilan tanpa keadilan".

Introduction

Islamicjerusalem or *Bayt al-Maqdis* is a region that has undeniably received long-lived interest of academics, researchers, politicians, the elite and the mass public as it has been involved in numerous conflicts since its inception and that are still ongoing for almost a century in this modern age. The 20th century saw the region

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submerge into conflict beginning at the end of the Ottoman Period with the emergence of the Zionist movement and the British Mandate leading to the establishment of the state of Israel. Muslims in Islamicjerusalem have been suffering ever since as their rights have been denied with the changes in demography, demolition of houses and confiscation of land by the Israeli authorities.

These atrocities can only be described as 'silent-terrorism' or 'silent-cleansing' in an attempt to change Islamicjerusalem's landscape exclusively to serve Israeli self-interest. Many can see that it is unjust; hence Karen Armstrong argues there is indeed neither peace nor stability without justice, especially when it comes to ruling and dealing with people. This is in contrast to the Muslim ruling of the region with an onus of justice. No attempt was made by the Muslims to create Islamicjerusalem exclusively to them, but instead the Muslims practice the policy of inclusiveness by sharing the *barakah* in the region with all nations. The concept of sharing *barakah* is mentioned and based on the viewpoint of the Qur'ān which Allah says:

"*… the land which We have blessed for the nations.*"[1]

Recognizing its importance, this paper attempts to discuss Islamicjerusalem by putting forward reasonable historical facts, the region's current state of affairs and the Qur'anic perspective of justice and counterbalance as the elements of peace and stability for the region. There will also be a brief reflection on the future of Islamicjerusalem. The hypothesis of this paper is that "there will be neither peace nor stability without justice.

Brief Historical Background of Islamicjerusalem

As far as the researcher is concerned, the ruling of Islamicjerusalem's region can be divided into two authorities:

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[1] Qur'ān, Sūrah Al -Hajj (22): 71.

Muslim and non-Muslim. During Muslims era, it includes the ruling of the Rightly-Guided Caliphs (*al-Khulafā' al-Rāshidūn*), Companions & Successors (*Ṣahābah wa Tābi'īn*), Umayyads, ʿAbbasids, Fāṭimids, Seljuqids, Ayyubids, Mamlūks and Ottoman in the period of 636-1099 A.D. and 1187-1917 A.D. Islamicjerusalem encountered (and is encountering) non-Muslim rule, among them the Byzantines (pre-Islamic era), the Crusaders (1099-1187 A.D), the British Mandate (1922-1948 A.D) and the current Israeli authority (1948-present). Thus, it is inevitable that the region of Islamicjerusalem has continually undergone changes throughout the centuries with the changing of its rulers. Mohsen M. Saleh says that the 12 century where Muslims rule of Palestine, including Islamicjerusalem that abruptly ended in 1917, was the longest and most comprehensive rule in the entire history of this extraordinary land. He states that during this period of ruling, there was ideal tolerant and accommodation to all religions and faiths.[2]

The problem of Islamicjerusalem in this age, perhaps best articulated by Cattan, occurred after the conquest of the region, lead by General Allenby on behalf of the allied power in 1917 A.D. The conquest, with the help of the Balfour declaration produced on 2 November 1917, had promised the establishment of the Jewish National State in Palestine, to become a reality.[3] In other words, the conquest was the turning point for the Zionist movement to achieve its aims, mainly to establish a state for Jews. Zionism, in Cambridge Dictionary, is defined as "a political movement which had as its original aim the creation of a country for Jewish people, and which now works to help the development of Israel."[4] In a similar notion, it is defined as "a Jewish movement that arose in the late 19th century

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[2] Mohsen M. Saleh (2001), *The Palestinian Issue: Its Background and Development Up To 2000*. Hassan A. Ibrahim (tr.). Kuala Lumpur : Fajar Ulung, p. 15.

[3] Henry Cattan (1988), *The Palestine Question*. London : Saqi Books, p. 49.

[4] *http://dictionary.cambridge.org/define.asp?key=92207&dict=CALD*, 8 January 2008.

in response to growing anti-Semitism and sought to re-establish a Jewish homeland in Palestine. Modern Zionism is concerned with the support and development of the state of Israel."[5]

Accordingly, with the 'support' from the super power during those times especially from the British government, the Zionist movement mounted efforts to establish the Jewish State in Palestine and Islamicjerusalem including getting more Jews to the land. This has resulted to the emerging of a report that during the British Mandate, many of the Jews were illegally settled in Islamicjerusalem.[6]

Islamicjerusalem was an Exclusive Region before Muslim Rule

From historical evidences, of those who ruled the region in the past and present time, all except the Muslims applied an 'exclusive' policy towards the inhabitants of Islamicjerusalem. For example, during the Byzantine period, Jews were not allowed to settle in Islamicjerusalem[7] with reports that they were treated badly. However, historical sources show that when Muslims conquered Islamicjerusalem for the first time during the Caliph Umar's period, Islamicjerusalem became an open land where there was no restriction for any religion or race to enter or settle in the land.

