



**SOCIAL SCIENCES UNIVERSITY OF ANKARA
INSTITUTE OF SOCIAL SCIENCES**

Azka MADIHAH

**THE IMPLEMENTATIONS OF *AMAN* (PEACEFUL
COEXISTENCE AND MUTUAL RESPECT) THEORY AND
MODEL IN FIRST MUSLIM *FATIH* OF ISLAMIC JERUSALEM
(634–644 CE)**

Master Thesis

MASTER OF ARTS IN QUDS STUDIES

2020

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DECLARATION

I hereby declare that all information in this document has been obtained and presented in accordance with academic rules and ethical conduct. I also declare that, as required by these rules and conduct, I have fully cited and referenced all material and results that are not original to this work.

Name, Last Name: Azka Madihah

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ÖZET

Beytülmağdis'in İlk Müslüman Fatih'inin *Aman* (Barışçıl Bir Arada Yaşama ve Karşılıklı Saygı) Teorisi ve Modeli Uygulamaları (CE 634–644)

Azka Madihah

MA, Uluslararası İlişkiler Bölümü

Danışman: Prof. Dr. Abd al-Fattah El-Awaisi

21. yüzyılda dünya, günlük yaşamın bir parçası olarak çatışma, savaş, etnik temizlik ve işgale tanıklık ediyor. Şimdiye kadar, çatışma çözümündeki en yaygın çerçevelere Batı perspektifi hâkimdir. Bununla birlikte, farklı kültürleri, karakteristikleri ve zorlukları içeren durumlarda sorunların çözümüne dışarıdan bir bakış açısı uygulamak zordur. Bu nedenle, özellikle Batılı olmayan bir bakış açısıyla, çatışmayı önleme ve çözüme yönelik yeni bir boyut acilen gereklidir. El-Awaisi, bu ihtiyaca binaen *Aman* (barış içinde bir arada yaşama ve karşılıklı saygı) adında yeni geliştirilmiş bir teori ve model oluşturmuştur. Bu teori, *Aman*'ın çok kültürlü ve çok dinli bir toplumda kurulması amacıyla olan Müslüman bir görüşü temsil eder. Bununla birlikte, bu teori ve modelin kritik bir tarihsel dönemde uygulanabilirliğine ilişkin daha fazla araştırma yapılmasına hala ihtiyaç vardır. Bu teori ve modellemeyi kullanarak, Beytülmağdis gibi çatışmalarla dolu bir geçmişe sahip bu bölgeye has yapılacak araştırmalar, teorinin uygulanabilirliğini gösterecektir. Ömer b. Hattab'ın önderliğindeki ilk Müslüman “*Fatih*”, “Beytülmağdis'in” tarihi ve abidevi değişimini işaret ettiğinden, Ömer b. Hattab'ın, *Aman*'ı çok kültürlü bir toplumda başarıyla inşa edip etmediğini incelemek elzemdir. Bu çalışmada yapılan araştırma ve analiz, *Aman* teorisinin ve modelinin, ilk Müslüman *Fatih* döneminde İslâm cumhuriyetinde Ömer b. Hattab tarafından başarılı bir şekilde uygulandığını kanıtlamaktadır. Ömer b. Hattab, Kur'an ve Sünnet'e dayalı olarak *Aman*'ın temellerini uyguladı. *Aman* teorisinin Adalet Kavramı, Dışlanma Prensibi, Tadafu Metodolojisi, Yapıcı Tartışma Metodolojisi ve İnsan Onurunu Koruma gibi tüm bileşenlerini uyguladı. *Aman* modelinin bu unsurları, Ömer'in halifeliği döneminin bölgesel vizyonu, politikası ve sistemi ile uyumlu bir biçimde uygulandı.

Anahtar Kelimeler: Beytülmağdis, Müslüman Fatih, *Aman* Teorisi, *Aman* Modeli, Çokkültürlülük, Çatışma Çözümü

ABSTRACT

The Implementations of *Aman* (Peaceful Coexistence and Mutual Respect) Theory and Model in First Muslim *Fatih* of Islamicjerusalem (634–644 CE)

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The world in the 21st century witnesses conflict, war, ethnic cleansing, and occupation as part of everyday life. Until now, the most common frameworks in conflict resolution have been dominated by the Western perspective. However, it is difficult to apply an outsider's perspective to resolving problems in circumstances involving different cultures, characteristics, and challenges. Therefore, a new dimension to conflict prevention and resolution is urgently required, especially provided by a non-Western perspective. El-Awaisi has founded a newly developed theory and model named *Aman* (peaceful coexistence and mutual respect) as an answer to this need; it represents a Muslim vision to establish *Aman* in a multicultural and multi-religious society. Nevertheless, this theory and model still requires further investigation regarding the application in a crucial historical period. Dedicated research on the theory and model on a region which has a history full of conflict such as Islamicjerusalem (Bayt al-Maqdis/Beytulmakdis) would demonstrate the applicability of the theory. The first Muslim *Fatih* lead by Umar Ibn al-Khattab marked the historical and monumental change of Islamicjerusalem, thus it is important to examine whether Umar Ibn al-Khattab had successfully established *Aman* in the region as a multicultural society. The investigation and analysis of this research proves that the *Aman* theory and model were successfully applied by Umar Ibn al-Khattab in Islamicjerusalem during the first Muslim *Fatih*. Umar Ibn al-Khattab implemented the foundations of *Aman* based on the Quran and Sunnah and applied all the elements of *Aman* theory such as the Concept of Justice, Principle of Non-Exclusion, Methodology of *Tadafu*, Constructive Argumentation Methodology, and Preserving Human Dignity. The elements of the *Aman* model were also implemented in the era of Umar's caliphate in the form of Umar's vision, policy, and system in the region.

Keywords: Islamicjerusalem, Muslim *Fatih*, *Aman* Theory, *Aman* Model, Multiculturalism, Conflict Resolution

INTRODUCTION

The world is confronted with violence, conflict, ethnic cleansing, and occupation in everyday life in the 21st century. There is never a single day when the conflict is not a headline news story, whether on a regional or international scale. Humans have witnessed all kinds of wars in the world, whether they were a civil war, border war, proxy war, religious war, or even unreported war. These conflicts and wars have been the focus of the scholars by identifying the sources and finding a way to resolve them. One of the controversial assumptions for some scholars is the role of religion in war and violent conflict. As Anastasiou in Vehapi (2016) argues, throughout history and in modern times, religion has been seen to support and participate in imperial wars, colonialism, ethnonational civil wars, and international wars. This statement could spark debate, especially since peace is part of the teaching of most religions and could target religious followers as victims of hatred acts.

As a result, peace research has become one of the main subjects of international relations, as it seeks to make the world a better place (Roberts, 1991). The aim of these studies is not only to understand the existence of violence but also to contribute to the improvement of the human condition (Wallensteen, 1988). Indeed, these peace studies will continue to be necessary in the world, mainly to prevent, resolve, or manage conflict. In particular, since most conflict resolutions, with agreements and mediation as their primary means, have not been effective and have not established a way to prevent future disputes (O Regan, 2016). Therefore, the following discussion will explore the elements of conflict resolution and its relations with the religious point of view. It intends to clarify whether the assumption of a religion endorsing a conflict is valid or not, at the same time, to elaborate on the possibilities for a future alternative to conflict resolution.

Problem Statement

The world in the 21st century witnesses conflict, war, ethnic cleansing, and occupation as part of everyday life. Ending these conflicts has been the primary focus of international communities, with their main methods being negotiation and mediation.

However, these peaceful resolutions have not proved fruitful and also have not determined a way to prevent future conflict (O Regan, 2016). Until now, the most common frameworks in conflict resolution have been dominated by the Western perspective. It is challenging to apply an outsider's perspective to resolving problems in circumstances involving different cultures, characteristics, and challenges. Moreover, as Bauer and Ismar (2008) argue, most peace initiatives proposed by outside actors have been more oriented towards the interests of external actors. Therefore, a new dimension to conflict prevention and resolution is urgently required, especially provided by a non-Western perspective.

The increasing awareness of the urgent need for a non-Western approach to conflict resolution correlates with the escalating international use of the internet. Since the internet opened up unlimited access to global information, headlines regarding these conflicts and the pressure to solve them have become the center of attention. At the same time, the internet has increased the opportunities available to interact with culturally different people. This development has encouraged academics and policy-makers to offer various approaches to conflict resolution from differing points of view (Pederson, 2006).

Recognition of the need to develop different styles of conflict resolution based on one's own culture has been the argument of El-Awaisi (2019) for more than a decade. He argues that "Western theories and models developed and emerged from within its circumstances and situations. These models and theories are the product of events and values that were formed in the West and are not the product of what happened or is happening in our region". This statement implies that a severe threat might occur if Muslims and non-Western countries continue to utilize the theory and model of the West in resolving conflicts.

This argument corresponds with the theory of Makdisi (2019), who argues that the history of Western colonialism in the Middle East (West Asia) changed its coexistence and that this led to the region's devastating situation of violent wars and occupation. Makdisi urges society to reflect on the complexity of diversity, and realize that the West is not necessarily "better" or more "modern". That by now, it is evident that the Western countries suffer from their own ailments and inequalities, and have their own calamities in their racial, gendered, and religious taboos.

As a result of thorough identification with the requirement for conflict resolution based on the Muslim principle, culture, circumstance, and standpoint, El-Awaisi (2019b, 2019c) founded a theory and model of *Aman* for peaceful coexistence and mutual respect. In principle, the foundation of this *Aman* theory and model comes from the core Muslim sources. The philosophy, vision, and inspiration are also based on Islamic principles and Muslim leadership. However, this theory and model's applicability still needs to be investigated in more detailed and broader research. Accordingly, this research will focus on analyzing the implementations of each element of the theory and model in the most critical period, which is Islamicjerusalem during the first Muslim *Fatih*. The reason for selecting this critical period is based on Yin's (2009) argument that this critical period conforms to the research with well-developed theory. For the chosen era will allow a better understanding of the circumstances in which the hypothesis will, and will not, hold.

Furthermore, objective research on Muslim history ought to prevent more Muslims from becoming victim to distorted historical narratives from Orientalists that have negatively portrayed Muslims' influence on Islamicjerusalem. As Roslan (2008) argues, while the Muslims in Islamicjerusalem suffered from conflict, exclusion, expulsion, human rights violations, and occupation, it was very peaceful under Muslim rule. However, the Orientalists attempted to falsify this history by assuming the event of the Muslim conquest as a tale of cruelty and destruction (Kennedy, 2007). Lassner (2017) claims that Islamicjerusalem was not regarded as a place of great religious importance by Umar Ibn al-Khattab. Avni (2011) also stated that some scholars claim that the Muslim conquest caused the total collapse of large classical cities, turning them into small medieval towns. Thus, specific and fundamental research regarding the conflict resolution in Islamicjerusalem from a historical perspective and using a Muslim theoretical framework is inherently necessary.

Research Questions

- As a turning point in history, how have the elements in *Aman* theory and model been portrayed, applied, and manifested in the first Muslim *Fatih* of Islamicjerusalem?
- What are the factors, steps, and prerequisites in the establishment of *Aman* in Islamicjerusalem as a multicultural region based on the *Aman* theory and model?

- What was the vision, system, and policy of Umar Ibn al-Khattab in his efforts in turning the conflict in Islamicjerusalem into *Aman* (peaceful coexistence and mutual respect)?

Research Aims

- To investigate the implementations of the components of *Aman* theory and model in the crucial historical period of the first Muslim *Fatih* of Islamicjerusalem.
- To analyze the factors, steps, and prerequisites in establishing *Aman* in Islamicjerusalem as a multicultural region based on the *Aman* theory and model.
- To explore Umar Ibn Al-Khattab's vision, system, and policy in establishing *Aman* (peaceful coexistence and mutual respect) in Islamicjerusalem.

Significance and Purpose of the Research

Before choosing the first Muslim *Fatih* of Islamicjerusalem as the centre of this research, the starting point of this thesis is more towards the researcher's concern about the conflicts that seem never-ending in this world. Moreover, the course titled Theories and Models of *Beytulmakdis* (Islamicjerusalem): *Aman* and Multiculturalism in Quds Studies, Social Sciences University of Ankara that the researcher undertook ignited the researcher's interest in the *Aman* theory and model as a way of actively promoting the conflict resolution model from a Muslim or non-Western perspective. However, during the discussion, there were doubts from fellow students who thought this concept of *Aman*, which means peaceful coexistence and mutual respect, seemed like an utopia.

Hypothetically, as was concluded by the course's discussion, one should observe the first Muslim *Fatih* of Islamicjerusalem as the representation of *Aman*. Specifically, El-Awaisi (2019a) argues that Islamicjerusalem during the era of Umar Ibn al-Khattab and Salahuddin Al-Ayyubi was the model of *Aman* in multicultural society. Yet, according to the researcher, there are still some notable gaps when reflecting this *Aman* theory and model to these historical moments. For instance, El-Awaisi (2019a, 2019b, 2019c) did not investigate in detail each element of the *Aman* theory and model, including the prerequisites in implementing this concept. Thus, in order to examine in more depth whether *Aman* in Islamicjerusalem during Muslim rule, specifically after the first *Fatih*

of the region, is a utopia or a fact, the researcher pursued a historical approach as the chosen research methodology.

The current conflict in IslamicJerusalem that started with the British and Israeli occupation conceals the actuality that *Aman* (peaceful coexistence and mutual respect) was applied in this region for an extended period under Muslim rule. Although not describing it in detail, El-Awaisi (2012) argues that the *Aman* situation was presented for the first time during the era of Umar Ibn al-Khattab, where Muslims, Christians, and Jews lived alongside peacefully. Hence, in order to understand the factors, steps, and elements in reestablishing *Aman* in the significant land for the three religions (Islam, Christianity, and Jews), a historical investigation is required. This is primarily because the *Aman* theory and model that will be the basis of this research originates from this region and era.

This research will provide an analysis of the *Aman* theory and model on a crucial period and may contribute to the research on *Aman* in a multicultural society. At the same time, this research intends to promote a Muslim theory and model that can be an alternative approach for Muslim nations that presently emphasize the Western concept of conflict resolution. The theoretical and practical analysis of *Aman* theory and model will shed light on the vision, system, and policy of the establishment of *Aman* during the first Muslim ruler's era. Moreover, given that existing research analyzes IslamicJerusalem through a thematic approach or chronological order, a detailed historical investigation on each element of the theory and model is still urgently required. Particularly since the *Aman* theory and model have continued to be developed throughout the years, from 2005 to 2019.

Ultimately, the purpose of the study is intended to contribute to achieving *Aman* in IslamicJerusalem as the center of world peace, as stated in the new geopolitical theory namely the Circle of Barakah theory by El-Awaisi (2005). Hopefully, Muslim nations will start to explore and exercise this Muslim theory and model that is based on the Quran and Muslim concept of leadership in their efforts in establishing *Aman*. From the academic point of view, this study is intended to fill the gap of research on the First Muslim *Fatih* of IslamicJerusalem and conflict resolution from a multicultural perspective.

Research Methodology

The research was conducted using a qualitative approach in order to analyze the applicability of *Aman* theory and model in a significant place and a prominent period: Islamic Jerusalem in Umar Ibn al-Khattab's era. The basic analytical approach, rather than the practical approach, was chosen based on the consideration that the researcher aims to develop knowledge of the theory. Specifically, deductive research was carried out in order to test the latest advancement of the theory and model. Each element of *Aman* theory and model was scrutinized from its philosophy and its context in the literature.

Another consideration of choosing this methodology was derived from the ontological and epistemological perspective of the researcher, which encompasses constructivism and interpretivism. The researcher argues that understanding social events requires interpretation beyond the stated text or data. Moreover, the researcher believes that the social world keeps changing, and social scholars could contribute towards its development and improvement, and in this case, with respect to the scholarship on conflict resolution.

Primary and secondary data were collected and investigated through both the semantic approach, which involves analyzing the explicit content of the data, and a latent approach which involves reading into the subtext and assumptions underlying the data used. For instance, the study analyzed the elements and prerequisites to establish *Aman* and its relation to multiculturalism from Muslim sources such as the Quran, hadith and historical documents using the semantic approach. At the same time, the latent approach was used for historical records during the first Muslim *Fatih*, and several prominent occasions in the history of Persian and Byzantine rule in Islamic Jerusalem. This comparative perspective aims to highlight the differences of the vision, policy, and system between these historical periods.

Specifically, this study used Islamic research methodology from the core Muslim sources, since the theory and model were inspired by Islamic teaching and Muslim rule. The elemental challenge for these methods is the occurrence of language barriers that limited the researcher to some primary sources. Abu-Munshar (2007, p. 4) points to the fact that the majority of the Arab literature has sources in Italian and French. The

historical information from the era of Umar has been documented long since the events were actually taking place. Thus, according to Abu Munshar, it has been difficult to study the first Muslim *Fatih*. Besides the literature review and Islamic research methodology, the research was conducted using a historical research methodology to explore significant historical facts about Islamicjerusalem during the first Muslim *Fatih*. The historical approach was used because, as was argued by Srour et. al (2013) and Brewer (2007), in conflict resolution, historical narratives can serve as a bridge between the familiar and the unfamiliar and help groups to deal with an apparent diversity of phenomena, especially when these groups share a long history, going through both assimilation and differentiation processes. The triangulation of research methods will validate and justify the data and analysis used in this research.

Terminologies

The explanation of some terminologies used in this research will be presented to allow the reader to get a comprehensive understanding.