According to historical reports, Jews had experienced hard times under Christian rule. As reported by Wilkinson, "in 135 C.E., Hadrian who succeeded Trajan as Roman Emperor had proceeded his plan to make Jerusalem city a Roman colony, namely Aelia

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[5] *http://dictionary.reference.com/search?q=zionism&db*, 8 January 2008.
[6] Michael C. Hudson (1990), "The transformation of Jerusalem 1917-1987 A.D", in K J Asali (*ed.*), *Jerusalem in History*. New York: Olive Branch Press, p. 257.
[7] John Wilkinson (1990), "Jerusalem Under Rome and Byzantium 63 BC - 637 A.D", in K J Asali (*ed.*), *Jerusalem in History*. New York: Olive Branch Press, p. 88.

Capitolina."[8] Furthermore he states, that Hadrian had introduced the decree of Rome stating that no Jews should be allowed within the district of Aelia Capitolina.[9] This is the central point to be raised here. It is thus historically proven that Byzantine rulers including those who embraced Christianity and its followers continuously practiced 'exclusiveness'. This means, they were not allowing others of different faiths to live together. Christian rulers like Constantine also remained and cultivated an exclusive vision of Islamicjerusalem's holiness.[10] Armstrong adds that the Christian Byzantines, who governed Aelia from the fourth to the early seventh century of the Common Era, too did not permit Jews to reside permanently in the region. They were only allowed to visit the Temple Mount once a year to mourn the loss of Jewish Jerusalem which had been destroyed by the Romans in the year 70 C.E. The site of the old Temple was left in ruins as a symbol of Judaism's defeat, and in the last years of Byzantine hegemony, the Christians used the Temple Mount as a rubbish dump.[11]

The Region Became Inclusive Under Muslims Rule

Accounts differ about the presence of Jews in Islamicjerusalem in the early Islamic conquest of the region. Al-Ṭabarī's version of al-'Uhda al-'Umariyyah, for instance, states that '…no Jews should reside with them…'[12] El-Awaisi and Al-Tel, in a

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[8] *Ibid.*

[9] John Wilkinson (1990), *op.cit.*

[10] *Ibid.*, pp. 93 - 94.

[11] Karen Armstrong (1997b), "Sacred Space: The Holiness of Islamic Jerusalem", *Journal of Islamic Jerusalem Studies,* Vol. 1, No. 1.Winter UK: Islamic Research Academy, p. 9.

[12] This has been mentioned in al-Ṭabarī's version which was similarly presented by Ibn al-Jawzī, and not in the others. See al-Ṭabarī, Muḥammad Ibn Jarīr (1960), *Tārīkh al-Rusul wa al-Muluk*, Vol. 1. Cairo, pp. 2399 - 2406; Ibn al-Jawzī, (1980), *Faḍā'il al-Quds*, Beirut, pp. 123-124; the version is in contrast to Muḥammad al-Balādhurī, (1936), *Futūh al-Buldān*, Vol. 1. Cairo: T.P., pp. 114 - 115; Muḥammad

close examination of the text, conclude that the text is unreliable for several reasons in that the versions contradict each other and that it has been narrated by a weak person. In addition, reports from scholars earlier than al-Ṭabarī do not mention anything about the restriction.[13] Furthermore, Armstrong argues that, 'Umar invited the Jews, who had been forbidden to reside permanently in Islamicjerusalem for over 500 years, to return to their holy city'.[14] Seventy Jewish families came from Tiberias. They established a quarter at the foot of the Temple Mount[15] (*al-Masjid al-Aqsā*), leaving Christians in undisturbed possession of the Western Hill in the healthiest part of the region.

Perhaps not less important to know is that the Muslims made no attempt to build mosques in the Christian part of Islamicjerusalem and showed no desire to create facts on the ground there until after the Crusades, which saw to the permanently damaged relations between the three monotheistic religions in Islamicjerusalem. But until the Crusades, Islamicjerusalem remained a predominantly Christian city and Muslims remained in a minority.[16] It is surprised to know that Muslims were not the majority, but it was the fact.

Ibn 'Umar al-Wāqidī, (1954), *Futūh al-Shām*, Vol.1. Cairo: T.P., pp. 214 - 242; Al-Ya'qūbī, (1960), *Tārīkh al-Ya'qūbī*, Vol. 2. Beirut: T.P. pp. 46 & 167.

[13] Abd al-Fattah El-Awaisi (2000), "Umar's Assurance of Safety to the People of Aelia: A Critical Analytical Study of the Historical Sources", *Journal of Islamic Jerusalem Studies,* Vol. 3, No. 2. Summer UK: Islamic Research Academy, pp. 49 - 60; Othman I al-Tel (2003), *The First Islamic Conquest of Aelia (Islamic Jerusalem), A Critical Analytical Study of The Early Islamic Historical Narratives and Sources*. UK: Al-Maktoum Institute Academic Press, pp. 211 - 220.

[14] Karen Armstrong (1997b), *op.cit.*, p. 14

[15] Moshe Gil (1992), *A History of Palestine, 634 – 1099*. UK: Cambridge, pp. 70 - 72 & 636 - 638.

[16] See Al-Muqaddasī, Muḥammad Ibn Aḥmad (1892), *Description of Syria, including Palestine*. London, p. 37; see also Karen Armstrong, (1997b), *op.cit.*, pp. 14 - 15.

Moshe Gil reports that the principal Christian sources on this subject are the texts of Balderic, Bishop of Dol, who wrote a treatise entitled ″The History of Jerusalem″ at the beginning of the 12th century that is quite near to the time these events occurred. According to Balderic, most of the inhabitants of Islamicjerusalem escaped to the area of the Temple Mount. The Crusaders violated their promise to the inhabitants that they would be left alive, but slaughtered - according to Balderic - some 20,000 to 30,000 people.[17] There are many evidences on the injustice policy of crusaders towards others (non-Christians). It could be noted that in the Crusades period in Islamicjerusalem, nearly the same thing happened. For example in the year 492A.H/1099C.E, when Islamicjerusalem fell to the Crusaders, Hillenbrand quotes al-'Azimi who reports, "Then they turned to Jerusalem and conquered it from the hands of Egyptians. Godfrey took it. They burnt the Church of the Jews (*Kanīsat al-Yahūdī*)."[18] Hiyari argues that Muslims and Jews were either killed or expelled.[19] The Crusaders' actions undoubtedly confirm that the Christians had an exclusive vision of the holiness of Islamicjerusalem. This means that their policy was not to allow other faiths to live *en masse* in Islamicjerusalem.

Muslim re-conquest of Islamicjerusalem from the Crusaders under Ṣalāh al-Dīn al-Ayyūbī had saw a refreshing dimension in the treatment of others. Ibn Shaddād mentioned that Ṣalāh al-Dīn had ordered to put down the golden cross, which dominated the Dome of the Rock in the time of Crusades and to clear *al-Aqṣā* Mosque from Christian furnishings.[20] One could argue that this would deny the

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[17] Moshe Gil (1997), *The Crusaders' Conquest and the Fate of Palestinian Jewry, A History of Palestine 634-1099*. Ethel Broido (tr.). UK: Cambridge University Press, p. 827.

[18] Carole Hillenbrand (1999), *The Crusades: Islamic Perspectives*. UK: Edinburgh University Press, p. 64.

[19] Mustafa A Hiyari (1990), 'Crusader Jerusalem 1099-1187 C.E', in K J Asali (*ed.*), *Jerusalem in History*. New York: Olive Branch Press, p. 140.

[20] Maher Younes Abu Munshar (2003), *A Historical Study Of Muslim Treatment of Christians in Islamic Jerusalem, At The Time Of 'Umar Ibn al-Khaṭṭāb and Ṣalāh al-Dīn with Special Reference to Islamic Value of Justice,* PhD Thesis –

inclusiveness of Muslims vision towards Islamicjerusalem. However, the researcher is inclined to argue that Ṣalāḥ al-Dīn did not intend to exclude others without any reason, but he had made the decision as retribution to the Crusaders, who came as invaders and violated the lives of the inhabitants there by exercising an atrocious massacre.[21] Indeed, Ṣalāḥ al-Dīn had to restore *Qubbah al-Sakhrah* and retain its original character, as has been purposely built by 'Abd al-Mālik in order to demarcate Islamicjerusalem as a whole. This is indeed to restore the image of al-Aqṣā to its original features.

El-Awaisi states that when Caliph ʿUmar conquered Islamicjerusalem, he granted rights to Christians and gave no orders to demolish the building and also the church.[22] This means, 'Umar did not punish others of different faiths but respect their rights, especially the right of worship. The same practice happened when Ṣalāḥ al-Dīn re-conquered Islamicjerusalem. In addition, when the Byzantine emperor received the news of Ṣalāḥ al-Dīn's victory in Islamicjerusalem, he also asked him to restore the Church of the Holy Sepulchre to the Greek Orthodox Christians.[23] Accordingly, Ṣalāḥ al-Dīn ordered the re-opening of the church after three days of closure and allowed the Christians to pray freely in their churches. He also handed over control of Christian affairs to the Byzantine patriarch.[24]

Another great attempt by Ṣalāḥ al-Dīn was to permit the Jews to return to Islamicjerusalem from which they had been almost

unpublished. UK: Al-Maktoum Institute For Arabic and Islamic Studies, University of Abertay Dundee, p. 234.

[21] Mustafa A Hiyari (1990), *op. cit.*, p. 138.

[22] Abd al-Fattah el-Awaisi (2000), *op. cit.*, pp. 53 - 54.

[23] Hadia Dajani-Shakeel (1988), "Some Medieval Accounts of Salah al-Din's Recovery of Jerusalem (Al-Quds)", in Hisham Nashabe (*ed*.), *Studia Palaestina: Studies in Honour of Constantine K. Zurayk*. Beirut: Institute for Palestine Studies; this reference could be found online at *http://www.fordham.edu/halsall/med/salahdin.html*, 8 January 2008.

[24] Maher Younes Abu Munshar (2003), *op.cit.*, p. 234.

entirely excluded by the Crusaders. They were welcomed to share the holy place with other religions, just as ʿUmar had allowed them residence. He was hailed throughout the Jewish world as a new Cyrus.[25] Tibawi says that 19th century Jewish historian, Heinrich Graets, wrote that Ṣalāh al-Dīn's dominions became a safe asylum to the oppressed Jews. Under him they rose to great prosperity and consequence.[26]

The way of treatment which Ṣalāh al-Dīn granted to non-Muslims cannot be in imaginary and in total distinction to the way Israel treats others in Islamicjerusalem, albeit the whole of Palestine from those time to this modern age. There is injustice with an exclusive environment in Islamicjerusalem. In examination of the recent conflict for instance, the researcher convinces that the approach of Israel is in total contrast to that of the Muslims when they ruled Islamicjerusalem. Unlike the Zionist Jews, there is evidence showing that justice is a makeup of Muslim rule. In this regard, Armstrong, without hesitation, argues that *"from the start, the Muslims developed an inclusive vision of Jerusalem which did not deny the presence and devotion of others, but respected their rights and celebrated plurality and coexistence."* [27]