Islamicjerusalem: Abd al-Fattah El-Awaisi invented this new terminology Islamicjerusalem, “which may be translated into the Arabic language as Bayt al-Maqdis. It can be fairly and eventually characterized and defined as a unique region laden with a rich historical background, religious significance, cultural attachments, competing political and religious claims, international interests and various aspects that affect the rest of the world in both historical and contemporary contexts. It has a central frame of reference and a vital nature with three principal intertwined elements: its geographical location (land and boundaries), its people (population), and its unique and creative inclusive vision, to administer that land and its people, as a model for multiculturalism, cultural engagement and *Aman* (peaceful co-existence and mutual respect)”. (El-Awaisi: 2019b, p. 71)

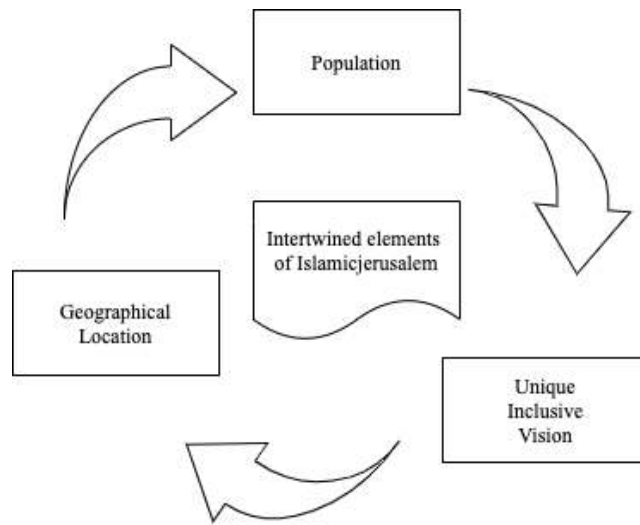


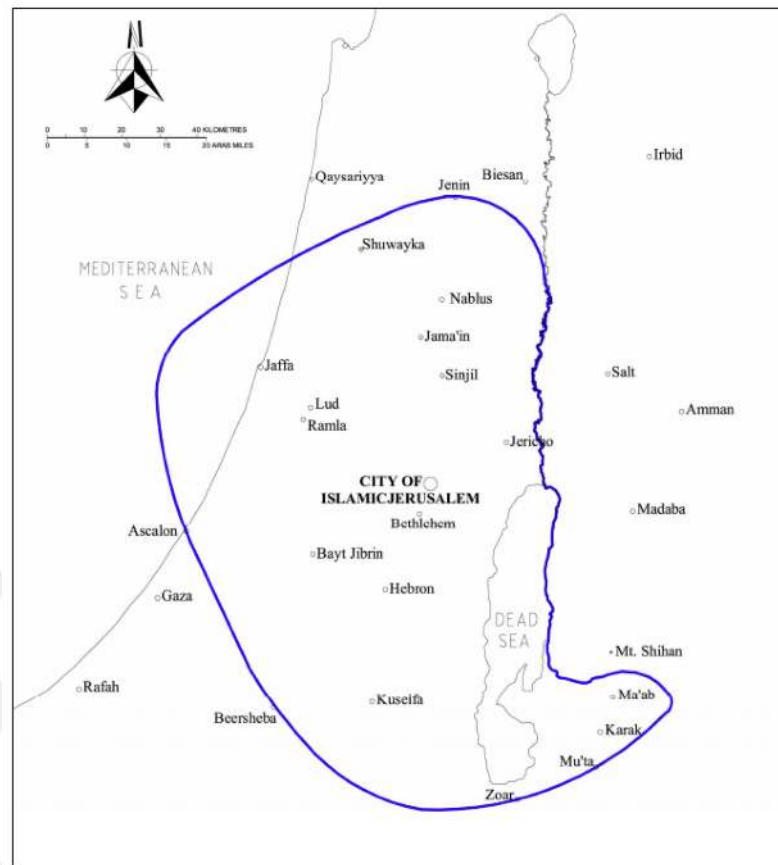
Figure 1. Intertwined Elements of Islamic Jerusalem by El-Awaisi.

Source: Roslan (2017)

According to El-Awaisi (2018), it is important to be noted that Islamic Jerusalem is one word and not two separate words, i.e. Islamic and Jerusalem;

“It should also be made clear that Islamic Jerusalem is not the same as Jerusalem or Islamic Quds *al-Quds al-Islamiyyah*. It is also different from Muslim Jerusalem as in Jewish Jerusalem and Christian Jerusalem. The historical period when the Muslims ruled Islamic Jerusalem for several centuries should be called Muslim Jerusalem and not Islamic Jerusalem. Islamic Jerusalem is a new concept, whereas Muslim Jerusalem refers to the periods when Muslims ruled Islamic Jerusalem.”

Based on his systemic research on Qur’an, Hadith, and other early Muslim historical and geographical accounts, Khalid El-Awaisi's (2007) presented the boundaries of the region of Islamic Jerusalem as a religious boundary. The map shows below that Islamic Jerusalem comprises several cities, towns, villages and even part of the Mediterranean Sea. This clarification of this particular element of Islamic Jerusalem supports a new dimension, for example, the date of the first Muslim *Fatih* in Islamic Jerusalem’s history.



Map 1. Map of Islamic Jerusalem. Source: Khalid El-Awaisi (2007)

When the researcher points to the city, she refers to it as the “city of Islamic Jerusalem”. In addition, in some Prophetic hadiths regarding the Al-Aqsa mosque, the Prophet refers to it as the mosque of Beytulmakdis, which means the mosque of Islamic Jerusalem. (El-Awaisi, 2019c)

Fatih: The second terminology that is frequently used in this research, thus, needs to be explained is *Fatih*. *Fatih* is used by El-Awaisi (2018b) to better reflect the Muslim conquest and liberation of Islamic Jerusalem since the phrase 'conquest' doesn't properly represent the true circumstance. El-Awaisi no longer uses the word 'conquest' to explain the Muslim conquest of Islamic Jerusalem since the word conquest gives a negative impression. Instead, El-Awaisi uses the word *Fatih* to refer to the event. One could argue that the *Fatih* terminology seems more suitable since the Muslim conquest of Islamic Jerusalem did not involve any persecution, expulsion, and any other maltreatment.

El-Awaisi (2019) defines *Fatih* as “introducing new stage and vision” such as the one led and achieved by Umar Ibn al-Khattab. This terminology is important since in the discussion regarding the first Muslim conquest of Islamicjerusalem in the Early Muslim period, most of the orientalist scholars use the term occupation instead of conquest. However, despite the terminology used, the Islamic concept of *Fatih* or conquest is not the same as other religions - rather, it follows the principle of Islam to respect all humankind.

Aman: The third terminology is *Aman* as the name of El-Awaisi’s theory and model. The inspiration for this name comes from Umar’s Assurance of *Aman*. At the beginning of publication regarding Aman theory and model, El-Awaisi (2005) translated this word as security. However, throughout the years afterward, El-Awaisi (2019) argues that peaceful coexistence and mutual respect portray the better meaning of *Aman* than security. The word *Aman* is closely related to the unique inclusive vision as one of the intertwined elements of Islamicjerusalem as will be mentioned in this thesis.

Research Scope

The study will be focused on historical research of how the *Aman* theory and model corresponds with how Umar Ibn al-Khattab implemented and maintained *Aman* (peaceful coexistence and mutual respect) in Islamicjerusalem during the first Muslim *Fatih*. Islamicjerusalem will be the geographical scope of the study, and Umar’s caliphate (634-644 CE) will be the time or periodical scope of the study. The chosen period and place are based on the significance of the event and location in history and international relations: the first Muslim *Fatih* of Islamicjerusalem will be viewed as a fundamental turning point that shapes the history of the world. With respect to most of the scrutinization of the theory and model manifestation in history, notable records of Persian and Byzantine rule in Islamicjerusalem will be included in the research. However, the details on Persian and Byzantine history and their Christianity and Judaism point of view will not be included in the research.

Structure of the Thesis

This thesis is divided into five chapters that include the literature review, theoretical framework, and discussion. It starts with the introduction which includes the problem statement, research questions, research aims, significance of research, terminologies, scope of the research, and structure of the thesis. The first chapter is the literature review that discusses the general overview of conflict resolution as a field of knowledge along with its development in relation to the case of Islamicjerusalem. Afterwards, the significance of Islamicjerusalem in Islamic perspective and in international relations will be included. The second chapter examines each of the elements in *Aman* theory and model, before then examining the foundations and prerequisites of the framework, as well as the development of the theory from 2005 to 2020.

The main discussion is comprised of chapters 3, 4, and 5, which discuss the historical background of Islamicjerusalem's first Muslim *Fatih*, the implementations of the *Aman* model, and the elements of the *Aman* theory. In the third chapter, the researcher attempts to investigate the hypothesis that the first Muslim *Fatih* of Islamicjerusalem is not an occupation according to three criteria: positive purpose, process, and outcome. The fourth chapter investigates the vision, policy, and system that Umar Ibn al-Khattab established as part of his conflict resolution effort. The fifth chapter discusses the fulfillment of *Aman* theory's elements and prerequisites. The researcher also incorporates the comparison of the Persian and Byzantine records with Umar Ibn al-Khattab's decisions regarding Islamicjerusalem's population. In the researcher's point of view, this contrasting approach will highlight the differences that occurred during Umar's period. The last part of the thesis includes the conclusion and references.

CHAPTER ONE

LITERATURE REVIEW

Introduction

The classical conflict resolution that sprouted in Western society after the Cold War has influenced the perspective towards this field of inquiry for the following decades. Thus, this literature review focuses on developing conflict resolution from generation to generation and discusses two of the most prominent conflict resolution models by Galtung and Ramsbotham-Woodhouse. Furthermore, the researcher also investigates the past and present conflict resolution approaches used in the conflict in Islamicjerusalem, including the most popular agreements, negotiations, and even resolutions such as the United Nations Resolutions 181 and 242. In addition, the researcher also presents the connection and significance of Islamicjerusalem from the Muslim point of view. It contains Islamicjerusalem's importance, as mentioned in the Quran and hadith, as primary sources and historical sources.

1.1 Development of Conflict Resolution

The conflict landscape has continued to change dynamically. Conflict resolution, conflict prevention, and post-conflict peacebuilding techniques and policies have become the objectives of international organizations and projects in recent years (Ramsbotham, 2008). According to Ramsbotham, conflict means the pursuit of incompatible goals by different groups, while conflict resolution is a more general term, which implies that deep-rooted sources of conflict are addressed and transformed. Although some terminologies such as conflict management or conflict transformation have become the topic of debates in the development of conflict resolution scholarship, the primary goal of these non-violent conflict resolutions is to create change (Rhodes, 2008, p. 97). Specifically, as Fisher (2011, p. 89) argues, the aim is to change structures and frameworks that cause inequality and injustice.

All of these conflict resolution initiatives emerged in Europe and America from 1918 when some advocates and scientists criticized the more exceptional contributions made by science and scientists to the cause of war rather than to the cause of peace. Among the earliest prominent figures of conflict resolution is Mary Parker Follett, who advocated the 'mutual gains' approach to negotiation in 1942. After 1945, the urgency of conflict resolution intensified because of the threat of nuclear weapons. The Peace Research Laboratory was founded by Theodore F. Lentz in St. Louis, Missouri, after the bombing of Hiroshima and Nagasaki in 1945. His research became the inspiration for other researchers such as Kenneth Boulding, who focuses on preventing war by reform of international organizations.

Furthermore, Johan Galtung introduces the concept of the conflict triangle and the distinction between direct violence, structural violence, and cultural violence. Galtung also presents the notion of positive and negative peace. The third generation (1965-1985) of the conflict resolution field emphasizes consolidation and proposes various approaches such as problem-solving and principled negotiation, interactive conflict resolution, third-party consultation, and mediation. Afterward, the fourth generation of this field continues to evolve as a field of theory and practice towards a global peace culture. Among the conflict resolution theories and models in this latest generation, Ramsbotham and Woodhouse present their model named as 'The Hourglass Model' which combines Galtung's idea on conflict and violence with escalation/de-escalation phases of conflict. Since Galtung's conflict resolution is a groundbreaking theory and one of the most prominent theories, the following chapter will discuss his framework in detail. Moreover, a brief overview of The Hourglass Model will also be investigated since it refers to both the nature and phase of the conflict as well as the appropriate responses.

Along with these developments of conflict resolutions, as argued by Abu-Nimer (1999), there is no defined and agreed-on single theory in this field of knowledge and its practice. However, there are several assumptions that underlie most conflict resolution intervention programs or processes. Some of these arguments are the notion of conflict as a natural process that can have constructive or destructive outcomes; conflict can be managed or settled constructively through communication; and that conflict resolution skills include analyzing the conflict situation, bringing parties together, then assisting

parties to shift focus from winning or losing the competition to joint problem-solving. With respect to the analysis of the conflict situation, Burton (1990) argues that there can be no resolution of conflict without analyzing the underlying issues which generate the conflict. One of Burton's assumptions is that no matter what form or degree of coercion is exercised, there will be no societal stability unless the human needs of individuals and groups are satisfied.

Nevertheless, in order to satisfy societal needs, one should understand that conflict resolution is multilevel, multidisciplinary, multicultural, both analytic and normative, both theoretical and practical. Hence, Abu-Nimer (2003) and Salem (1997) argue that the prominent Western concepts of conflict resolution could not be applied universally. In particular, Abu-Nimer points out that attempts to develop peacebuilding strategies in the Middle East (West Asia) and other Muslim countries have been constrained because of a dominant stereotype of a bellicose and intolerant Islamic world-view, which brands Islamic and Arab culture as inherently violent. Furthermore, Salem argues that concepts and values related to peace and conflict are not necessarily understood in the same way in the Arab-Muslim Middle East (West Asia) as they might be in Europe and America.

1.1.1 Galtung's Model of Conflict, Violence, and Peace

Johan Galtung is one of the founding fathers of peace research in Europe. Galtung (1969) argues that there is no single precise definition of the word "peace". Thus, he provides three principles in discussing peace: the term peace shall be used for social goals; those social goals should be possible to attain; and the understanding of 'peace as the absence of violence' should be retained. Galtung also argues that in the attempt of pursuing peace in a case of conflict or violence, one should consider the typology or dimension of the violence itself. The following figure by Galtung (1969) explains his distinction between each type of violence such as whether the violence is intended or not intended, manifested or latent violence, physical or psychological, with objects or without objects.

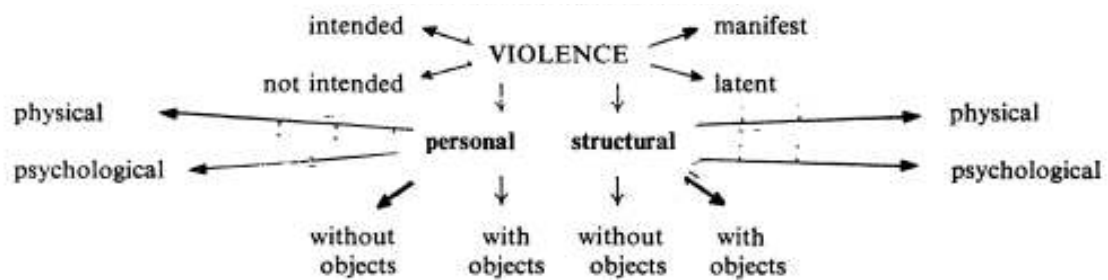


Figure 2. Typology of Violence. Source: Galtung (1969)

Galtung (2013) also argues that each type of conflict will have different effects on each object such as space, nature, humans, society, world, time, and culture. According to Galtung, these effects might be manifested as visible and invisible as detailed in the table below.

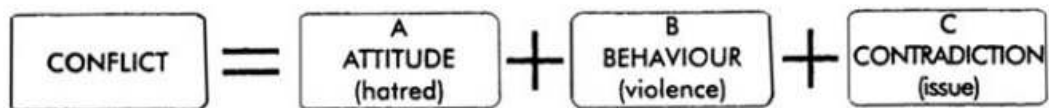
Space	Material, visible effects	Nonmaterial, invisible effects
<i>NATURE</i>	Depletion and pollution; damage to diversity and symbiosis	Less respect for non-human nature, reinforcing “man over nature”
<i>HUMANS</i>	<i>Somatic effects</i> : numbers killed numbers wounded numbers raped numbers displaced	<i>Spiritual effects</i> : bereavement traumas, hatred revenge addiction victory addiction
<i>SOCIETY</i>	The material damage to buildings, infra-structure	The structural damage the cultural damage
<i>WORLD</i>	The material damage to infra-structure	The structural damage the cultural damage
<i>TIME</i>	Delayed violence; land-mines transmitted violence; genetic	Structure transfer culture transfer; <i>kairos</i> points of trauma and glory
<i>CULTURE</i>	Irreversible damage to human cultural heritage	Violence culture of trauma, glory; deterioration of conflict-resolving capacity

Table 1. Visible and Invisible Effect of Violence Source: Galtung (2013)

Another interesting argument by Galtung (2013) is his scrutinization of the phases in violence and peace transformation. According to Galtung, before a violent outbreak, the usual problem will lie in the violent cultures, violent structures, and violent actors that are often as deep-rooted as the basic conflict. During this phase, the usual solution is through promoting sustainable peace initiatives. After the violent outbreak, the solution might involve, as Galtung proposes, peace-keeping by the United Nations, the military,

police, and others. The last phase or after violence, Galtung argues, requires the task of establishing peace which is even more complex and more difficult than before the violence.

The foundation of the concept by Galtung throughout his many years of research and practice is indeed a valuable contribution to knowledge, especially in peace and conflict study and international relations. However, as explained before, the available concept of peace, which is to bridge the gap between the incompatible goals of two parties, has proven to be ineffective. As argued by Galtung himself, the inability to provide peaceful resolution, reconstruction, and reconciliation after violence might result in an even worse conflict. However, Galtung's theories could be used in later discussions, such as for investigating the chosen period by dividing it to the phase before violence, phase during the violence, and phase after violence. It is also essential to analyze the visible and invisible effects of violence or conflict on society, humans, time, culture, and the world. Even though the researcher argues that the classical approach of Galtung in conflict resolution is ineffective, some of his principles are still required in future analysis.



All three (A, B and C) have to be considered in all phases:

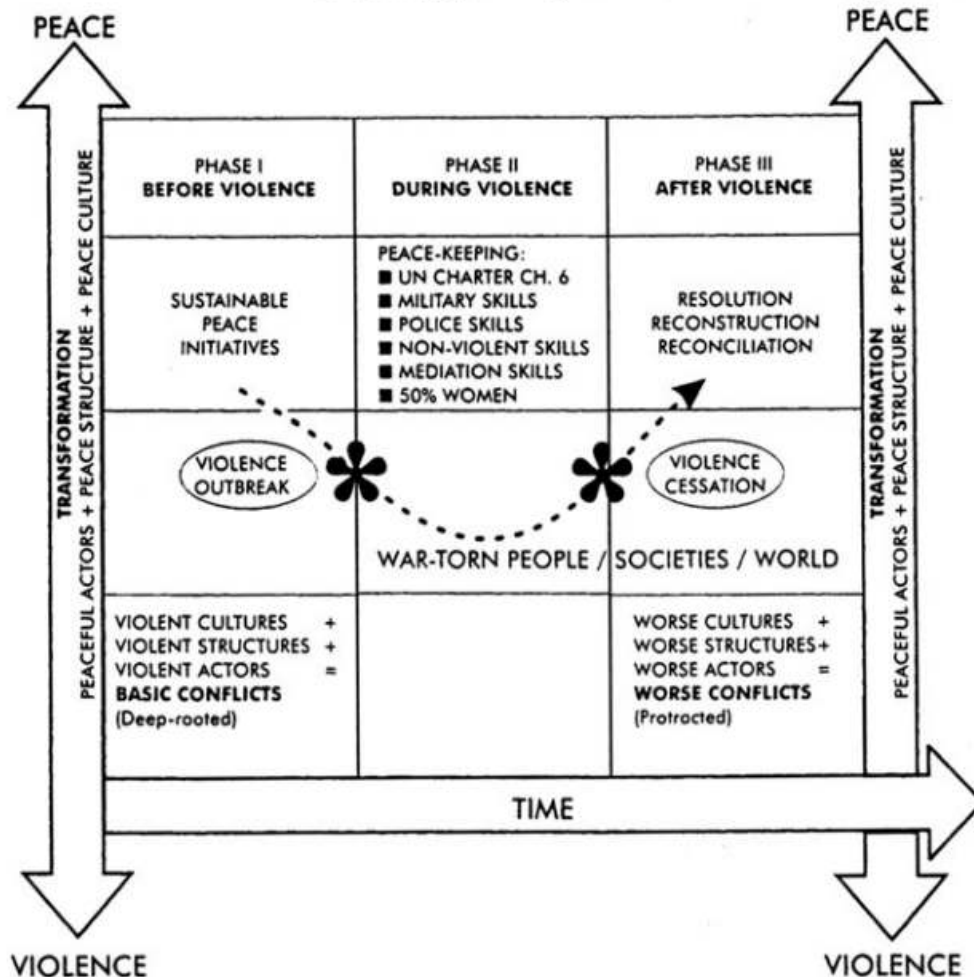


Figure 3. Life-Cycle of Conflict. Source: Galtung (2013)

1.1.2 Ramsbotham and Woodhouse's Hourglass Model

Ramsbotham and Woodhouse (2008) argue that Galtung's concept of escalation and de-escalation of conflict could be implemented in deciding the appropriate responses for each phase. For instance, before the war happens, the top half of the hourglass model requires problem solving, development assistance, negotiation, or coercive diplomacy to transform and settle the conflict. As illustrated in the figure below, these techniques are

intended to solve the differences, contradictions, polarization, and violence that occurs during the escalation phase.