Armstrong is determined to argue that while Judaism and Christianity promoted the exclusive and divisive concept of sacred space, Islam acknowledged the inclusive concept. She says: *"Unlike the Jewish and Christian experience of sacred space, the Islamic vision of Jerusalem was not exclusive and divisive. Instead, it was warmly affirmative of other traditions."* [28] She likely referred this statement to the attitude of Muslims towards others during the First

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[25] Karen Armstrong (1997a), *A History of Jerusalem: One City Three Faiths*. London: Harper Collins Publishers, p. 298.
[26] A.L. Tibawi (1980), "Jerusalem under Islamic Rule", in *Jerusalem The Key to World Peace*. London: Islamic Council of Europe, p. 146.
[27] Karen Armstrong (1997b), *op.cit.*, pp. 18 - 19.
[28] *Ibid.*, pp. 13 - 14.

Islamic Conquest of Islamicjerusalem. In which during this first conquest, non-Muslims were allowed to stay. Even though there are several opinions on the date of conquest, al-Tel strongly suggests that it was in 637 A.D[29] under the leadership of ʿUmar, who according to Armstrong was the faithful Caliph to implement the inclusive vision towards the holiness of Islamicjerusalem.[30]

Similar to Armstrong, Schleifer agrees that Islamicjerusalem was an open region for all regardless of religious difference, as he says it is like a symbol of pluralist civilization. He says, *"twice conquered in the historically significance sense by Muslim armies, its non-Muslim native inhabitants were in both cases allowed to remain and guaranteed their lives, property and religious practices. The terms of the second conquest by Sultan Ṣalāḥ al-Dīn so epitomized chivalry that he was immortalized in Europe literature."*[31] This clearly supports that Muslims had implemented inclusive vision when administering the region. Armstrong further argues, *"Unlike the Jews and Christians, Muslims did not attempt to exclude others from Jerusalem's holiness…"*[32]

The fair treatment given to non-Muslims clearly based on the two core sources in Islam, al-Qur'ān and al-Hadīth. In addition, modern scholars such as al-Qaradawī a well known leading Muslim Jurist - and El-Awaisi, both agree that it is not allowed to fight Jews on the basis of religious differences. All nations must have a mutual

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[29] While Mohsen M. Saleh in his anonymous reference, inclines to the year 636 AD. See Mohsen M. Saleh (2001), *op.cit.*, p. 15; The year 636 A.D. is likely taken from Al-Ṭabarī, Mujīr al-Dīn, Ibn Kathīr, Ibn al-Āthīr and others who incline to this date. While the year 637 A.D. is mentioned by scholars like al-Wāqidī and al-Yaʿqūbī. To explore several arguments on the date of conquest, please see Othman Ismael al-Tel, *op.cit.*, pp. 3 & 110 - 120.
[30] Karen Armstrong (1997b), *op.cit.*, pp. 18 - 19.
[31] S.Abdullah Schleifer (1997), "Jerusalem as Archetype of the Harmonious Islamic Urban Environment", *Journal of Islamic Jerusalem Studies,* No. 1, Vol. 1. Winter UK: Islamic Research Academy, pp. 27 - 28.
[32] Karen Armstrong (1997b), *op.cit.*, pp. 13 - 14.

understanding of each other and to accept religious diversity. Al-Qaradawī argues that, *"Muslims do not fight the Jews because they are Jews, but because they occupied the Muslims land in Palestine."*[33] Hence, if Zionist Jews were to practice justice particularly in and around the region, not committing any harm, not occupying and confiscating the land of others as well as not attempting on changing the demographic of Islamicjerusalem, then and only then, will there be no point for Muslims to remain in conflict with them.

Consequently, it could be argued that 'inclusion' is the most important concept of the Muslims' vision of Islamicjerusalem. A leading scholar who devotes his academic expertise in Islamicjerusalem Studies, El-'Awaisi states: *"Islamicjerusalem was made by Muslims as an inclusive, multi-religious, and multi-cultural religion where all traditions and cultures could live in peace and harmony"*.[34] El-'Awaisi also notes that this inclusive vision is a significant reason that prevented Muslims from choosing Islamicjerusalem as their capital.[35] This also automatically rejects the argument saying that Islamicjerusalem is not central in Islam because it has never been a Muslim capital in those eras.

It could be safely understood that the concept of inclusion has been implemented in Islamicjerusalem since the early Islamic conquest of the region (Aelia). However, the region then turned to be an exclusive region when it was occupied by non-Muslim rulers, as evidence currently in the 21st century. It is important to note that the

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[33] Yūsuf al-Qarḍāwī (1997), "Al-Quds fi al-Waʿī al-Islāmī", *Journal of Islamic Jerusalem Studies*, No. 1, Vol. 1. Winter UK: Islamic Research Academy, pp. 13 - 14.
[34] Abd al-Fattah El-'Awaisi (2003), *Exploring the Identity of Islamic Jerusalem*, Draft paper presented during The 5th International Academic Conference on Islamic Jerusalem, (unpublished). UK: Al-Maktoum Institute for 'Arabic and Islamic Studies, p. 3.
[35] *Ibid*.

attitude of Muslims after the first Muslim liberation of Islamicjerusalem was contrary to that of both Jews and Christians towards the region. The Muslims liberated the Christians from the Byzantine occupiers of the region, protected the Jews from the oppression as they had in the hand of the Byzantines, and restored their presence in the region after an absence of 500 years.[36] Certainly, this was in keeping to the Islamic teaching based on the two core sources in Islam, al-Qur'ān and al-Hadīth. Apart of that, it is important too to understand the methodology of *tadāfu'* (counterbalance), and the concept of justice based on determining their rights, duties, treatment and means of cooperation in respecting co-existence.

Israeli Efforts to Zionise Islamicjerusalem

Israel, on the other hand, with Islamicjerusalem high in the agenda, is attempting to Zionist the region. This means, the Jews wanted to take possession of the region and make it as its own. Their effort has clearly been supported and helped by the Balfour Declaration on behalf of the government of United Kingdom. Despite containing a few words, it has changed the whole Palestine's course of history as well as those of Islamicjerusalem.[37] The declaration's letter states:

"His Majesty's Government view with favour the establishment in Palestine of a national home for the Jewish people, and will use their best endeavours to facilitate the achievement of this object, it being clearly understood that nothing shall be done which

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[36] Karen Armstrong (1997a), *op.cit.*, p. 420; Amnon Cohen (1984), *Jewish Life Under Islam: Jerusalem in the sixteenth Century*. UK: Harvard University Press, p. 14; Abd Al-Fattah El-'Awaisi (2000), *op.cit.*, p. 78.

[37] Certainly, the fact that peace in the *barakah* land is still unfinished business is largely due to the letter penned on November 2nd 1917, by Arthur James Balfour to Lord Lionel Rothschild, known as Balfour Declaration.

may prejudice the civil and religious rights of existing non-Jewish communities in Palestine, or the rights and political status enjoyed by Jews in any other country." [38]

The declaration clearly shows support to the Zionist movement in establishing a 'national home for the Jewish people' in Palestine. Referring to the declaration, it can be understood that the British government strongly backs the establishment of Israel as a state for the Jews. As the British promised the Jews a homeland in Palestine, they began translating their promise to reality, succeeding because they were the government in power of Palestine during colonial era.

Another major and greatest threat to the status of Islamicjerusalem was the declaration of the establishment of Israel in 15 May 1948, immediately after the British Mandate was terminated. Nearly a month before the establishment of the Israeli state, Israel had carried out a huge massacre in Deir Yasin on 9 April 1948 with victims including 250 of its Muslim inhabitants. It shows how Isareli has ignored others by terrorizing inhabitants of the land the wanted to conquer.

Having declared Jerusalem as Capital of the State of Israel on 13 December 1949, Israel moved its capital from Tel-Aviv to Jerusalem (West) in 1950. Since then, Israel extensively made efforts to change the identity of Islamicjerusalem in order to accommodate more Jews in the land. For instance, in 1967, Israel captured Eastern part of Jerusalem, including East Jerusalem, from Jordan. The Arabs recognise this sector of Jerusalem as the West Bank of the Jordan

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[38] See for example Henry Cattan (1998), *op.cit.*, p. 10; also has been mentioned by the same author but without text, in Henry Cattan (2000), *Jerusalem*. London: Saqi book, p. 29.

River, and to the Israelis as Judea and Samaria.[39] Likewise, Aronson in his articles explains the Israeli government-planning program to control East Jerusalem sector by increasing the number of Jewish settlements in and around the sector. He also described a variety of policies that has been applied by the Israeli government in order to dominate the area with the Jews for ensuring the existence of Israeli authority in the area, such as the elimination of the Arab inhabitants' lands to construct new settlements for the Jews.[40] It is reported that around 10,000 Palestinians were expelled from the villages of Bayt Nuba, 'Imwas, and Yalu. Later in the year (1967), four more Arab villages, Bayt Marsam, Bayt 'Awa, Habla and Jiffliq, were cleansed and razed to the ground.[41] All these efforts are nothing but to enhance ethnic cleansing in making sure that Islamicjerusalem is only be filled by the Jews.

Moreover, in 1973, the ministers' Committee on Jerusalem Concerns defined a 'national goal' which is to preserve big proportions of Jews, so that governmental and municipal policies are geared in restricting the growth of the Palestinian Arab population and encouraging Israeli Jews in the land.[42] In 1992, East Jerusalem's Jewish population increased from 25,000 to 170,000, mostly living in neighbourhoods built on lands confiscated from Palestinian owners.[43] The increase in the number of Jews and decrease in the Palestinian population was evidently aimed at strengthening Israel's grasp on East Jerusalem. It seems that from the beginning Israel saw the Palestinians in Islamicjerusalem as a demographic problem and a

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[39] John Quigley (1996), "Jerusalem in International Law", in Ghada Karmi (ed.), *Jerusalem Today; what future for the peace process,* Ithaca Reading, p. 29.

[40] Geoffrey Aronson (1996), "Israeli settlements in and around Jerusalem", in Ghada Karmi (ed.), *Jerusalem Today; what future for the peace process,* Ithaca Reading, p. 77 - 82.