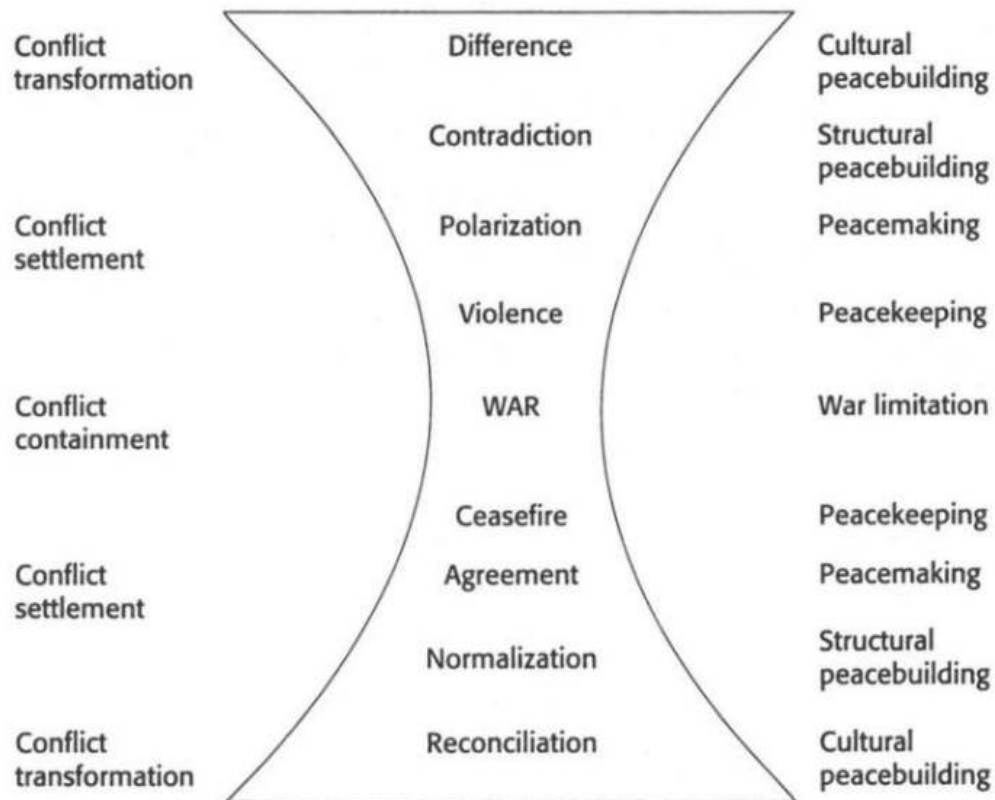


Figure 4. Hourglass Conflict Resolution Model. Source: Ramsbotham & Woodhouse (2008)

However, when the war happens, the focus would be upon conflict containment, such as peace enforcement and peace stabilization. The researcher argues that the vital point of this conflict resolution is the different steps between escalation and de-escalation phases. According to Ramsbotham and Woodhouse (2008), in de-escalation, conflict resolution tasks must be initiated simultaneously. It means that post-war peacebuilding on the bottom half of the hourglass model should include ceasefires, agreement, normalization, and reconciliation and that these should be implemented simultaneously. Nonetheless, during escalation, the steps might be sequentially applied.

Although this hourglass model provides an essential contribution in the conflict resolution field, especially with the alternative techniques for each phase of the conflict, such as negotiation, problem-solving, and agreement, it might be inapplicable in some cases. For example, during the first Muslim *Fatih* of Islamicjerusalem, the post-war situation did not take the necessary information of the previous conflict during the escalation and war phases. Furthermore, since the notion of peace that Ramsbotham and Woodhouse inclined to is still derived from Galtung's concept of peace, it did not encompass the comprehensive and ideal *Aman* that the researcher would like to investigate. The researcher argues that the peaceful post-war situation that does not incorporate mutual respect might be challenging to sustain in the long term. However, this hourglass model is still important in the following discussion, especially concerning Ramsbotham and Woodhouse's argument that during the postwar phase, all efforts must be implemented simultaneously.

1.2 Conflict Resolution on Islamicjerusalem Issues

In the history of the development of research and knowledge of conflict resolution, the issue of Islamicjerusalem has never achieved an agreement. As Ghassan Khatib (2007) argues, it is impossible to separate or isolate one component of the conflict in Islamicjerusalem, such as, for example, only discussing the ceasefire in the middle of the Israeli occupation. Instead, it should consider all of the interrelated elements such as independence, liberty, self-determination, economic prosperity, and security. The previous oversimplification of this conflict is one of the reasons that international efforts to resolve the conflict between Israelis and Palestinians have proven to be unsuccessful. Despite being stretched over decades, there exists some recent and significant peace efforts such as the Madrid Conference (1991), the Oslo accords (1993), Camp David (2000), Taba (2001), the Arab Peace Initiative (2002), the Roadmap (2003), the Geneva Accord (2003), Annapolis (2007), and Washington (2010). After much promise and hope, these agreements have failed to achieve the intended outcome of a permanent and satisfactory resolution to the conflict (Spears, 2019).

In this regard, Western conflict resolutions over the Islamicjerusalem issue have not proven effective as a conflict resolution approach, including those of international law, such as the United Nations (UN) resolutions. For instance, the UN General Assembly

(GA) issued Resolution 181 that proposed a partition plan of city of Islamicjerusalem land. This resolution divided the land into Arab and Jewish states and deemed the city of Islamicjerusalem to be a 'corpus separatum'. It means the city was separated from the jurisdictional territory of Israel or Palestine and treated as an international area. UN Resolution 181 is considered as one of the essential UN resolutions regarding Islamicjerusalem. However, as Catan (1980) argues, "this internationalization of [Islamic]Jerusalem did not confer sovereignty over [Islamic]Jerusalem to the UN or the trusteeship council".

Despite the issuance of UN Resolution 181 in 1948, Israel did not obey the plan it set out and instead, started the military occupation of Islamicjerusalem and other Palestinian lands. Israel annexed the land by force and declared itself an independent state. The occupation transformed Islamicjerusalem's demography, physical features, and historical character. Cattán argues that, despite Israel's status as a military occupier, it acted as if it were the owner of the territory's sovereignty. Nonetheless, according to international law, there can never be a valid transfer of sovereignty caused by the control of a foreign military force (Benvenisti, 2012). This point is also highlighted by Faour in Albasoos (2013), that "According to UN resolution, [Islamic]Jerusalem city is an occupied Palestinian city, and therefore the occupier cannot claim sovereignty over the city under any circumstances." Faour added that confiscating land is prohibited under international law. Thus, Israeli activities and presence in Islamicjerusalem are not to be taken for granted.

In addition to prominent UNGA resolutions such as Resolutions 181 and 194, as mentioned earlier, there are also other essential resolutions from the UNSC regarding the Palestine-Israel issue. Resolutions adopted by the Security Council are perceived to have more binding consequences than UNGA resolutions, especially in terms of international security and peace matters, as stated in Chapter VII of the UN Charter (Öberg, 2005). Dunskey (1993) argues that a Security Council resolution is valid and mandatory because, thus far, the United Nations is the most significant source of international law. Some of the most noteworthy UNSC Resolutions associated with Islamicjerusalem are Resolutions 242, 252, 267, 298.

On 22 November 1967, the Security Council unanimously adopted Resolution 242 (1967), which included the application of two principles. The first was the withdrawal of Israeli armed forces from territories occupied in the recent conflict. The second was the termination of all claims or states of belligerency and respect for and acknowledgment of the sovereignty, territorial integrity, and political independence of every state in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force. However, Israel ignored this resolution, resulting in the adoption of United Nations Security Council Resolution 252 the following year. On 21 May 1968, UNSC Resolution 252 reaffirmed that Israel's acquisition of Palestinian territory by military conquest was inadmissible. Most recently, on 23 December 2016, the UNSC adopted Resolution 2334, which once again condemned Israel's construction of settlements in all territory occupied since 1967, including in East part of city of [Islamic]Jerusalem. In short, both UNGA and UNSC have adopted numerous resolutions, yet Israel is still violating these international law statements.

Israel's frequent violation of UN resolutions is almost certainly due to the support of major power countries such as the U.S. For instance, the U.S. moved its embassy from Tel Aviv to the city of IslamicJerusalem and vetoed several draft resolutions submitted to the Security Council. The decision of the United States of America (U.S.) to move its Israeli embassy from Tel Aviv to the city of IslamicJerusalem in order to support Israel's claim that city of IslamicJerusalem is its capital city sparked controversy in the international community. Abuzayyad (2018) argues that the U.S. embassy transfer is in violation of all international resolutions, including resolution 478 (1980), and the many UNSC or UNGA resolutions that prohibit changing the legal status quo of city of IslamicJerusalem prior to 1967, in a step that contradicts the U.S. claim that it is a fair mediator in achieving peace between the Palestinians and Israelis. Despite the ardent opposition of the majority of the United Nations members, several countries declared their intention to follow the U.S.'s move. To date, Australia, Brazil, Guatemala, Paraguay, Czech Republic, Romania, and Honduras have followed through on a stated intention to move their embassies (Packham, 2018; Stargardter, 2018; Turner, 2018). This move is a reversal of peace negotiations that started at the Fourth Geneva Convention. After the Fourth Geneva Convention, member-states with embassies situated in city of IslamicJerusalem were called upon to withdraw them from the city (Lapidoth, 1992).

Indeed, throughout history, the city of IslamicJerusalem, has had a much-disputed status while occupying a significant position in the global perspective.

On the one hand, the challenge of lawfully implementing these UNSC resolutions should be ensured by all members of the United Nations. If Israel's violation of international law continues, the UNSC's binding power is threatened, not to mention its reliability as a source of international law. Potentially, the right of veto for permanent UNSC members may have to be re-evaluated too. As stated in the UN Charter, the UN organization is based on sovereign equality for all its members. This equality and justice principle ought to be the priority for establishing international peace and security. As quoted by Akram, et. al (2011), in March 2002, Kofi Annan, the Secretary-General of the United Nations, stated that: "There is no conflict in the world today whose solution is so clear, so widely agreed upon, and so necessary to world peace as the Israeli-Palestinian conflict." Annan was referring both to the general body of international law as well as the specific resolutions adopted by the Security Council and the General Assembly since the late 1940s. Akram argues that Annan's affirmation of the centrality of law to reaching a just and lasting peace in IslamicJerusalem should establish a critical link between a rights-based approach and the solution to the conflict in the region. Although this research will not embark on the issue of IslamicJerusalem on the present conflict from contemporary conflict resolution or the international law viewpoint, the discussion of these matters is required to accentuate the need for alternative conflict resolution, as will be explored in the following chapter. Indeed, the forced utilization of a Western perspective in the abovementioned conflict resolutions and international law resolutions has failed to establish peace, justice, and security in IslamicJerusalem.

1.3 The Requisite for Alternative Conflict Resolutions

Skepticism may be brought about by the continuing failure of the resolution of the conflict in IslamicJerusalem. Miller (2010) claims, for example, that peace-building is too dangerous in [Islamic]Jerusalem; the respective leaders are too weak and too attached to their electorate, the problems are too great and too intractable to make peace come about. The researcher argues, the failure of past resolution of conflicts makes it even more apparent to encourage and advocate the non-Western approach to conflict resolution. Therefore, Muslim researchers are engaging in a crucial reassessment of the Islamic value

system and identifying a rich tradition of non-violent concepts and practices of conflict management. Specific and detailed research is needed from a more precise perspective on Islamicjerusalem and its interconnected elements such as geographical boundaries, peoples, vision, history, economics, policy, and international relations.

The position of Islamicjerusalem as a holy place for three faiths is based on the evaluation of Reiter (2017), who argues that the growing understanding between scholars is to differentiate conflicts in holy places and other territorial. According to Reiter, the religious, cultural, social, and political significance of the sacred place for each group in question must understand the past experiences of similar conflicts for resolving conflicts over holy places. Reiter also argues that a better testing facility cannot be found than Islamicjerusalem to study conflicts in the holy places.

The researcher argues that careful consideration must be given to scrutinizing Reiter's argument. On the one hand, Islamicjerusalem is indeed a special place for three religions in the past, present, and future context. On the other hand, the conflict resolution approach might not necessarily differ between conflict in the Holy Land and other lands if it is based on Islamic principles, values, and practices. Islam embraces peace among humankind as the foundation in society. Islam also promotes plurality by not forcing the faith to others and allows followers of other religions to practice their faith.

However, although there are three religions in the discussion on the conflict in Islamicjerusalem, one should consider that peace is part of each faith's teaching. For instance, through the Just War teachings, Christianity has formulated clear rules that limit the use of violence and lifts the teachings of Jesus to forgive. Judaism promotes social justice, protects the rights of minorities, and encourages reconciliation by processes such as teshuvah. Islam teaches loyalty to others, compassion, and concern for the oppressed (Bridget, 2006). However, in some instances, the believers do not always measure up to their ideology's best principles, as is the case in Persian and Byzantine times in Islamicjerusalem.

Because this study will focus on conflict resolution in Islamicjerusalem under Muslim rule, a Muslim perspective on this subject will be explored. In fact, some scholars have identified several dispute remedies or conflict resolution in Islam. They involve Wasta, Sulh/Islah, and Musahala, between which is the patronage mediation, (Rehman,

2011). Furthermore, the term *Islah* blends into the idea of conflict resolution, as argues Sadek (2009), because it represents the idea to improve, purify, restore, remedy, and refine. Sadek also claims that *Fasaad* is the reverse of *Islah*, implying that something is distorted, imbalanced, and deformed. Thus, *Islah*'s concept seeks to restore order.

The SALAM model, also following a linear progression through mediation (Ahmad, 2007), offers another idea of conflict resolution or conflict management extracted from shariah teachings. The model begins with the 'stating' that the conflict exists and its nature (S). The parties concerned must subsequently 'agree' to the existence of the conflict (A). Then the discussion process begins with both parties' understanding and 'listening' (L). The next move is to 'advise' one another (A). In the final step, the model calls for a solution to 'minimize' conflict prevention (M). Conflict management concepts include *Shura* (Council), *Nasiha* (advice), and *Taawun* (cooperation) (Cader, 2017). But the wider spectrum and complexity of the conflict in Islamicjerusalem cannot be encompassed through these constructs of how Islam views the resolution, prevention, and control of conflicts of this land.

The researcher argued that resolution of conflicts concerning Islamicjerusalem should be the focus of much systematic investigation within the theoretical context of Islamicjerusalem itself. It reflects on the Muslim contribution of El-Awaisi, who has been inspired by Islamic value and Islamicjerusalem history, to the field of conflict resolution in the form of *Aman* theory (peaceful coexistence and mutual respect). Over the years, El-Awaisi has investigated the peaceful coexistence and the resolutions of the conflict in Islamicjerusalem (2005, 2012, 2019b, 2019c). Abu Munshar (2006, 2007, 2016) and Fatimatuzzahra (2005) also explore the period of *Aman* in a multicultural and multi-religious society in Islamicjerusalem. However, the study in El-Awaisi focused on the concept of theory and model per se, including interfaith relations reflected in Umar's *Aman* assurance by peaceful coexistence and mutual respect. El-Awaisi also studied *Aman*'s practice in Salahuddin Al-Ayyubi, although not detailed. There remains an opportunity to bridge the gap in this research by examining examples of each element's practice, investigating policies and systems beyond Umar's *Aman* assurance, and adding more explanations.

The same point is valid for research by Abu Munshar (2007), which consists of an explanation of Muslim leaders in IslamicJerusalem treating people with diverse faiths, and "IslamicJerusalem and its Christians". Yet, it doesn't have detailed research into *Aman*'s theory and model. The same is true for the other scholars specialized in the IslamicJerusalem issue, as mentioned before. The central idea behind Fatimatuzzahra's inquiry is to investigate the changes after IslamicJerusalem's first Muslim *Fatih*. The model used in her thesis relates to the notion of Islamic transformation and, therefore, to conflict resolution. Based on the gaps present in the conflict resolution research and IslamicJerusalem after first Muslim *Fatih*, this research will explore in a detailed and comprehensive manner the elements, preliminary criteria, visions, policies, and systems of *Aman* by Umar Ibn al-Khattab.

1.4 Muslims' Connection with IslamicJerusalem

IslamicJerusalem has been a central topic of interfaith debates because of its significance for three religions. As Khalid El-Awaisi (2019) expresses, for Jews, it is important because this place is the holy land where Moses ordered the Israelites to enter. This land is also crucial for Christians because Jesus walked in the area and Jesus was crucified and resurrected here. For Muslims, IslamicJerusalem is significant because it is connected to Prophet Muhammad's Night Journey and also other earlier prophets. However, the concept of IslamicJerusalem for Muslims has been distorted from other religion's perspectives.

IslamicJerusalem also consists of the basis of Islamic history. As the first *qiblah* (direction of prayer) of the Muslims, the location of Isra and Mi'raj, and the only place where all the prophets prayed together, Al-Aqsa Mosque in IslamicJerusalem is indeed as important as Al-Haram Mosque in Makkah and the Prophet's Mosque in Madinah. Prophet Muhammad said, "For three mosques a special journey may be undertaken: the sacred mosque (Ka'bah), my mosque, and Mosque of [Islamic]Jerusalem (Al-Aqsa)" (narrated by Muslim, Bukhari, Abu Dawud).