[41] Michael Prior (1999), *Zionism and the State of Israel.* London: Routledge, p. 31

[42] John Gee (1995), *Arab Jerusalem under Siege,* Briefing, No. 38. London: CAABU, p. 6.

[43] Geoffrey Aronson (1996), *op.cit.*, pp. 77 - 82.

threat which saw to their evacuation whilst Jews were encouraged to take their place and live within the region.

Ariel Sharon's confrontational visit to the courtyard of *al-Masjid al-Aqṣā*, escorted by 600 armed soldiers on 28 September 2000, has prolonged instability in Islamicjerusalem.[44] The visit deemed to strengthen Israeli control of the region and make it exclusively for the Jews. Israeli efforts to take full control continue with strategies. Therefore, it is clear that the efforts of Israel to Zionised Islamicjerusalem are in clear contrast to that of the way Muslim leaders treat the inhabitants of the region. Islamicjerusalem was ruled with justice under the Muslims as it became an open land for all nations, regardless of religious or racial differences.

Justice and Counterbalance (*Tadāfuʻ*): Elements of Peace

During Muslims rule over the region, Islamicjerusalem was enjoying peace and stability. In this regard, El-ʻAwaisi states that: *"the arrival of ʻUmar in Jerusalem marked the start of a golden age and the beginning of a new era during which the city became an open city for all the nations, a city for justice and peace"*.[45]

However, from the evidences of the current affairs in Middle East, one can argue that Israel has done too much injustice and beyond counterbalance to the inhabitants of Islamicjerusalem, especially the Muslims. This becomes obvious when we examine the actions taken by Israel to establish a Jewish state since 1948 to 1967 up to the present day. The region is unstable and in a state of chaos, amid a lot of killings and so on. Therefore, the researcher strongly agrees that without justice, Islamicjerusalem will never achieve

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[44] Mohsen M. Saleh (2001), *op.cit.*, p. 83.
[45] Abd al-Fattah El-ʻAwaisi, Islamic Jerusalem: A City of Hope, Justice, and Peace, *http://www.geocities.com/mutmainaa/mosque/jerusalem.html*, 8 January 2008. See also Abd al-Fattah El-ʻAwaisi (2000), *op.cit.*, p. 47; Karen Armstrong (1997b), *op.cit.*, p. 14.

peace and stability in the region. History has proven that there can never be peace or stability without justice. Accordingly, Armstrong argues in her paper presented at "The 1997 International Academic Conference on Islamicjerusalem," that, "from the very earliest days, it seems the cult of Jerusalem was inextricably bound up with the quest for social justice. Thus in the Hebrew Bible, prophets and psalmists repeatedly reminded their people that Jerusalem could not be a holy city of Shalom (of peace) unless it was also a city of Tseddeq (of justice)." [46] It is thus worth to examine briefly these two important elements, which are:

i. Justice

Justice, known in Arabic as *'adl*, literally mean placing something in the right place (*waḍa'a al-shay' fī mahallih*). It also carries the meaning of equal treatment to others or reaching a state of equilibrium in public transactions with them (*al-taswiyah fī al-mu'āmalah*).[47] Ibn Manẓūr defines *'adl* as: (i) To straighten or fix; (ii) To straighten up or sit straight; (iii) To amend or modify; (iv) To run away from the wrong path to the right one; (v) To be equal, to match; and (vi) To balance or counterbalance, or to be in a state of equilibrium.

Looking at this definition, Kamali argues that it *"thus signifies moral rectitude and fairness since it means that things should be where they belong. Justice is closely related to equality in that it aims for a state of equilibrium in the distribution of rights and duties, and advantages and burdens in the community."* [48] He then comes to assert that *"justice is, in many ways, a universal concept in*

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[46] For the Biblical reference, please refer to Psalms 72:4; 9:10, 16; 48:8. See Karen Armstrong (1997b), *op.cit.*, p. 7; Norman Cohn (1993), *Cosmos, Chaos and the World to Come: The Ancient Roots of Apocalyptic Faith*. London, pp. 88 - 89.

[47] Mohammad Hashim Kamali (2002), *Freedom, Equality and Justice in Islam*. UK: Islamic Text Society, p. 103.

[48] *Ibid*.

that its basic meaning does not seem to vary a great deal between the major legal traditions of the world." However, justice is not synonym to equality, even though one could argue it is. Kamali stresses that *"it is rather a process, a complex and shifting balance between many factors, some of which are also relative and changeable."* [49] Thus, justice is applicable to all times and all people.[50]

In the Qur'ān, there are verses mentioning justice. Among the words most commonly associated with the word *'adl* are *qisṭ, qaṣd, istiqāmah, wasaṭ, nisāb, hissah* and *mīzān*. In fact, scholars have pointed out the number of times that the term justice or injustice has been mentioned in the Qur'ān. Khadduri argues *"in the Qur'an there are over two hundred admonitions against injustice expressed in such words as ẓulm, ithm, ḍalāl, and others, and no less than almost a hundred expressions embodying the notion of justice, either directly in such words as 'adl, qisṭ, mīzān, and others as noted before, or in a variety of indirect expressions."*[51]