As the first *qiblah*, Muslims have a spiritual connection with IslamicJerusalem through their daily prayer. This spiritual connection was imprinted deeply in the heart of the Prophet's companion as exemplified by Al-Arqam ibn al-Manaf who came to the

Prophet and told him that he was leaving for Islamicjerusalem. Prophet Muhammad asked him the reason for going, was it for business? Al-Arqam replied no, he was going for worship; the Prophet commanded him to stay put and pray in Makkah as the reward for the prayer was far more in Makkah. Al-Arqam's motivation to visit Islamicjerusalem ought to be related to the fact that Muslims prayed towards Islamicjerusalem for 13 years in Makkah and for 17 consecutive months after the hijra until this was abrogated by the revelation of Quran 2:142-146 (El-Khatib, 2001). In these verses, the word *qiblah* is mentioned in different patterns and did not mention Islamicjerusalem expressly. However, Islamic tradition stated that, in this context, the first *qiblah* no doubt refers to Islamicjerusalem. Thus, as argued by El-Khatib, the importance of Islamicjerusalem both in Islamic literature and in the Muslim mind is clearly illustrated in these verses.

Another interesting argument expressed by Al-Suyuti (2012) in *Al-Itqan fi Ulum al-Quran* is that in the Quran verse 2:145, the word *qiblah* refers to the Jews and Christians from among the People of the Book. Moses was addressed from the westerly direction which then became the prayer direction for Jews; for Christians it was the east, and for Muslims it was in the middle, in between these two directions. However, according to Al-Suyuti, the word *wasata* in the verse does not only have the literal meaning 'middle' in terms of directing the face, but it also means 'best'. The researcher argues that the Tafseer of the verse means that Allah will only choose the best location to be the *qiblah*, thus, the fact that Islamicjerusalem is the first and longest *qiblah* in Prophet Muhammad's life reflects the significance of this region.

Another connection that Muslims have with Islamicjerusalem before the changing of *qiblah* is the event of Isra Mi'raj (the night journey and ascension). According to El-Awaisi (2007), after the night journey and ascension, Islamicjerusalem became a very significant area in the Prophet's perspective, both in terms of religion and geopolitics. Prophet Muhammad showed to his companion that Islamicjerusalem is as crucial as Haram Mosque in Makkah and the Prophet's Mosque in Madinah. This night journey to Islamicjerusalem also affected a radical change in Muslim's viewpoint too since it showed that Islam is not a local religion for the Arab peninsula only. Islam is a religion for all humankind at the international level. This event also showed Muslims that Islamicjerusalem is an international issue because all prophets were gathered there in the

night journey and ascension event. It also confirms that IslamicJerusalem is the land of hope for Prophet Muhammad, his companions, and all Muslims.

The event of Isra Mi'raj cannot be separated from the issue of the *qiblah* because the five times daily prayer was instructed during the night journey and ascension. Thus, the link between Muslims and IslamicJerusalem where this event happened became even clearer. At this time, besides Muslims' spiritual connection with IslamicJerusalem as the first *qiblah*, Muslims also developed a spiritual and religious connection through Isra and Mi'raj when they started to do *salah* five times a day. Another reason that demonstrates why the night journey and ascension could not be put aside when discussing the changing of *qiblah* is the effect of these two events for Muslims on their belief. These extraordinary events either made Muslims lose their belief in Islam or made Muslims even stronger in their belief. In short, before the changing of the *qiblah*, the values and virtues of IslamicJerusalem had been deeply rooted in the Muslim mind through its status as the first *qiblah*, land of prophets, Isra Mi'raj event, and numerous Quranic verses and hadiths related to IslamicJerusalem.

The hadiths and verses of the Quran mention IslamicJerusalem as al-Ard al-Mubarakah (Land of Barakah) (Quran 7:137; 21:71,81; 34:18) and al-Ard al-Muqadasah (Holy Land) (Quran 5:21), along with other terminologies narrated in the Prophet's tradition, such as Bayt al-Maqdis (al-Bukhari 2000, v.2: 956; Muslim 2000, v.1: 88), as well as the use of its most common name of the time, Aelia (al-Bukhārī 2000, v.3: 1161; Muslim 2000, v.1: 567, v.2:880). Khalid El-Awaisi (2007) explains that other than the terminologies used in those verses and hadith, IslamicJerusalem were also called as Yabus or Ur-Salim as their most ancient times.

1.5 The Significance of IslamicJerusalem in Muslim's Perspective

Roslan (2017) highlights that IslamicJerusalem's association with many great prophets is one of the reasons why this region is unseparated from Muslims' lives. Dawud, Sulayman, Isa are some of the prophets who lived, were born or had died, in IslamicJerusalem. This is what led IslamicJerusalem to be regarded as important as Makkah and Madinah for Muslims - where Ibrahim, Ismail, and Muhammad are

associated with. The complete names of Prophets who were born, had died, and were buried in IslamicJerusalem are listed in the diagram below.

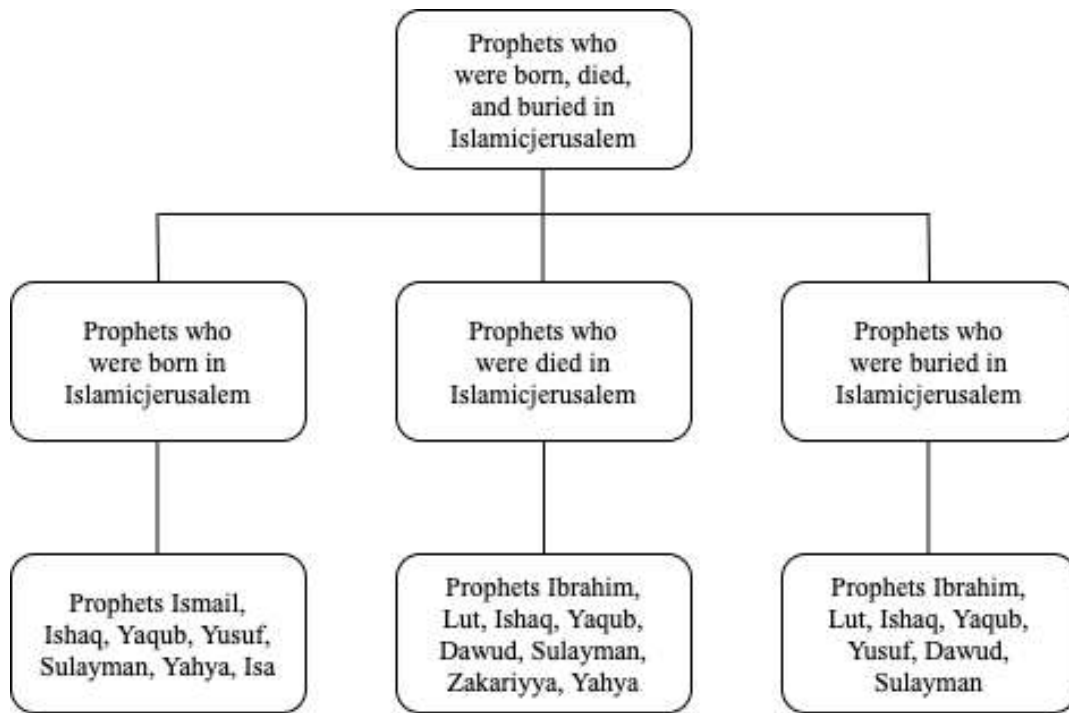


Figure 5. Prophets who were born, died, and buried in IslamicJerusalem.

Source: Roslan (2017).

Since most of the Prophets are in some way connected with IslamicJerusalem, its importance and holiness are accentuated in all the three monotheistic religions or faiths as well. This is especially since the night journey and ascension occurred in IslamicJerusalem, and more specifically, in Al-Aqsa Mosque. Muslims, Christians, and Jews have a long history regarding the religious claims, cultures, conflicts, and interests of IslamicJerusalem. This is reflected in the various other historical names of IslamicJerusalem such as Ur-Salim, Yabus, Aelia, and Al-Quds. Mayer and Mourad (2011) also mention that IslamicJerusalem has been given countless names and epithets, among them Shalom, Yerushalayn, City of Melchizedek, City of Great King or City of David, Aelia Capitolina, Prototype of Heavenly Jerusalem, Bayt al-Maqdis, al-Quds, and City of Peace.

The term Aelia was used during the Byzantine regime before the Muslim *Fatih* area in IslamicJerusalem (Wilkinson, 2000). In many of his hadith, Prophet Muhammad used both the terms Aelia and Bayt Al-Maqdis, suggesting that the Prophet Muhammad introduced Bayt al-Maqdis as a new name in an attempt to introduce a new spirit and culture to the land of Barakah (El-Awaisi, 2019a). The researcher argues that Prophet Muhammad may have used the region's most prominent name at the time to express his message on his potential IslamicJerusalem plan. However, Prophet Muhammad used Bayt al-Maqdis and Al-Aqsa Mosque almost always in relation to IslamicJerusalem, according to historians and scholars such as Khalid El-Awaisi (2011), Roslan (2017), and Al-Ratrout (2013). The researcher argues that IslamicJerusalem should be used by Muslims as a term to increase the significance of the region, and yet investigating the other names of this sacred space would lead to a profound discussion among scientists.

After the night journey and ascension (Isra Mi'raj), the future plan of IslamicJerusalem by Prophet Muhammad became clearer, both in terms of religions and geopolitics, as argued by El-Awaisi (2005). First, Prophet Muhammad showed his companions that IslamicJerusalem is just as important as the Mosque of Haram at Makkah and the Mosque of the Prophet at Madinah. A significant shift in the perspective of Muslims affected this night's journey to IslamicJerusalem since it showed that Islam is not just a local religion for the Arab peninsula. At the international level, Islam is a religion for all humanity. This event also showed Muslims that IslamicJerusalem is an international issue because all prophets in the event of the night journey and ascension had gathered there since the Isra Mi'raj event represents IslamicJerusalem's importance from a geopolitical point of view (El-Awaisi, 2005). Reaching IslamicJerusalem will enable Islam to expand beyond the Arab peninsula, to an international scope. In other terms, Islam has entered the transitional stage of passing through the Barakah center in IslamicJerusalem from the local to the global level.

The researcher argues, it proves Prophet Muhammad resembled a strategic thinker's contemporary character; he envisions the future. One of the inherent aspects of strategic thinking is vision or a view of the future. It also confirms that IslamicJerusalem for Prophet Muhammad, his companions, and all Muslims is the land of hope. Nevertheless, IslamicJerusalem was then under Byzantine rule, which enforced the

principle of exclusion. During the Byzantine reign, the Jews were not allowed to live in IslamicJerusalem. This is the opposite of Islam's inclusive vision as a peaceful religion that will allow all people of different backgrounds, races, and religions to reside in IslamicJerusalem. Therefore, Prophet Muhammad began to develop strategic thinking and planning to liberate IslamicJerusalem after the Night Journey. Once again, this notion corresponds to the modern concept of strategic thinking to draw on the past, to understand the present, and to envisage an even better future.

Conclusion

The international community has tried countless efforts to resolve conflicts in IslamicJerusalem, but has not yet succeeded despite the various negotiations, mediations, agreements, and resolutions offered. If one traces back to the origin of frameworks used in these conflict resolutions, such principles depend on Western perspective. For example, the Madrid Conference (1991), the Oslo Accords (1993), Camp David (2000), Taba (2001), the Arab Peace Initiative (2002), the Geneva Accord (2003), Annapolis (2007), Washington (2010) and UN Resolutions 181, 242, 152 are all peace-building efforts that use Western initiatives. It indicates the need to promote non-Western viewpoints to resolve conflicts in IslamicJerusalem and other regions. Specifically, the proposed conflict resolution needs to consider IslamicJerusalem as a territory and a definition with a uniqueness like an inclusive vision. This chapter also explains the importance of IslamicJerusalem for Muslims, thereby accentuating this research's urgency. Besides being mentioned in the Quran in various verses such as the land of Barakah and the Holy Land, the Prophet Muhammad also refers to IslamicJerusalem as Bayt al-Maqdis in his hadith. One of IslamicJerusalem's most significant events is the night journey and ascension (*Isra Mi'raj*) and the *qiblah*/direction of prayer transition. Thus, Muslims will continue to emphasize the fact the virtues of this region, especially as the first qiblah for Prophet Muhammad is IslamicJerusalem and the instruction of the five Muslims daily prayers is closely related to IslamicJerusalem.

CHAPTER TWO

THEORETICAL FRAMEWORK

Introduction

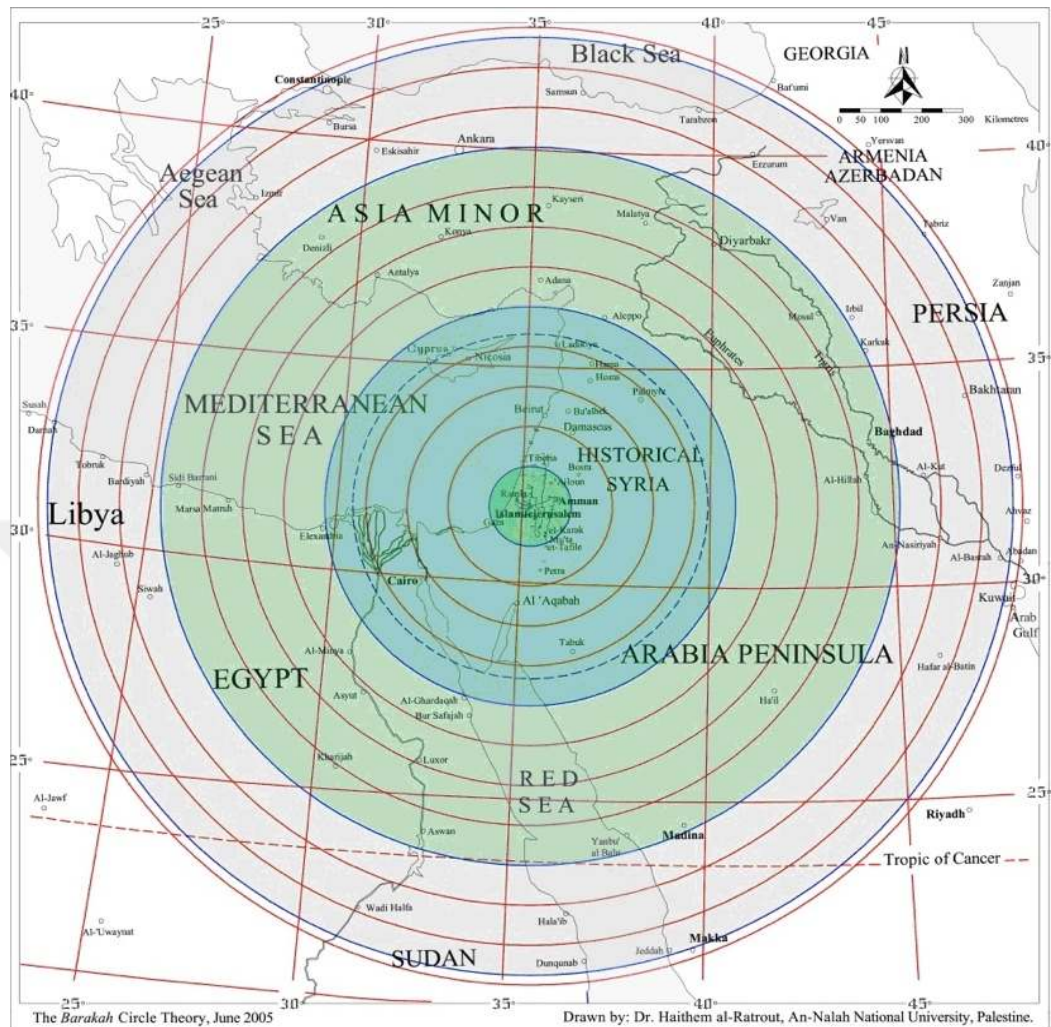
The previous chapter clarifies the requirement of a new conflict resolution framework to be applied in the efforts towards establishing *Aman* (peaceful coexistence and mutual respect) in Islamicjerusalem and in the world. Therefore, the following discussion will scrutinize the theoretical framework of the proposed conflict resolution that is based on the Islamic sources and historical documents, namely the *Aman* theory and model. The researcher aims to examine each of the elements from the theory and model, including the foundation and prerequisites that are embedded in the concept. A special elaboration on how the researcher witnessed and discussed the development of the theory directly from El-Awaisi as the founder of *Aman* theory and model, will also be included in this chapter, and in particular, through his unpublished article, coursework class at the university, and face to face consultation.

2.1 Developing Framework of Conflict Resolution

Among the claims and contestations of Islamicjerusalem as the holy place and as a point of converging international interests, not all parties believe in the future of this region. For instance, Mayer and Mourad (2011, p. 14) claim that [Islamic]Jerusalem is, in a sense, its history. As a city, it has no future, it has only a past, or, to put it somewhat differently, it is its past that has made Jerusalem important, not its future. The researcher rejects this claim and affirms that Islamicjerusalem is indeed significant for Muslim, whether from a religious or international perspective. That's because the core Muslim sources in the Quran and hadith point to Islamicjerusalem's future, as in the Quran chapter 17 verses 4-8. The Prophet Muhammad often spoke in the future of Islamicjerusalem in terms of conquest of the nation (Ibn Majah 4042), the blessing to ummah (Bukhari vol 60, hadith 232), as well as the land of the Judgement Day (Ibn Majah 2000, p. 206).

Moreover, some claim that theories do not play a vital role in historical research, as McDowell (2002) suggested, as they de-emphasize the significance of past events and the role of the individuals who supported such incidents. Nevertheless, McDowell highlights that if history consisted merely of a number of unique events, it would make the course of history much less comprehensible. Hence, the role of theory is to help humankind understand and explain historical change. The researcher agrees with the argument of McDowell, thus, this chapter will focus on understanding the history of Islamicjerusalem during the first Fatih in order to enrich the elements of the *Aman* theory and model. It is in accordance with Kuppuman and Kumudamani (2002, p. 173) who argue that it is our duty to analyze the intellectual factor of history, rather than merely describe them, which will help us in developing our heritage in the future.

As for the international relations angle, in view of the aforementioned new geopolitical theory named the Barakah Circle Theory of Islamicjerusalem coined by Abd al-Fattah El-Awaisi, the researcher agrees with this theory regarding the position of Islamicjerusalem in the future. This theory explains that the Barakah of the Islamicjerusalem region grows and expands to the rest of the globe. El-Awaisi (2018) concludes that this region holds the direction towards peace or conflict of the world; if security and peace are established in Islamicjerusalem, then other regions will also experience sustainable security and peace. Conversely, unless the conflict in Islamicjerusalem has turned into peace, it will be unattainable to put an end to international conflict. The Barakah Circle Theory of Islamicjerusalem has three circles surrounding Islamicjerusalem. The first circle is defined by the geographical location and boundaries of Islamicjerusalem. The second circle includes Egypt, Historical Syria, and Cyprus. The third circle consists of Hijaz land, Iraq, Turkey, Cyprus, and also part of Kuwait, Libya, Sudan, and Iran (El-Awaisi, 2007). These circles are illustrated in the figure below:



Map 2. El-Awaisi's Barakah Circle Theory of IslamicJerusalem.