One of the most often quoted verse on justice is in Chapter al-Nahl: *"Verily Allah commands justice (al-'adl) and fair dealing (al-iḥsān)."*[52] Justice in Islam thus goes beyond race, religion, color and belief. Islam teaches people to be just at all levels even in the situation stacked against your favor. Allah says: *"Let not the hatred of a people swerve you away from justice. Be just, for this is closest to taqwā."* [53] Another verse mentions quite clear to guide the relations with non-Muslims, which Allah says in Chapter al-Mumtahinah: *"Allah forbids you not from doing good and being just*

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[49] *Ibid.*, p. 104.
[50] Mohammed Abu-Nimer (2003), *Nonviolence and Peace Building in Islam: Theory and Practice*. US: University Press of Florida, p. 51.
[51] See Majid Khadduri (1984), *The Islamic Conception of Justice*. New York: John Hopkins University Press, p. 10; Mohammed Abu-Nimer (2003), *op.cit.*, p. 51.
[52] Qur'ān, Sūrah Al- Nahl (16): 90.
[53] Qur'ān, Sūrah Al-Mā'idah (5): 8.

to those who have neither fought you over your faith nor evicted you from your homes." [54] Sayyid Quṭb concludes that justice is an inherent right of all human beings under the *Sharī'ah*.[55] On the same opinion, M. Afzal Zullah, the Chief Justice of Pakistan, stresses, *"justice is a fundamental right of everyone without any discrimination whatsoever."* [56]

ii. Counterbalance (*Tadāfu'*)

As a complement to justice, the researcher inclines to be of the same opinion with El-Awaisi who revives a very important Islamic method, namely the concept of *tadāfu'* or counterbalance as a means of adjusting positions using movement instead of conflict.[57] Literally, *daf'u* means to remove something using power (*izālah bi al-quwwah*).[58] Hence, *tadāfu'* means adjusting positions accordingly and balancing situations thoroughly. This methodology is closely linked to the Islamic concept of justice that encompasses all without discrimination between Muslim and non-Muslim as delightfully practiced since the Prophet Muhammad's time. El-Awaisi states:

> "This conflict free method is what Islamic teachings see as a means of preserving a non-Islamic presence in this life. *Tadāfu'* is not only to preserve Islam's sacred places, but also to preserve the sacred places of others…" [59]

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[54] Qur'ān, Sūrah Al- Mumtahanah (60): 8.
[55] Cf. in M H Kamali (2002), *op.cit.*, p. 111; Sayyid Quṭb (1977), *Fī Zilāl al-Qur'ān*, Vol. 2. Beirut: Dār al-Shuruq, p. 689.
[56] It was referred to paper presented by Muhammad Afzal Zullah, *The Application of Islamic Law in Pakistan* on 6 September 1991, at the International Islamic University of Malaysia; M H Kamali (2002), *op.cit.*, p. 111.
[57] Abd Al-Fattah El-Awaisi (2000), *op.cit.*, p. 62.
[58] Ibn al-Manẓūr, *Lisān al-'Arab*, Vol. 8, p. 89.
[59] Abd Al-Fattah El-Awaisi (2000), *op.cit.*

It is important to understand this concept of conflict-free in Islam. Indeed, this concept is derived from the Qur'ān which emphasises not to engage in warfare with others, as respect towards other religions. Allah says:

> "…and if Allah had not counterbalanced (*daf'u*) some people's deeds by others, there would surely have been pulled down monasteries, churches, synagogues, and mosques, in which the name of God is commemorated in abundant measure."[60] Another verse reads: "Counterbalance (the evil deed) with one which is better." [61]

This means that from an Islamic point of view *Tadāfu'* is the means of preserving a plurality of sacred places or the plurality of religions. Undoubtedly, Islamic teachings reject the philosophy of a conflict based on eliminating the other party so that the victor can have the stage only for himself. Islam, in other words, considers that plurality is the basis of human existence. Plurality in nations, religions and religious laws is part of the design of the universe, as Allah says:

> *"O mankind! Surely We have created you of a male and a female, and made you tribes and families that you may know each other; surely the most honorable of you with Allah is the one among you most careful (of his duty); surely Allah is Knowing, Aware."[62]* Allah also says: *"If Allah had so willed, He would have made you a single community…" [63]*

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[60] Qur'ān, Sūrah Al-Hajj (22): 40
[61] Qur'ān, Sūrah Fuṣṣilat (41): 34
[62] Qur'ān, Sūrah Al-Hujurat (49): 13
[63] Qur'ān, Sūrah Al- Mā'idah (5): 48

From these points, it can be argued that justice and counterbalance are the 'lost wisdom' and the people are in real need of them. If these be implemented, the future of Islamicjerusalem will be in positive mode.

A Brief Reflection on the Political Future of Islamicjerusalem

In the early 80s, the late Al-Faruqi proposed solutions for the problems and issues in Islamicjerusalem. The researcher is keen to highlight several reflections of his ideas. Firstly, Al-Faruqi said the Arabs states of the Near East must undergo a transformation from being caricatures of the Western national states to becoming a single, united Islamic state.[64] He sharply criticized that the Arab states are literally all creations of Western colonialism. They must all be dismantled and their populations reorganized into an *Ummah* of Islam.

Secondly, Israel, the Zionist state, should be dismantled. Al-Faruqi argues that the institution of the Zionist state is a positive evil, and so is its entire defence establishment. He further states that by dismantling the Zionist state, it does not mean that the Jewish citizens of Israel would be required to leave the land.[65] In fact, on the contrary, they would be welcomed to stay in the land as long as they conform to the justice practice on the land. One can argue that this is a special spirit of Islam who could live with others in peace, as evident of the Muslim rulers, the Caliph 'Umar and Ṣalāḥ al-Dīn, who did not exclude the Jews and also Christians from the holiness of the region. Furthermore, Al-Faruqi argues that the dissolution of the Zionist state would leave the Jews to have a covenant with the Muslims for peace. While the Jews would be invited to dwell in any

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[64] Ismail Raji al-Faruqi (2003), *Islam and the Problem of Israel*. Kuala Lumpur: The Other Press, pp. 112 - 114.

[65] Ismail Raji al-Faruqi (1980), "The Islamic Faith and The Problem of Israel and Jerusalem" in *Jerusalem: The Key to World Peace*. London: Islamic Council of Europe, pp. 100 - 102.

city or village of the whole state ruled under the Islamic spirit, the Palestinians, would be allowed to return back to their land after having been forced out by the Israeli authorities.

Thirdly, al-Faruqi states that once the bouleversement this solution brings has settled down, there is no reason why the Jews, may not keep all the public institutions they have so far developed in Palestine to continue in their operation, in any locality or anywhere else where Jews might choose to settle.[66] These, all in a way, reflect the concept of how Islam encourages Muslims to deal with non-Muslims. As long as they accept *pax-islamica*, they will have rights as a citizen under Muslim rule, and the Muslims ruler are obliged to give them protection.

Interestingly to note that, there are Jewish scholars and Rabbis who disagree with the Zionist and Israeli movement to establish a Jewish state. For instance, Rabbi Yisroel Dovid Weiss asserted that there would be no true peace "*as long as Zionism and the state of Israel exist.*" Surprisingly, he openly declares that all "*Jewish religious people feel and suffer with the Palestinian suffering no matter what type, Chasidus (ultra Orthodox) or not*."[67] This is certainly in line with al-Faruqi who earlier states in his book that, "*the problem of Israel confronting the Muslim World today has neither precedent nor parallel in Islamic history. The Muslim World has tended to regard it as another instance of Modern colonialism, or at best, as a repetition of the Crusades.*"[68] Therefore, in the face of Israeli hegemony, the future of Islamicjerusalem is still fuzzy since the Israel continuously fail to move towards a peaceful, non-violence situation, and no less important justice suffers of being abused.

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[66] *Ibid*.

[67] Ahmad Maher, *Zionism, Israel Threat to Peace: Rabbi Weiss*, *http://www.islamonline.net/English/News/2003-08/26/article11.shtml*, article dated on 26 August 2003, 8 January 2008.

[68] Ismail Raji al-Faruqi (2003), *op.cit.*, p. 1.

Despite al-Faruqi and Weiss strong opinion, the researcher sees that the political future of the region is quite complicated to settle. There is almost impossible at the moment to implement the idea of dismantling the Israeli state and then rebuild the nation based on respect and common values. The latest peace process conference organized by US in Annapolis on 26 - 27 November 2007 seems re-affirmed the peace process on the region by using two-state solution. Means that there will be Palestinian independent state be created along with the existence of Israeli state. Then, the Arabs states and the rest of the world will recognize Israel and Palestinian as a two different independent states in Middle East. This is thus a tricky situation which Palestinians as well as Muslims all over the world are facing at the moment.

Conclusion

To sump up the above discussion, the researcher attempts to highlight that being just to both Muslim and non-Muslim are essential for Muslims as it is part of historical and religious practice, and are essential for non-Muslims as it shares common principles of life. The commitment to justice and its virtues is fundamental to achieve peace. Likewise, counterbalance, which is a nonviolent mechanism of conflict resolution, is crucial in empowering, mobilizing, and engaging people in the process of resolving the conflicts. As far as the researcher is concerned, historical evidences show that justice, counterbalance and peace in Islamicjerusalem can be achieved under Muslims rule. This was proven historically when the region Islamicjerusalem was recorded to have enjoyed prosperity, growth and stability from the time of the first Islamic conquest of the region by 'Umar Ibn al-Khaṭṭāb, and similarly after the liberation of the region from Crusaders by Ṣalāh al-Dīn al-Ayyūbī. In fact, these both important figures in the Islamicjerusalem history prove that non-Muslims lived in safety under Muslims rule. Both Jews and Christians shared the holiness of Islamicjerusalem. On the other

hand, the researcher argues that historical evidence has also shown that unlike Muslims, Jews were intolerant towards non-Jews as the Christians were to non-Christians when they ruled the region of Islamicjerusalem. Base on these clear historical facts, the researcher underlines that non-Muslims were evidently safe under Islam because the concept of justice was implied. This was not the case when Christians and Jews rule the region. Therefore, the researcher conclude that perhaps the important and right formula to solve recent conflict in the Islamicjerusalem is by implementation of justice and counterbalance, indeed a crucial combination that compliment each other. One can argue that this is regardless of who rule the region, as long as they implement these two concepts with the vision of inclusiveness, then there peace and stability will prevail. It thus follows that without implementation of justice, counterbalance and inclusive vision, problems and conflicts are inevitable, as currently evident with Israel seems failing to imply universal justice in their ruling in the region. As such, it is safe to conclude that "there will be neither peace nor stability without justice."