Source: El-Awaisi (2005)

The Barakah Circle Theory explains the framework from a geopolitical point of view, especially with regard to the liberation of the IslamicJerusalem, thus reflecting the vision of the land in the future while still tracing the history of the region. Hence, in the light of the optimistic understanding that IslamicJerusalem holds for the times ahead, the researcher aims to investigate the contribution and correlation of this region to the peace of the world. In the context of other conflict resolution approaches, as explained above, such as negotiation, mediation, *Wasta* (patronage mediation), *Sulh/Isلاح* (settlement) and *Musahala* (reconciliation) or SALAM, only the *Aman* theory and El-Awaisi model is centered to the future of IslamicJerusalem. The theory and model are concerned with the religious significance and the crucial historical scene of the IslamicJerusalem in order to

embrace the future of this land. In addition, the period chosen and the main subject of this research, namely the first Muslim *Fatih* in Islamic Jerusalem and Umar ibn al-Khattab, are closely related to the elements of *Aman*'s theory and model. Thus, while the researcher still endorses efforts in other Muslim conflict resolution and management frameworks, the only justified theoretical framework in this research would be *Aman*'s theory and model. In particular, since the researcher has the opportunity to discuss the most recent development of this theory with the founder of *Aman*'s theory and model, including the unwritten and unpublished concept, that will enrich and add novelty to this research.

2.2 The Foundation of *Aman* Theory and Model

Based on the previous considerations of the developing framework of conflict resolution, the theoretical framework in this research would attest to one of the new perspectives in the study of multiculturalism and conflict resolution in International Relations. This framework is intended to establish peaceful coexistence and mutual respect, which is conceptualized in the theory and model by El-Awaisi (2019b, 2019c) as *Aman* Model and Theory. According to El-Awaisi, *Aman* means peaceful coexistence and mutual respect. In the *Aman* theory, there are five inseparable elements which are the concept of *Adil* (justice), the methodology of *Tadafu* (counteraction), the principle of non-exclusion, constructive argumentation methodology, and preserving human dignity. The outcome of this theory is *Aman* itself, that acknowledges diversity and plurality in nations, religions, cultures, religions, and races as part of the design of the universe.

El-Awaisi argues that the foundation of *Aman* Theory is the core Muslim sources, particularly the Quranic verse that states humans belong to one family, as stated in Quran 49:13. This idea is demonstrated by the fact that Islam accepts inclusion and diversity, and it even promotes a peaceful co-existence and a mutual respect between people of different backgrounds, religion, races, or nationalities.

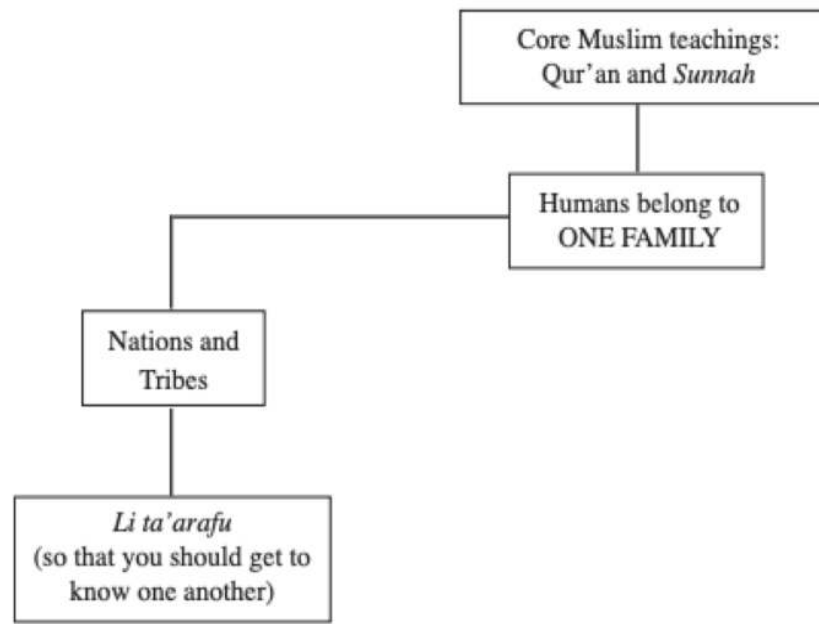


Figure 6. The Foundation of *Aman* Theory – Muslim Concept of Diversity. Source: El-Awaisi (2019c)

To professedly apprehend the *Aman* theory and to augment the further discussion, the researcher adds the title to one of the *Aman* Theory's diagrams as presented above as well as other diagrams. Previously, the above diagram was named as the *Aman* theory, similar to other diagrams in the conceptualization of *Aman* Theory by El-Awaisi. However, the researcher argues that a specific explanation such as The Foundation of *Aman* Theory as the additional subtitle should be added to the diagram because this theory has several separated diagrams that will be combined as one big and complete diagram later on by El-Awaisi. Moreover, since the *Aman* Theory has two main foundations, the researcher adds the subtitle of the first diagram above as Muslim Concept of Diversity while the below second foundation will be described as Islamic Jerusalem as The Land of *Amal*. From the researcher's point of view, these additions will clarify the position or function of each diagram to the overall theory.

This represents the Muslim idea of plurality or multiculturalism as for the first foundation. In reality, multiculturalism is one of the most popular words of the 21st century, with its favoured terminology of 'unity in diversity', Watson (2000) notes that a multicultural society consists of people of different cultures as a society, state, nation, and region. He argues further that multiculturalism is not a new concept but has previously

been seen with different terminologies (e.g. plural society and multiethnic society). Akbarzadeh & Roose (2011) argue that multiculturalism introduces social-engineering mechanisms to promote civil citizenship and allow ethnic differences to be articulated within the nation context.

Multiculturalism is not a new concept in Islam either. The Quran refers to human beings in relation to their cultural, religious, and gender differences by reminding them that they belong to the same family. In addition, Prophet Muhammad laid the foundation of universal human rights in Islam in his last sermon that all creation is from Adam and Eve, an Arab does not hold supremacy over a non-Arab, nor a non-Arab has superiority over an Arab; a white does not exercise superiority over a black, and a black over that of a white (Al-Mehri, 2010, p. 25).

Across most multicultural societies, conflict often arises. Thus, Islamic sources offer guidance for resolving conflicts. In general and in particular contexts which account for religious and cultural difference and encourage conflict resolution (49:9-12, 5:8, 2:213, 10:19, 43:65, 3:105, 45:17, 16:64, 8:55), the principles for conflict management have been discussed in the Quran. Prophet Muhammad also taught his followers in different contexts by providing an example of how to manage conflicts (Bukhari, 2691, 2692, 2693, 3245, 4987, 2242, 7370), as stated by Abdul Cader (2017). These Quranic verses and hadiths are the sources of the *Aman* Theory and Model of El-Awaisi, thus providing a theoretical framework for managing, preventing, and resolving conflicts in a culturally diverse society. The *Aman* theory and model as a theoretical framework will help to resolve the remarkable differences between the researchers of Islamicjerusalem and its multiculturalism during the First Muslim *Fatih*. Given the current conflict in the Islamicjerusalem region, the record of Islamicjerusalem can be defined more as exclusion. Research showed, however, that Muslim-ruled Islamicjerusalem granted followers of various faiths to reside next to each other and can thus be seen as a prototype for multiculturalism (Abu-Munshar, 2016).

According to Khalid El-Awaisi (2016), Islam has established the new criteria for the holiest area of Islamicjerusalem, which has been widely contested over and still has the potential to promote harmony. This seemingly less ideal location became the ideal model for multiculturalism because of the idea of accepting differences and recognizing

diversity and sharing sacred space with all. The most inclusive Quranic concept of being "for all" (*lil alamin*) made this area the pivot of Barakah, making it a source of hope for coexistence and harmony. Following periods of isolation and conflict, the finest implementations of this vision by Muslims was the Umar era, who set the standards and then the Salahuddin era. He points out however that Muslims were not always true to this view: there were cases in which Muslim rulers violated these teachings and violated pacts and amnesties granted to all the inhabitants of this country. A prime example of this, Al-Hakim, the Fatimid caliph of Egypt, who abolished Christianity's most holy shrines and expelled not only the Christians but also Sunni Muslims. Even though, it is important to note that in the last 1400 years, this stability has been disrupted, but not for long. It is estimated in a percentage to be about 10% of the long periods of peaceful coexistence.

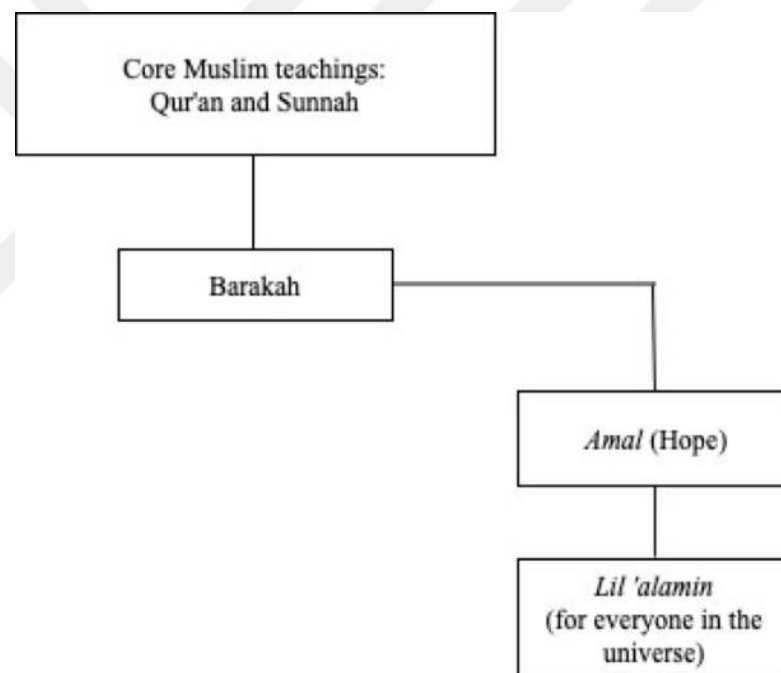


Figure 7. The Foundation of *Aman* Theory – IslamicJerusalem as the Land of *Amal*.

Source: El-Awaisi (2019c)

2.3 *Aman* Theory: Elements and Prerequisites

The other basis of *Aman's* theory is the Barakah concept for all human beings in the world within IslamicJerusalem. According to El Awaisi, IslamicJerusalem with Al-Aqsa Mosque as the center containing the Barakah that is expanding to its surroundings,

as indicated in the Quran, Surah 17:1. Furthermore, he argues that the barakah in IslamicJerusalem was intended without exception for everyone around the world because the word Barakah which refers to the same land in Quran 21:71 which is connected with *lil 'alamin*. From this verse, El-Awaisi was inspired to develop the concept of IslamicJerusalem as a land of hope for all (*Amal*). The main components of the *Aman* Theory and the theoretical framework are based on these two foundations.

As discussed before, the *Aman* Theory consists of five connected elements and all of these components need to be considered since *Aman* would not be achieved if one or more components are nonexistent. However, the latest publication on *Aman* Theory by El-Awaisi in his latest book in 2019 titled “Towards building a new image for international relations (1): IslamicJerusalem’s theories and models for interpreting and directing the current events and the making of the future history” as presented on the below diagram only includes four elements. The additional element which is preserving human dignity is an advanced development of the theory which evolves during the postgraduate coursework that will be explained later in another chapter.

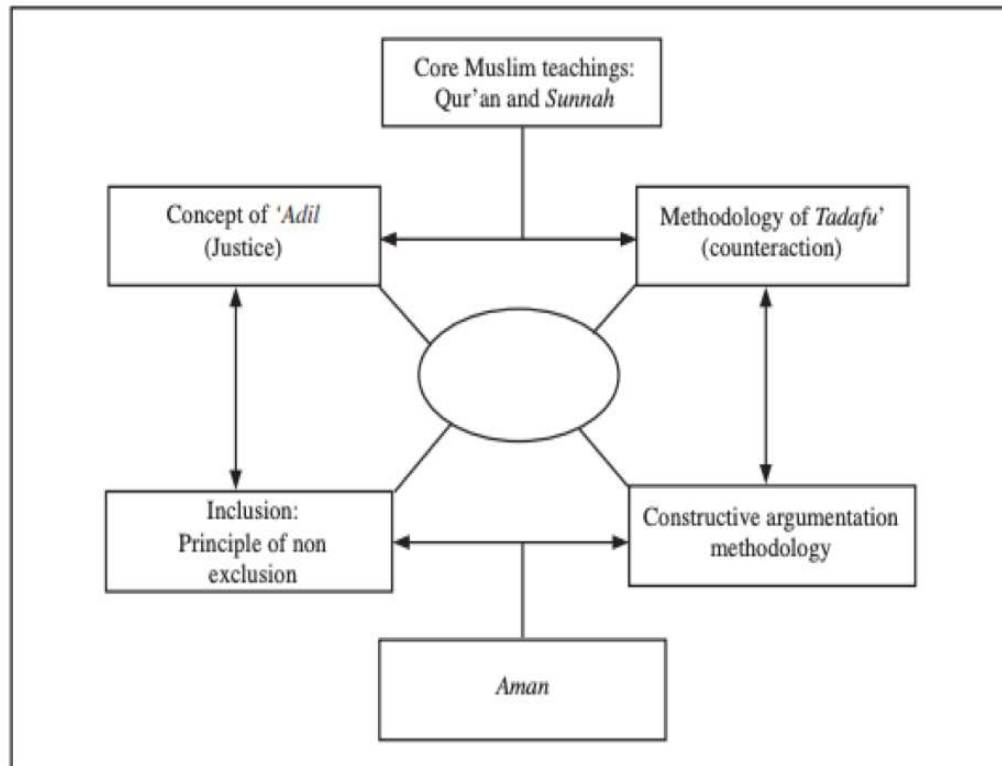


Figure 8. *Aman* Theory – The Elements (El-Awaisi, 2019c)

2.3.1 Concept of *Adil* (Justice)

In studies of social behavior on negotiations and conflict resolution, the results demonstrated that justice did matter (Albin, 2001; Lange et. al, 2010; Schuessler, 2018). The concept of *Adil* (Justice) is therefore the first element of *Aman*'s theory. El-Awaisi argues that the foundation of justice for peace and stability is Quran 5:8. This Quranic verse is a universal rule for all men without defining an ethnicity or a country above others. Islam & Zayed (2010) argue, in accordance with this statement, that Allah had specifically commissioned Prophet Muhammad, the last prophet, to establish justice for the people as well as to encourage them to embrace Islam. Prophet Muhammad led by example by presenting the Charter of Madinah in 622 CE in order to applying justice. Under this charter, Madinah's plural but integrated society was fully reflected in the principles of equal opportunities, human dignity, and social justice.

Indeed, Prophet Muhammad is the example that human is equal in the sight of Allah. Only one's piety becomes the measure of judgment day, not his race, color, or physics. Understanding this idea should form the basis on which individuals and the societies have mutual respect. El-Awaisi (2019) also notes that the development of *Aman* will take justice as a priority of ensuring peaceful coexistence and mutual respect. It coincides with the Abu Zahra argument in Abu-Munshar (2007) that Islamic human relations must be founded on justice. The researcher argues, therefore, that justice is the first stage among the elements of *Aman* theory as well as a priority. As more clarifications, examples, and dimensions of justice are found in the Quran and the hadith compared to other elements of this theory. The Quran mentions 24 times the word 'justice', which demonstrates the importance of this principle in Islamic judiciary.

For instance, Allah says in the Quran 4:135 that Islam teaches humans to treat others the same as they would want to be treated and encourages the struggle to ensure justice in the world. In a multi-religion society and its correlation with multiculturalism, the Quran 60:8 further states that God will not restrict you to do good and be just to those who did not fight against your faith or displace you out of your homes. The interpretation of this verse is closely related to the guidelines on how to deal with non-Muslims. Yet, this principle also sets the same parameter in executing defense mechanisms with any kind of injustice or oppression. El-Diwani in Vehapi (2013) argues that Islam urged

Muslims to equip themselves and to improve their capabilities in defense of peace and justice. Islam has, however, balanced this by prohibiting aggression, hostility, and destruction of lives and properties.

With respect to the *Aman* theory, even though El-Awaisi argues that the elements of *Aman* theory (concept of *Adil* or justice, methodology of *Tadafu* or counteraction, constructive argumentation methodology, principle of non-exclusion, and preserving human dignity) cannot be separated, the researcher argues that the concept of *Adil* (justice) is the first step amongst these elements. The intention to implement justice is the priority in establishing *Aman*, even before the Muslim ruler had sovereignty over the area of conflict. This is because the main aim of Muslim *Fatih* and sovereignty was to end injustice.

2.3.2 Methodology of *Tadafu* (Counteraction)

The second component of the *Aman* theory is the *Tadafu* (counteraction) methodology, which uses movement rather than confrontation, according to El-Awaisi (2012a). For example, one verse of the Quran commands Muslims to be patient when they become angry and to counteract those who treat them wrongly. However, this is not given to anyone, but to those who are patient and self-controlled, and it is granted not to anyone but only those who are bestowed fortune (Quran, 41:34-35). This non-conflict procedure is what Muslim teachings have as a tool to protect communities, societies, states and the world against internal suppression as well as foreign power tyranny.

In addition to preserving the sacraments of Muslims, *Tadafu* is also meant to maintain the sacramentality of the rest of humanity, which is stated in a Quranic verse that if, by means of others, God had not counteracted (*dafu*) a certain number of people, then the worship places were certainly pulled down. Even in monasteries, churches, synagogues, and mosques where God's name is remembered. In a Muslim way, thus, *Tadafu* is the mechanism by which a plurality of religious places or variety of beliefs are covered.

A physics explanation could be another approach to the *Tadafu* methodology. Tirki (2013) argues that *Tadafu* is like the third action-reaction law of Newton, with every movement producing an equally strong and reciprocal response force. In this case, the

reverse approach could be related to how Islam tells Muslims to counteract good deeds. Hanafi (2009) argues as well that *Tadafu* have a major role within Islam. According to Hanafi, Islam favors peaceful coexistence over war and prefers a conversation between civilizations over a violence through *Tadafu*. El-Messiri (2005) insists that *Tadafu* is part of the world's dynamism. He has interpreted *Tadafu* into a peaceful interplay of conflicts and blends it with the idea of *Tadawul* (alteration). These ideologies imply the need for human lives to coexist with other individuals and societies, since the world is not just for specific individuals.

2.3.3 Constructive Argumentation Methodology

The third aspect of *Aman* Theory is the constructive argumentation methodology, which is connected with the *Tadafu* methodology since both are methods to resolve a dispute. Constructive argumentation is especially needed in an intellectual disagreement or competing claims between two conflicting parties through the power of knowledge. This element reflects the principle of Islam as a communicative religion. Allah has communicated to humans through His prophets and books. Even the prayers or *shalat* has a root word that means “to connect” and the words in the Quran greets humans in a communicative approach. Therefore, in relation to conflict prevention and resolution, a communicative means such as dialogue and constructive argumentation should be prioritized. Indeed, dialogue is a key element of success on the path to resolving conflict. Whether the conflict is rooted in history or is the result of current circumstances, it is important to bring the two sides together (Aras, 2018).

To understand the concept of constructive argumentation, one should first comprehend the notion of argumentation itself. According to Juthe (2005), an argument means an arranged set of statements or propositions (the premises) advanced by an agent in order to support the truth or acceptability of another statement or proposition (the conclusion). An argument is distinguished from other types of reasoning like explanations or reasoning for action. However, there are several types of argumentation such as inductive, deductive, and even *ad hominem* argumentation. Yet, the most important point in arguing as a way to resolve conflict is the way it is delivered and the intention of the argument.

Hence, constructive argumentation is the starting point of conflict resolution. The Quran offers a way to resolve disputes, competing claims, and disagreement through intellectual discussion. The Qur'an encourages Muslims to engage in discussion with all people in general and with the People of the Book in particular, through constructive argumentation, and to "argue with them in the most beautiful (politest) manner" (Qur'an, 16:125). The Qur'an lays down one condition for this constructive argumentation methodology, namely, that it should not be only in a beautiful way but in the "most beautiful manner". This stress on kindness and tact and, hence, on the use of reason alone in all religious discussions with adherents of other creeds is fully in tune with the basic, categorical injunction, "There shall be no coercion in matters of faith" (2:256) (Asad, 2003).

2.3.4 Inclusion: Principle of Non-Exclusion

There is an unfortunate conception among people who assume that Muslims are not able to coexist or to cooperate with followers of different religions partly because Muslim extremists often (mis)use Quranic verses to act violently against non-Muslims (Abu-Munshar, 2010). Related to this issue, Roslan (2011) argues that these Muslim extremists have taken the Quranic verses in different contexts and from the wrong place. In fact, the Quranic guidelines about dealing with others are the verses that allow Muslims to work together with non-Muslims, ask Muslims to deal in a good manner and not to harm others. For example, Allah says in Quran 3:159, "Thus it is due to mercy from Allah that you deal with them gently, and had you been rough, hard-hearted, they would certainly have dispersed from around you; pardon them therefore and ask pardon for them, and take counsel with them in the affair..."

This Islamic notion of interaction with non-Muslims inspires the fourth element of *Aman's* theory, which is the principle of non-exclusion. This inclusive vision, according to El-Awaisi, corresponds to the fundamental Muslim teachings which reject the notion that one person or race be superior over another. There are no second-class citizens in the Islamic notion of society. Nevertheless, the root causes of exclusion occur in past and present disputes. When people of a particular race, ethnicity, political allies, community, nation, physical appearance consider others less and have no place in their hearts, they exclude others, and the tension begins. It is closely related to the *Fatih*

concept, where in *Fatih*, no one is to be excluded. Everyone from diverse backgrounds should be accepted by the community to peacefully coexist.

Thus, occupation anywhere contradicts this principle because it always excludes the other inhabitants whose religion, belief, race, or ethnicity are different from the occupier. However, where the authorities apply the inclusion vision, the exclusion might still happen in the society such as racism towards refugees or other parties. According to Coleman and Lowe (2007), this type of conflict could be categorized as ethno-political conflicts which were made by a national or minority group against the state or against other political actors. Hence, as argued by El-Awaisi (2019), the implementation of *Aman* and its elements cannot be forced; it should be imprinted in the vision of authority and society. Accordingly, specific education to teach the value of inclusion is required for *Aman* to be rooted deeply in society. According to Danesh (2006) who specialized in the role of education in conflict resolution, the universal presence of conflict and war in human history has always necessitated that priority be given to education for conflict management and for the preservation of the larger community.

2.3.5 Preserving Human Dignity

The last element is the latest development from this theory, that is, preserving human dignity. According to El-Awaisi (2019), there is an additional element in the *Aman* theory, which is Preserving Human Dignity. Human dignity is one kind of human right that allows people to flourish and be empowered. Without human dignity, *Aman* would not be established. For instance, during the 21st century, there are various peace resolutions. In a short period, this might lead people to live in peaceful coexistence; but will never lead to mutual respect. In the case of the Palestinian-Israeli conflict, the Israelis did not preserve the Palestinians' dignity; thus, there is no mutual respect and as a result, *Aman* will not be established.

Thus, as a conclusion, the previous diagram of *Aman* Theory could be completed by inserting "Preserving Human Dignity" in the center of four components. Without the interaction of these four elements, there is no preserving human dignity. At the same time, these four components are also part of the manifestation of preserving human dignity. Because as Quran 55:60 stated, "is there any reward for good other than good?" The

outcome of having a good mindset of preserving human dignity will lead to peaceful coexistence and mutual respect. It relates to another important point in *Aman* theory that *Aman* is different from peaceful coexistence. Although the essence of peaceful coexistence in Islam is already comprehensive, all people come from one source with their various ethnicities, geographies, cultures, languages and faiths, and have equal rights in reality (Yousefi, 2014), so these rights should be accompanied by mutual respect.

2.3.6 The Outcome and Prerequisite of *Aman* Theory

The outcome of the interaction between the five components (Concept of *Adil* (Justice), Methodology of *Tadafu* (Counteraction), Principle of Non-Exclusion, Constructive Argumentation Methodology), and Preserving Human Dignity is *Aman* - Peaceful Coexistence and Mutual Respect. It would not be possible to achieve *Aman* if a component is missing. If these elements and the previous foundations of *Aman* Theory are combined, then the diagram will be presented as below:

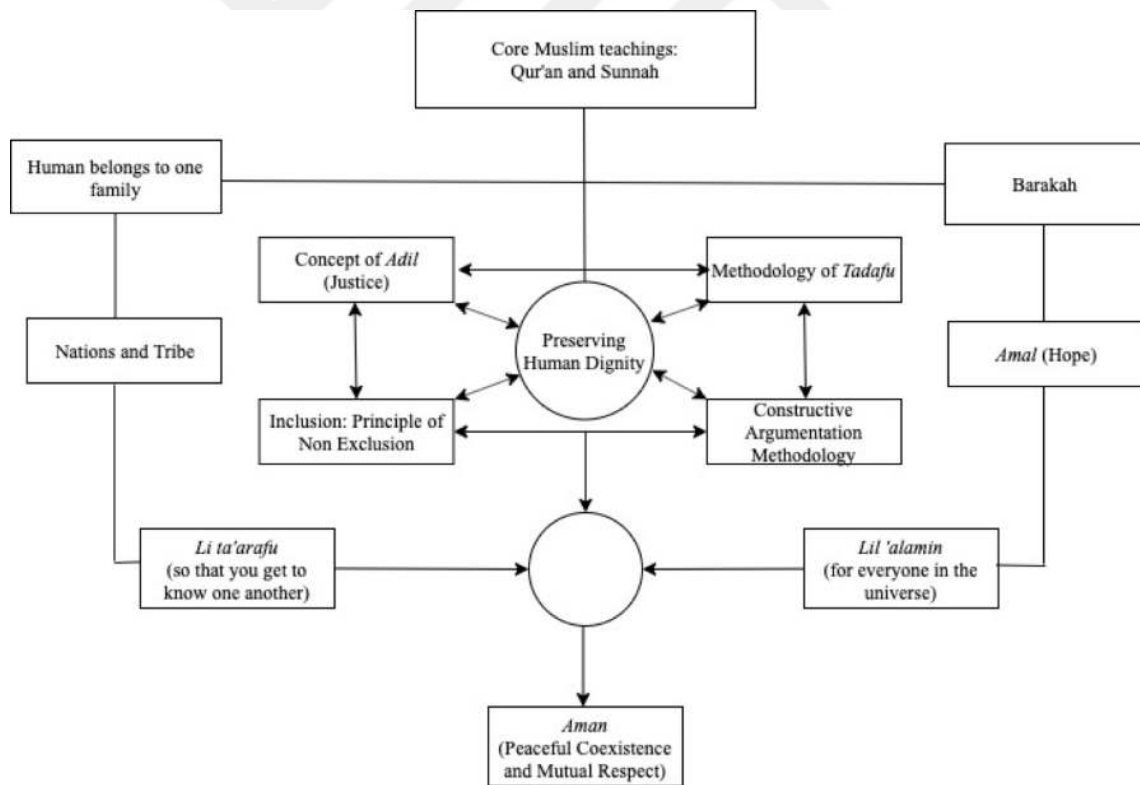


Figure 9. The Foundation and Elements of *Aman* Theory (El-Awaisi, 2019c)

Although not stated in the diagram, El-Awaisi argues that *Aman* cannot exist under occupation. It rejects the claim from Gries (2015) who states that little effort has

been done to explore the prerequisite to sustain peace. However, as Gries' finding presents, it might be due to the fact that there is no specific necessary condition for stable civil peace. The researcher agrees with Gries that more effort is needed in investigating the prerequisite of *Aman* but rejects his conclusion that no specific factor is necessary to sustain peace. Although each conflict has a different dimension and different approach to achieve *Aman*, the universal principle should apply in the process. The researcher agrees that the absence of occupation is a sensible and logical prerequisite for this theory.

Nevertheless, the researcher argues that the specific criteria of occupation should be explained in relation to this theory, especially since El-Awaisi argues that *Fatih* is indeed substantially different from occupation. For instance, Salama (2013, p. 52) claims that Arab Muslims used the word "*Fath/Fatih*" or in its lateral meaning "opening" as a euphemism used to describe the Muslim conquest as a liberating event. As for the definition of occupation, article 42 of the 1907 Hague Regulations states that a "territory is considered occupied when it is actually placed under the authority of the hostile army. The occupation extends only to the territory where such authority has been established and can be exercised."

During the postgraduate course "Theories and Models of *Beytulmakdis* (Islamicjerusalem): *Aman* Theory and Multiculturalism" in 2019, it was argued that in order to make this distinction between *Fatih* and occupation there are three main criteria that must be considered; purpose, process, and outcome of action. The purpose of *Fatih* should be beneficial for all the inhabitants, including liberation from occupation and the development of civilization. It is the opposite of occupation that only benefits the occupier in terms of economics, politics and military advantage. As for the process of *Fatih*, *Fatih* should preserve human rights in implementing the action. No harm would be received by the inhabitants through *Fatih*. It reflects a significant difference with occupation, which usually uses military force to illegally destroy the property of the inhabitants and kill civilians. The last criteria in differentiating *Fatih* and occupation is the outcome of the action. A *Fatih* would present a positive effect and a system of civilization based on justice, while an occupation would result in a negative impact in the region.

Nonetheless, the researcher argues that further explanation regarding this prerequisite is needed because it needs more justification and more explicit connections

must be made to the *Aman* theory and model. As an example, purpose or intention may be considered as subjective: there are ambiguities in determining the parameters of whether a situation is an occupation or a *Fatih*. The occupier might also state that their purpose is to benefit the inhabitants too. The researcher instead suggests that the Islamic term of jihad is used, which is derived from the word "*jahada*", which means "to struggle" or "to strive." Malik (2012), states that Jihad could be classified into four main categories: jihad by heart (fight against the intrinsic evil), jihad by mouth (explicitly voicing against oppression and inviting people to the message of peace), jihad by hand (correcting errors through non-violent way), and jihad by sword (defending a message of peace through us), This was used while Muslims had no other choice but war, and peace became the supreme goal. In addition, Malik points out that these actions seek to resist oppression, guarantee a man's right to his home and dignity within his society, avoid discrimination of faith, and ensure religious freedom for all.

Another indicator of occupation, as the researcher suggests, is based on the Quranic notion that unbelievers fight others for their religion, drive them from their homes and support others drive them away (Quran 60:8-9). If any of the individuals or officials were to execute such activities, their acts would be known as occupations. The researcher suggests that the purpose of *Fatih* should resonate with the base of *Aman*'s theory and vision in the *Aman* model. Therefore, all the elements of *Aman*'s theory, the policy and system of the *Aman* model should be included in the *Fatih* process. The outcome should be the success of *Fatih*, that is, the establishment of *Aman*.

2.4 *Aman* Model: Vision, Policy, and System

As for the model of *Aman*, it is based on the vision, policy, and system implemented by Umar Ibn al-Khattab through his Assurance of *Aman* to Islamicjerusalem's inhabitants after the first Muslim *Fatih*. According to El-Awaisi, the *Aman* model could be used to interpret and evaluate conflict and to find the missing elements in establishing *Aman*. These two diagrams below were originally titled as the *Aman* model; the additional subtitle of vision, policy, and system is added by the researcher to highlight the different phases of the model.

The researcher divides and differentiates the discussion of *Aman* model into two parts because the first part concentrates on the principles or mindset of Umar's Assurance of *Aman*, and this in turn will be the foundation of the second part which focuses on the establishment of the policy and system by Umar Ibn al-Khattab. For instance, the first part includes the concept of respecting other people, acceptance of others, as well as fostering diversity and plurality that has no physical evidence except the manifestation of these elements. For the second part, the abstract mindset has been translated into action, which often requires institutions such as law ministry, military force, social institutes, administration offices, religious community, centres of education, social systems, health facilities, and economic structure.

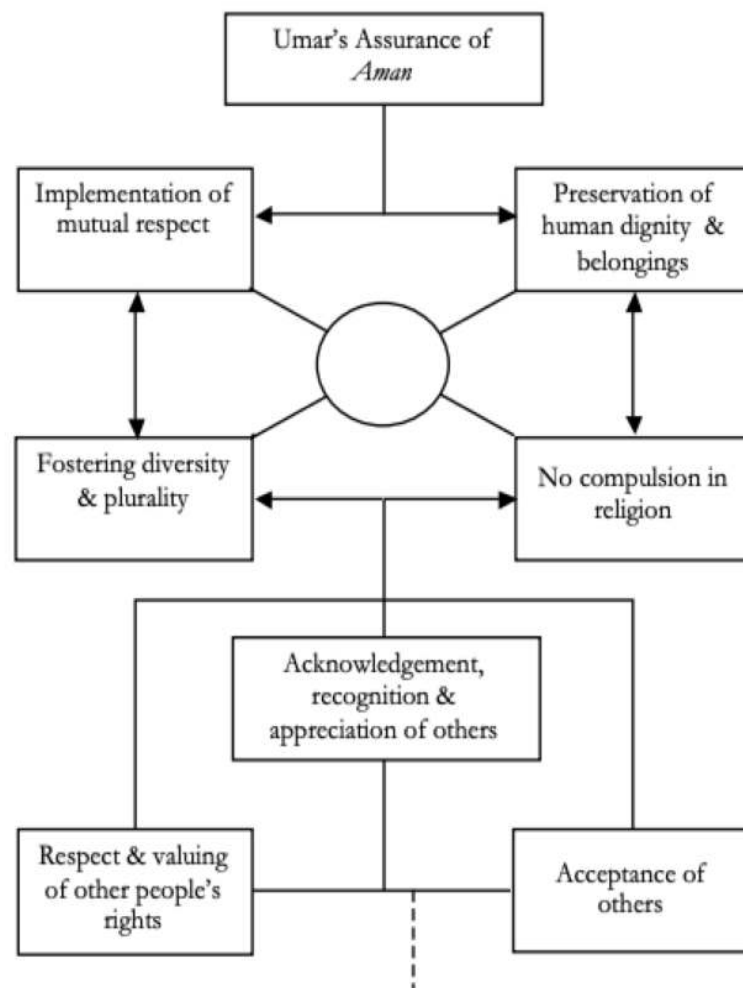


Figure 10. *Aman* Model – The Vision (El-Awaisi, 2019b)

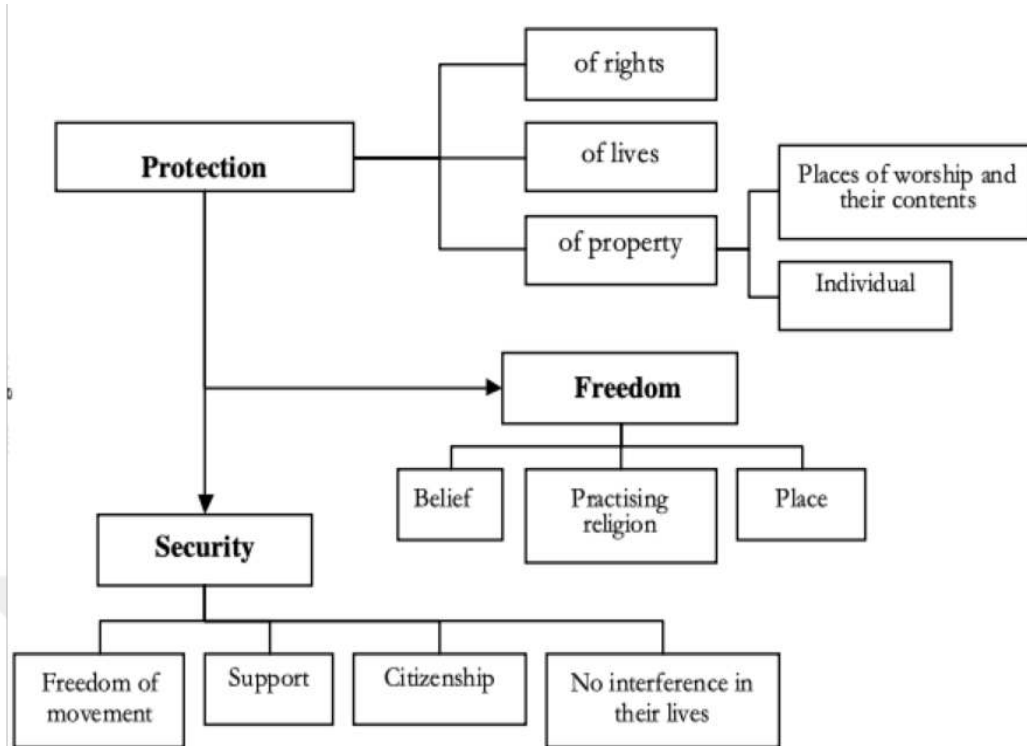


Figure 11. *Aman* Model – The Policy and System (El-Awaisi, 2019b)

For instance, in view of *Aman* theory, the element of mutual respect comes from the mindset that every human being is worthy of our respect. If an individual shows respect, others will reciprocate the attitude. The concept of diversity and plurality in Islam defines the value of human beings. Humans are not merely seen by their physical appearance or wealth. Their differences make life dynamic as the world consists of people from different races, languages, cultures, and religions. Thus, in discussing this particular element of the model, this research aims to investigate the spectrum of *Aman* model in a true multicultural society that would include a diversity of religion, race or ethnicity, age, gender, socioeconomic status, physical ability, and even political views. In the researcher's perspective, this should be elaborated further. Because the society of Islamicjerusalem not only consists of a multi-religious community. It also has diversity of race, culture, socio-economy, age, gender, physical, and political views. This further explanation could broaden the spectrum and dimension of this model.

As for the other elements of the *Aman* Model: respect and value of the rights of other people in Islamic law is also viewed as a priority. As Abul A'la Maududi Sayyid

(1995, pp. 8-9) states, Islam has defined basic fundamental human rights in general, which should always be valued and followed. The blood of man is sacred, and without justification, it cannot be spilled. Women, babies, the disabled, the wounded or injured even in war are not permitted to be killed. The hungry must be fed, the naked clothed, and the wounded treated medically. Sayyid continues, Islam has also laid down certain rights for the non-Muslims (*dhimmis*/the covenanted) who may be living within the boundaries of an Islamic state. The life, property, and honor of a *dhimmi* are to be respected and protected exactly like that of a Muslim citizen. In a conflict resolution perspective, if human rights are part of the problem, dynamic, or consequence of conflict, then human rights must also be a part of the solution (Sriram et. al. in Fuentes-Julio and Ibrahim, 2019).

In terms of the other visionary elements of the *Aman* Model, such as acknowledgment, recognition, and appreciation of others, and acceptance of others, as argued by El-Awaisi, the Quran and Sunnah guide Muslims to respect the differences of culture, religion, or gender. In short, the first part of the *Aman* model deals with the basics of Islamic propositions related to the interaction between, and treatment of, human beings. The researcher stresses the importance of this part because without this vision, the other parts -namely, policy and system- will not advance toward the right direction towards a peaceful, civilized, just, and humane civilization.

For the second part of the *Aman* model, according to El-Awaisi, the elements include the protection of freedom and security. It encompasses the protection of rights, lives, and property and freedom of belief, practicing religion, and place. The researcher refers to these elements as the policy of *Aman* model because only someone with sovereignty and authority would be able to decide these matters to be implemented in the society.

Furthermore, the elements of security in the *Aman* model consist of four sub-elements; freedom of movement, support, citizenship, and no interference in their lives are part of the system in the researcher's viewpoint. This is because the owner of sovereignty will not be able to apply all these elements without a system or structure such as institutes in law, military, religion, social, economy, administration, and education. However, the researcher argues that in order to provide these sub-elements, security itself

must be guaranteed. A secured region will present a conducive environment that allows people to move freely inside and outside the region, to benefit from offered support and citizenship, and eventually to become content in their unrestricted way of life. The freedom to live and act based on one's own culture, habits, religion, and language is the ultimate result of *Aman* in a multicultural society.

2.5 Development of *Aman* Theory and Model (2005-2019)

The emergence of *Aman* Theory and Model as conflict resolution by El-Awaisi started in 2005 in his book "Introducing IslamicJerusalem". Since IslamicJerusalem studies was developed as a new field of inquiry in 1994, the book for the first time presents an overview of the interconnected concepts, elements, theories and models of IslamicJerusalem. For example, a unique concept of IslamicJerusalem is its inclusive vision which is different from the 'Haram' lands such as Makkah and Madinah. Thus, in explaining how peace could be established in such a multicultural society as IslamicJerusalem, El-Awaisi investigates the Muslim primary sources as the Quran and Sunnah, then analyzes historical documents in the form of Umar's Assurance of *Aman*. El-Awaisi also argues that IslamicJerusalem is the land of Barakah, *Amal* (hope), and *Aman* (peaceful coexistence and mutual respect), and thus he founded the *Aman* theory and model based on his systematic research. Among the differences of his thought and argument from this book and his latest book in 2019 is the translation of *Aman*. In "Introducing IslamicJerusalem", the word *Aman* in Umar's Assurance of *Aman* is still translated as Safety. However, in the following years, El-Awaisi no longer used the word 'safety' to translate *Aman*. Instead, he uses peaceful coexistence and mutual respect in his explanation of the *Aman* theory and model.

Furthermore, from 2005 until 2018, El-Awaisi published several articles in various journals regarding the *Aman* theory and model. The first article is "A Muslim Contribution to International Relations Theory: *Aman* (Peaceful Co-Existence and Mutual Respect) Theory", published in the Journal of International Studies, Volume 8, 2012. El-Awaisi argues in this article that Umar Ibn al-Khattab and Salahuddin al-Ayyubi implemented peaceful coexistence and mutual respect. The second academic writing related to this topic by El-Awaisi is "Umar's Assurance of *Aman* to the People of Aelia

(IslamicJerusalem): A Critical Analytical Study of the Greek Orthodox Patriarchate's Version" in World Journal of Islamic History and Civilizations, 2 (3), 2012. This publication presents a breakthrough finding in proving that, based on internal and external criticism of the print, the Greek Orthodox Patriarchate's version of Umar's Assurance *Aman* in the Greek Orthodox Library in Jerusalem is fabricated. That the colorful ink, the decoration, the choice of words and other facts do not conform with the era of Umar Ibn al-Khattab.

His latest article is "Umar's Assurance of *Aman* to the People of Aelia (Bayt al-Maqdis - IslamicJerusalem): A Critical Analytical Study of Al-Tabari Version" published in the Journal of Al-Tamaddun, v. 13, December 2018. According to this article, there are several crucial points to note in Umar's Assurance of *Aman* in the book of Al-Tabari, such as the unfactual dates of the record and the additional sentence of "No Jews should reside in Aelia". El-Awaisi argues that the usage of hijriyah date did not start until 17 after Hijrah (A.H). Additionally, the sentence which refers to excluding Jews could not be attributed to the original document by Umar Ibn al-Khattab since it also contradicts the Islamic principle. This may be related to Al-Tabari's approach as he explains in the introduction of his book, "*Tarikh al-Rusul wal-Muluk*/History of Prophets and Kings" as translated by Salama (2013),

I mainly rely throughout all the above-mentioned writings on akhbar (accounts, news, history), because I have only knowledge of past generations through their text. So, if any piece of news is contradictory or incoherent, it isn't my own rationalization, but the akhbar I compiled and received from the narrators.

In 2019, El-Awaisi published two books in Arabic and English that, *inter alia*, discuss the latest development of *Aman* Theory and Model, as well as the urgency to promote this model to shed light on the current conflict of IslamicJerusalem particularly, and the world's conflict in general. The title of the book published in Arabic may be translated as "Towards Building New Image for International Relations (1): IslamicJerusalem's Theories and Models for Interpreting and Directing the Current Events and the Making of Future History". The English book of which El-Awaisi is editor is titled "Al-Quds: History, Religion, and Politics". He contributes one chapter in this book, "Bayt al-Maqdis: A Muslim Model for *Aman*" among other writings related to the theoretical and legal framework. This research scrutinizes the latest *Aman* theory and

model and these two books provide a framework used in future analysis and investigation, as argued by El-Awaisi that his latest arguments are presented in these books.

Although El-Awaisi himself has published several materials on *Aman* theory and model, further research is required to examine the implementations of all components of *Aman* theory and model in Islamicjerusalem. This is especially since the theory and model have been significantly developed, with the addition of preserving human dignity as a new element, and the prerequisite of the theory which states that *Aman* would not be established under occupation. These additions and developments occurred in the discussion through face to face consultation, and in the coursework in *Aman* theory and model during the Master of Arts in Quds Studies program, Social Sciences University of Ankara, Turkey from 2019 to 2020. Amongst the discussions occurring in the class, the differentiation between occupation and *Fatih* became one of the theory's evolvments. Although the classification of these two acts has not reached a conclusion it stimulates further investigation that will be reviewed in this research. This latest discussion, thought, and argument have not been published in any writing or forum. Therefore, this research will also document the updated development of the theory and model which has not been published by El-Awaisi as the founder. The state-of-the-art theory and model in this research will hopefully contribute to the scholarship, and inspire further efforts in conflict resolution in comprehensive apprehension.

Conclusion

The *Aman* theory and model that are founded by El-Awaisi consist of broad dimensions and detailed elements. Thus, the researcher analyzes each of the elements of this theoretical framework including the foundation and prerequisites. Additionally, the researcher argues that a specific explanation is needed in each diagram of the *Aman* theory and model. For instance, the researcher added the title “Muslim concept of diversity” for the first diagram of *Aman* theory and “Islamicjerusalem as the land of *Amal* (hope)” for the second diagram. As for the diagram of the *Aman* model, the researcher adds the title “the vision, policy, and system” for the related components. The explanations from an Islamic perspective and scholars’ arguments are added to the discussion of each element in order to comprehend this framework. At the end of the chapter, the researcher also

includes the development of this theory and model from her discussion with El-Awaisi as the conceptor during the lecture and consultation. The researcher highlights that this latest development of *Aman* theory and model, that has not been published anywhere by El-Awaisi, becomes the strength and novelty aspect of this thesis.



CHAPTER THREE

ISLAMICJERUSALEM DURING THE FIRST MUSLIM *FATIH*

AS A HISTORICAL BACKGROUND

Introduction

Connecting the theoretical framework as discussed before with the historical facts and therefore reflecting on the relation to a contemporary context might be challenging for social science researchers and historians. Accordingly, nothing portrays the intellectual factor of history better than the comparison of the situation before an event, during the event, and the effect afterwards. History unfolds the truth in an intertwined sequence of events that are difficult to unravel. The starting point cannot be decided since every moment is the result of previous circumstances. However, some episodes in history have greater impacts than the others, changing the course of history radically.

Prior to the discussion of the *Fatih* of Islamicjerusalem by Umar Ibn al-Khattab, the era of the Prophet Muhammad should be elaborated first. This is because during the early years of Muslim history, it was hard to imagine that Islam would expand vastly and Muslims would reach up about 24% of the world population. There are more than 1.6 billion Muslims around the world spread across all continents. However, at the time of Prophet Muhammad, Muslims received harsh treatment, persecution, boycott, and rejection from the people around them. Hence, this chapter will explore the situation of Arab Muslims from the earliest rise of Islam and will compare it with the changes that occurred after the *Fatih* of Islamicjerusalem. Furthermore, this chapter will also discuss the claims stated by the Orientalists regarding the impacts of this *Fatih* and investigate whether this event has a positive or negative effect in the historical point of view. Critical analysis regarding Islamicjerusalem's history is urgently needed to clarify the alteration and fabrication of this region's history as a result of the Orientalists' agenda.

Hence, the following chapter will investigate the historical background of the first Muslim *Fatih* of Islamicjerusalem, especially to clarify the position of the event as *Fatih*

-not occupation- based on the aforementioned categorization; the purpose, the process, and the outcome. Since these criteria has not been published in any other writing, including by El-Awaisi as the founder, the researcher attempts to analyze in-depth each of these measures. Furthermore, this chapter is crucial in comprehending the *Fatih* of Islamicjerusalem as a long process planned by Prophet Muhammad, Abu Bakr, and Umar Ibn al-Khattab.

3.1 The Purpose of the *Fatih* of Islamicjerusalem: A Legacy from Prophet Muhammad

Through considering the phases of conflict from Galtung's (2013) theory, the previous situation of Arab and Islamicjerusalem before the *Fatih* of Islamicjerusalem will be explained. It includes the efforts of Prophet Muhammad who overcame serious obstacles during his prophethood such as persecution, rejection, and boycott. Despite this, he established the foundation of the Muslim nation, thus preparing for the liberation of Islamicjerusalem as led by the following Caliphs. Indeed, during the Prophethood era of Prophet Muhammad, one would not forecast that people from the Arabian peninsula would liberate Islamicjerusalem, which had been under the rule of the biggest Empires, such as the Byzantines and Persians. The Arabs had little history of politics in ancient times. They lived and died in the name of their fellow tribesmen and successors, without leaving any signs to posterity (Kennedy, 2008). This idea of tribes is deeply rooted in the Arab Peninsula and shapes the history of the introduction of Islam.

Prophet Muhammad was boycotted by other tribes of Makkah, after Prophet Muhammad brought Islam to those small tribes. The aristocracy in Makkah persecuted his small Muslim community. Indeed, it seems difficult to imagine how this small group of Muslims being boycotted by other communities would be able to liberate Islamicjerusalem in the future. The researcher argues that understanding the vision of Prophet Muhammad towards this liberation or *Fatih* and comprehending that this event was the result of the estafet journey starting with Prophet Muhammad to his successor is key in discussing the *Fatih* of Islamicjerusalem.

After the boycott, as El-Awaisi (2005) argues, a new turning point occurred that further connected Prophet Muhammad, Muslim community, and Islamicjerusalem.

During the lowest point of his life, especially after the year of sorrow following the death of his wife and uncle, Prophet Muhammad was given an extraordinary journey by Allah; the Night Journey and Ascension. The route of this journey is from Al-Haram Mosque in Makkah to Al-Aqsa Mosque in IslamicJerusalem. This Isra and Mi'raj event put optimism and hope in the Prophet's heart, as argued by El-Awaisi (2005), the Prophet was eager to liberate Al-Aqsa Mosque that was the direction of his prayers and also the place that all the prophets before him were connected to. Thus, after Isra Mi'raj, Prophet Muhammad started to plan for the liberation of IslamicJerusalem by openly recognising the significance of this land. In fact, Prophet Muhammad started to explicitly mention his purpose to liberate IslamicJerusalem and his intention to make it as his legacy to his companions and followers. Prophet Muhammad also affirmed in the hadith narrated by Maymunah ibn Sa'd that the Muslim should visit, pray, and think about the prosperity of IslamicJerusalem by sending oils there (hadith in Sunan Dawud, book 2, 457). The researcher argues that from the beginning, and through the hadiths, Prophet Muhammad had already stated that the purpose of liberating IslamicJerusalem is indeed to establish *Aman* and prosperity in the land.

Furthermore, Prophet Muhammad utters his purpose to liberate IslamicJerusalem in accordance with the purpose of Islam and act of Jihad (struggle for the sake of Allah) itself. As an example, Prophet Muhammad told Shaddad ibn Aws, "Al-Sham (historical Syria) will be conquered, and Bayt al-Maqdis will be conquered where you and your offspring will be Imams there if God wills." In another hadith to Awf ibn Malik, Prophet Muhammad let his companions knew that the liberation of IslamicJerusalem would be after his death. Thus, he implies that this will be his legacy to be passed down generations after his time to liberate IslamicJerusalem from occupation. As narrated by Awf ibn Malik in Sunan Ibn Majah Vol. 5, Book 36, hadith 4042,

"I went to the Prophet during the *Ghazwa* of Tabuk. He said, "Count six signs that indicate the approach of the Hour: my death, the conquest of Bayt al-Maqdis/[Islamic]Jerusalem, (...)."

Indeed, these hadiths are part of his plan and legacy towards the liberation of IslamicJerusalem. Omar (2006) argues that this is the first time Prophet Muhammad mentioned the conquest or *Fatih* of IslamicJerusalem, thus indicating a possible reason behind the battle of Tabuk. According to El-Awaisi (2007), Prophet Muhammad carried

out strategic planning to liberate IslamicJerusalem through three main pillars: knowledge preparation, political preparation, and military preparation. Thus, the researcher argues that his purpose and legacy of liberating IslamicJerusalem was conveyed through his discussion regarding IslamicJerusalem's values and virtues with his companions on a daily basis. As a result, Muslims who already had a spiritual and religious connection with the land through its status as the first *qiblah* and the event of the Night Journey became more aware of the Holy Land. It also gave the companions a clear vision, mission, spirit, and hope towards the liberation of IslamicJerusalem.

Besides this preparation through knowledge, Prophet Muhammad also prepared Muslims to liberate IslamicJerusalem through political and military action. Prophet Muhammad started the political preparation by sending several letters to international leaders at that time. Abu-Khalil (2003, p. 179) listed the letters of the Prophet to the Kings and Chief in the following table:

No.	Bearer	Destination	Addressed to
1	Amr ibn Umaiyah	Abyssinia	The Negus
2	Al-Ala ibn Al-Hadrami	Bahrain	Al-Mundhir ibn Sawa
3	Abdullah ibn Hudhafah	Al-Madain	Chosroes of Persia
4	Dihyah Al-Kalbi	[Islamic]Jerusalem	Hercules [Heraclius], Caesar of the Roman empire/Byzantine
5	Hatib ibn Abi Balta'h	Alexandria	Al-Muqawqis, the ruler of Egypt
6	Amr ibn Al-Ash	Oman	Jayfar and 'Abd, the Sons of Al-Julandi
7	Sulait ibn Amr	Yamamah	Hawdhah ibn Ali
8	Shuja' ibn Wahb	Damascus	Al-Harith ibn Abi Shamr Al-Gassani

Table 2. Prophet Muhammad's Letters to the Kings and Chief

Source: Abu-Khalil (2003)

These letters included his message to the Byzantine Emperor, Heraclius. In his letter, Prophet Muhammad invited Heraclius, Chosroes of Persia, and other leaders to Islam. Prophet Muhammad reminded them that safety and a reward from Allah will be granted if they and their people become Muslims. Heraclius replied to Prophet Muhammad's letter by saying, "By Allah, I know that your companion is a Prophet who has been sent, and that he is the one for whom we are waiting, and we find him in our scripture. But I fear what the Byzantines will do to me. Were it not for that, I would have followed him" (Abu-Khalil, 2003, p. 197). It appears to the researcher that this specific action by Prophet Muhammad indicates his noble purpose towards the *Fatih* of IslamicJerusalem as being entirely the same as his purpose to other locations, which is to invite their inhabitants to Islam and to ensure *Aman* could be established in the region. The researcher argues that if Prophet Muhammad's aim was to merely conquer and rule the land, Prophet Muhammad would not have sent a polite invitation letter beforehand to the current ruler. Therefore, Prophet Muhammad proceeded by inviting the ruler of IslamicJerusalem to Islam and this constitutes the first phase in *Jihad*. It signifies that the purpose of the *Fatih* is the same as the purpose of *Jihad*: both are for the sake of Allah.

Since Prophet Muhammad's invitation to Islam was rejected by Heraclius, Prophet Muhammad took practical steps towards the *Fatih* of IslamicJerusalem. The author argues that the response of Heraclius as the ruler of Beytulmakdis at that time became the basis of Prophet Muhammad's next step or plan. Prophet Muhammad calculated the strength and the weakness of Muslims at that time, seized the opportunity by offering Islam in peace to the Byzantine Emperor, and analyzed the external threat from them. Prophet Muhammad concluded that the liberation of Beytulmakdis would be accomplished by his companions and followers. After this realization, he planned to pave the way for his companions to achieve his long-term vision of Beytulmakdis.

Prophet Muhammad planned military action towards the *Fatih* of the holy land through the Battle of Mu'tah, *Ghazwa* of Tabuk, and Mission of Usamah ibn Zaid (Omar, 2005). The Battle of Mu'tah (8 A.H – 629 C.E) was the first direct conflict between Muslims and Byzantines. It was also the first military action outside the Arab peninsula. The Mu'tah battle was a significant moment because, according to Almubarakpuri (2002), the Byzantine Empire, at that time, was a power to be reckoned with, and the mere thought

of fighting against it was usually considered to mean self-annihilation. This is especially bearing in mind that a 3,000-soldier army was preparing to fight against 200,000 soldiers who were far better equipped and were lavishly furnished with luxurious conveniences. The battle was a real miracle proving that the Muslims were something exceptional, and an unfamiliar force. It markedly pointed to a new epoch of the *Fatih* of the Byzantine empire and other remote countries to follow at a later stage.

The next military preparation by Prophet Muhammad was for the *Ghazwa* (battles in which the Prophet participated) of Tabuk, located near the border of al-Sham headed for Islamic Jerusalem, that occurred in 9 A.H – 630 C.E and was the last of the Prophet's life. Al-mubarakpuri (2002) stated, upon learning of the Muslims' march on this battle, that the Byzantines and their allies were so terrified that none of them dared set out to fight. On the contrary, they scattered inside their territory. This had lent, in itself, a good credit to the Muslim forces who gained a military reputation in the mid- and remote lands of the Arabian Peninsula. The great and serious political profits that the Muslim forces had obtained were far better than the ones they could have acquired if the two armies had been engaged in a military confrontation. The effect of this invasion is great in terms of extending and confirming the Muslims' influence on and domination of the Arabian Peninsula.

According to Ibn Hisham (2000), Prophet Muhammad ordered his companions to prepare to fight the Byzantines at a time of hardship. The Prophet nearly always referred indirectly to the place of any invasion and declared that he would head for a place, which was other than that he had actually intended. Tabuk was an exception, as he said clearly that he would go to the Byzantines. Ibn Hisham (2000) argues that it was because of the long distance, the hot season, and the potency of the enemy, and so that the men could prepare themselves well. The researcher tends to incline to some arguments that Prophet Muhammad implies the importance of this mission towards *Fatih* of Islamic Jerusalem, thus making the destination clear for his companions. The importance of this mission was also reflected in the number of Muslims and horses involved as listed below.

Date	Mission	Enemy	Muslims	Leader	Result
Nov 629	Yamlam		200		
Nov 629	'Uranah		300	Khalid bin Sa'id	
Dec 629	Jadhimah		350	Khalid bin al-Walid	Victory
Dec 629	Various; destroy shrines				Victory
Dec 629	Hunayn; Hawazin		12,000	Muhammad	Victory
Dec 629	Al-Ta'if; Thaqif		12,000	Muhammad	Defeat
Mar 630	Al-'Arj; Tamim		50	'Uyaynah bin Hisn	Victory
Apr 630	Mashab; Khath'am		20	Qutbah bin 'Amir	Booty
May 630	Zujj; al-Qurta			Al-Dahhak bin Sufyan	Booty
Jun 630	Shu'aybah; Abyssinians		300	'Alqamah bin Mujazzaz	Fighting
Jun 630	Al-Fuls; Tayyi		150	'Ali bin Abu Talib	Success
Jun 630	Al-Hubab; 'Udhrah			'Ukkashah	Success
July 630	Tabuk; Byzantine allies		30,000	Muhammad	No Contact
Aug 630	Dumat al-Jandal		420	Khalid bin al-Walid	Victory
Sept 630	Al-Yaman; al-Harith bin Ka'b		400	Khalid bin al-Walid	Victory
Dec 631	Al-Yaman; Madhhij		300	'Ali bin Abu Talib	Victory
Apr 632	Dhu al-Khalasah; shrine		150	Jarir bin 'Abdullah	Victory
Feb 632	Makkah; farewell pilgrimage			Muhammad	Pilgrimage
Jun 632	Mutah?		3,000	Usamah bin Zayd	Booty
8 Jun 632	Death of Muhammad				

Table 3. The Number of Muslims Involved in Prophet Muhammad's Battles.

Source: Rodgers (2012)

Battle	Date	Horses	Source
Badr	Dec 623	2	Ibn Sa'd, <i>Kitab al-Tabaqat</i> , Vol. II, 10
Uhud	Dec 624	0	Ibn Kathir, <i>Al-Sira al-Nabawiyya</i> , Vol. III, 17
Badr II	Nov 625	10	Ibn Sa'd, <i>Kitab al-Tabaqat</i> , Vol. II, 72
Al-Khandaq	Dec 626	36	Al-Waqidi, <i>Kitab al-Maghazi</i> , 211; and Ibn Sa'd, <i>Kitab al-Tabaqat</i> , Vol. II, 92
Banu Lihyan	May 627	220	Ibn Sa'd, <i>Kitab al-Tabaqat</i> , Vol. II, 97
Al-Hudaybiyah	Jan 628	20+	Ibn Sa'd, <i>Kitab al-Tabaqat</i> , Vol. II, 118
Khaybar	Aug 628	200–300	Ibn Sa'd, <i>Kitab al-Tabaqat</i> , Vol. II, 134; and Hasan, <i>Sunan Abu Dawud</i> , Vol. II, #2730
Mu'tah	Jul 629	3–4?	Ibn Sa'd, <i>Kitab al-Tabaqat</i> , Vol. II, 160
Dhal al-Salasil	Oct 629	30	Ibn Sa'd, <i>Kitab al-Tabaqat</i> , Vol. II, 162.
Makkah	Nov 629	900	Al-Waqidi, <i>Kitab al-Maghazi</i> , 330
Hunayn	Dec 629	980	Al-Waqidi, <i>Kitab al-Maghazi</i> , 358
Tabuk	Jun 630	10,000	Ibn Sa'd, <i>Kitab al-Tabaqat</i> , Vol. II, 205

Sources: Ibn Sa'd, *Kitab al-Tabaqat*, Vol. 2; Ibn Kathir, *Al-Sira al-Nabawiyya*, Vol. 3; Al-Waqidi, *Kitab al-Maghazi*; and Hasan, *Sunan Abu Dawud*.

Table 4. The Growth in Prophet Muhammad's Horse Cavalry Arm.

Source: Rodgers (2012)

Another important aspect of these military actions, as stated by Al-mubarakpuri (2002), is how the remainders of the *Jahiliyyin* and hypocrites lost their expectations and desires of ever reclaiming their influence. These people used to conspire steadily against

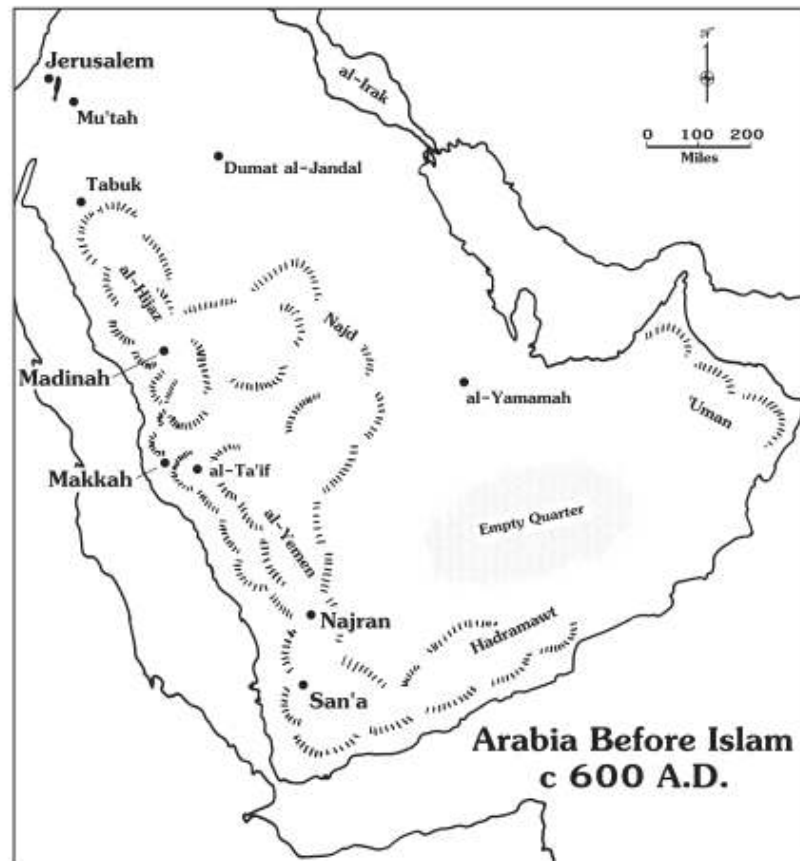
the Muslims and perpetually relied on Byzantine power when they were in need of support or help. However, they soon realized that there was no way out and that they were to submit to the *fait accompli*, and in doing so, gave up their attempts against the Muslims.

Moreover, throughout Prophet Muhammad's strategic planning, he made sure that all the companions and followers involved in his legacy related to the vision of liberating Islamic Jerusalem. He incorporated a variety of individuals with different backgrounds and perspectives to achieve the objectives. Prophet Muhammad applied this value in the Battle of Mu'tah when he appointed three leaders for this battle: Zaid ibn Harithah as the representative of migrants from Makkah; Abdullah ibn Rawahah as the representative of original residents of Madinah; and Ja'far ibn Abi Thalib as the representative of Prophet's family. This decision expressed that Beytulmakdis belongs to all of them and all elements of Muslims should work together towards it (Omar, 2005).

The last step of the military plan towards the *Fatih* of Islamic Jerusalem by Prophet Muhammad is the *Ba'th* or the mission of Usamah ibn Zaid (11 A.H – 632 C.E). This mission was the last military act before the Prophet's death. According to Omar (2006), the destination of this mission was Ubna (now known as Al-Mazar in Jordan) on the south of Mu'tah. Prophet Muhammad also made sure that this legacy would continue after his death, since once plans are developed, they must be actively managed, implemented, and controlled to maintain the momentum of the strategy. For this reason, Prophet Muhammad dispatched Usamah ibn Zaid's army to rescue the reputation of Muslims after the death of the Prophet. It showed the Byzantines that the Muslims were not affected by the Prophet's death.

As the map below shows, all these military missions were directed towards Islamic Jerusalem. In short, Prophet Muhammad had implicitly and explicitly expressed his purpose and legacy to liberate Beytulmakdis and apply *Aman* in the region. His efforts started from the strategic thinking that came from the radical change in his perspective and circumstances after the night journey to Beytulmakdis. Then, he applied the principles of strategic planning such as analysis situation and strategy formulation. He also made sure that his vision will be carried out by all Muslims by performing participative management and in this way, he maintained the strategic momentum even

after he passed away. Omar (2005) argued that all of these steps are the Prophet's plan to secure the road for Muslims to subsequently conquer IslamicJerusalem.



Map 3. Map of Makkah, Madinah, Mu'tah, Tabuk, and [Islamic]Jerusalem.

Source: Rodgers (2012)

The researcher argues that the firm decision of Abu Bakr to dispatch Usamah's army to southern Syria to battle with the Byzantines right after the death of Prophet Muhammad is proof that Abu Bakr understood Prophet Muhammad's legacy towards the *Fatih* of IslamicJerusalem. Alkhateeb (2014) argues that this mission shows that the political aims of the Muslim would not be diverted because of the death of the Prophet. The researcher argues that this reflects the characteristic of a *Fatih*: the good intention or

purpose stays the same even though the ruler or the leader of the mission towards the *Fatih* has changed.

For example, Abu Bakr's decision to send the army of Usamah showed the world that the Muslim *ummah* was still solid even after the death of their Prophet. Abu Bakr also focused on the political stability within the Arabian Peninsula and its tribal characteristic and successfully maintained the unity of Muslim *ummah*. As a result, Umar Ibn al-Khattab could implement his plan towards the expansion of Muslim territories beyond the Arabian Peninsula and introduced Islam to the global world. The first priority in carrying out his plan was the *Fatih* of Islamic Jerusalem due to its significance in spiritual, religious, and political aspects. Umar received capitulation of Islamic Jerusalem and assured the *Aman* for the population, thus making this event a historical turning point in terms of all internal and external circumstances.

Yet, during Abu Bakr's rule, Muslims received threats from neighboring tribes and Abu Bakr was required to focus on securing the Arab Muslim region. Al-Waqidi (2005, p. 7-8) wrote,

The false prophets, Musaylamah, and Shuja'walud, were eliminated by Abu Bakr when Tulayhah fled to Syria. Yamamah and Banu Hanifa were defeated while the Arabs surrendered to him. Then the Khalifah tried to conquer Syria and fight against the Romans. Abu Bakr said to his companions "We realize that Rasullah tried to wage Jihad in Syria so desired the endeavor to do so but then he returned to Allah. So be sure that I intend to send a Muslim force to Syria, along with their families and dependents. Before his death, Rasulullah told me, 'I was shown Earth and saw its East and West, and my Ummah will overcome everything I was shown shortly.'

For the researcher, Abu Bakr's statement regarding his intention to continue Prophet Muhammad's plan is important in emphasizing that even though the success of Islamic Jerusalem's first *Fatih* is commonly attributed to Umar Ibn Khattab as his individual achievement, it is indeed an achievement of Prophet Muhammad, Abu Bakr, and Muslims of that time too. In fact, due to the role of Abu Bakr, Umar Ibn al-Khattab as the second caliph did not have to face the internal problems Abu Bakr did. Thus, Umar could focus on expanding the message of Islam. Among the *Fatihs* that Umar achieved, the *Fatih* of Islamic Jerusalem is perceived as the most remarkable event in Arab Muslim history (El-Awaisi, 2012; Yatiban, 2012). After defeating the Byzantines as the biggest

empire of the world in the seventh century, Muslims were able to broaden their territory beyond the Arabian Peninsula expeditiously. The rapid transformation after the *Fatih* of IslamicJerusalem still sparks debates until now. For example, *Fatih* is depicted as a tale of cruelty and destruction. It is also often stated that the *Fatih* of IslamicJerusalem by Muslims led the region into decline.

For example, Daniel Sahas (2007) claims that the reason for IslamicJerusalem fell into Muslim authority was that Sophronius and Heraclius were meant to protect IslamicJerusalem from Muslims' threat. Sahas makes the claim that Sophronius and the people of IslamicJerusalem had been given three alternatives by Abu Ubaydah: submission to Islam, capitulation and payment of taxes, or destruction of the area. Nevertheless, because of his inaccuracy and unlogical assertions, the researcher strongly denies his argument. Firstly, there is no such thing as the destruction of the city in Islamic principle. According to all *madhhabs* (Islamic school of thought within *fiqh*/jurisprudence), it is not permissible to kill other men unless they are fighting against the Muslims. Harming civilian areas and pillaging residential areas is also forbidden, as is the destruction of trees, crops, livestock and farmlands. Secondly, as cited by Imam Al-Waqidi (2005), the dialogue between Sophronius and Abu Ubaydah went as below;

Abu' Ubaydah: One of three options; the first is that you say, 'There is no God but Allah alone, who has no partner, and that Muhammad is His Slave and Messenger.' If you acknowledge these sentences, after this, our rights and responsibilities will be the same.

Patriarch: We can not consider this choice. What's the second option?

Abu Ubaydah: You are surrendering your city and giving us the Jizyah in a condition of modesty just as the other cities of Syria are doing.

Patriarch: That's worse than the first option, because we're not going to lower ourselves to anybody.

Abu 'Ubaydah: Then we will fight against you until Allah has granted us victory over you.

This negotiation proves that the liberation of IslamicJerusalem is indeed a *Fatih* according to the first criteria, because it has good intention as its purpose. It also follows the Islamic rule of *Jihad*, which is offering Islam as the first option and *Jizyah* as the second option. Furthermore, the purpose of *Fatih* of IslamicJerusalem is not an individual target, it is a continuous mission and a noble legacy from Prophet Muhammad to Abu

Bakr, Umar Ibn al-Khattab, and all Muslims to liberate Islamic Holy Land from occupation and injustice. Therefore, the researcher firmly argues that the vision of this *Fatih* was stated in the message and hadith of Prophet Muhammad and became his legacy to his companions and followers.

Nevertheless, as discussed in the theoretical framework, the researcher argues that the claim from Sahas is one of the reasons why a firm description for measuring purpose should be considered. Because in Sahas' point of view, Sophronius and Heraclius also had good intentions during their rule of Islamicjerusalem of protecting their own Holy Land. Although, if one insists that Sahas' claim is true, the period during Sophronius and Heraclius still could not be considered a *Fatih*. This is because they could not fulfill the other criteria of positive process and outcome. Furthermore, it also strengthens the argument of the researcher that the exact criteria of the noble should be stated alongside it, thus eliminating the ambiguity of this element. The researcher argues that the purpose of Islam and *Jihad* itself would suffice as the purpose of a *Fatih*. Bearing this in mind, the researcher rejects Sahas' claim that the intention of Sophronius and Heraclius towards their rule in Islamicjerusalem is the good intention of a *Fatih* because it is not the same as the aims of Jihad.

3.2 The Process of the First Muslim *Fatih* of Islamicjerusalem: The Bloodless Liberation

After determining that the liberation of Islamicjerusalem by Umar Ibn al-Khattab fulfills the first criteria of a *Fatih*, the researcher will attempt to analyze the second categorization, which is the process of the event. Moreover, since this research will focus on the history of Islamicjerusalem and life in Islamicjerusalem during the first Muslim *Fatih* as a critical period, it is important to completely grasp the literature on the history of the region during that time. This is because Islamicjerusalem's history is closely linked to interfaith ties in the region. Therefore, the history can be divided into two eras, apart from the time frame: under the Muslims and non-Muslims. This is because of the religious attachment to Islamicjerusalem of three major monotheistic religions in the world. As Keel (2017) put it, "[Islamic]Jerusalem is a holy city which has served and continues to play an important part in adherents of Judaism, Christianity and Islam. For Judaism, [Islamic]Jerusalem is the site of their version of the "first and second temples". For

Christians, IslamicJerusalem is the place where Jesus Christ was crucified and resurrected; and for Islam, it is where the Prophet Muhammad's ascended." However, as Al-Ratrout (2013) argues, the existence of the "Jewish temples" could not archaeologically be proven. For Judaism, IslamicJerusalem is a place where the Prophet Muhammad's ascendance is located. According to al-Ratrout, in the 1990s, Mier Ben-Dov and Dan Bahat's archeological exploration indicated that Roman work in Al-Aqsa mosque's northern area did not reflect the assumption of the Christians. The Roman work was not completed in the second half of the first century, thus, it was not a "Jewish temple" which was said to be destroyed in the first century CE. Therefore, this statement clarifies that the researcher rejected the usage of the word "temple" when a literature source referred to the Al-Aqsa Mosque or other worship place.

On the other hand, the fact that the history of IslamicJerusalem includes violence, isolation, abuses and invasion may also be related to the fact that IslamicJerusalem for the three Semitic faiths is a holy place. As Prior (1999) stated, the religious meaning that later emerges in a more wide-ranging, domestic and international sense, is the only reason IslamicJerusalem is considered significant. In addition, the presumed intolerance of monotheisms can also sometimes be associated with the history of the conflict in the region (Meddeb, 2013). Meddeb claims that some religion's followers in power treat others as inferior as if it was part of their rights. In some circumstances, as a result of their persecution, it was normal for minorities to abandon their religion in favour of rulers' religion. However, one cannot justify Meddeb's claim. Indeed, the exclusion policy has been implemented by all rulers of IslamicJerusalem except for the Muslims authority. The people of various faiths would be excluded from the land before Muslims ruled the region. IslamicJerusalem, for example, was the Jewish state capital in 63 BC, as explained by Wilkinson (2000), with 2/3 of its population as Jews. The non-Jewish population, as the sources available are both Jewish or anti-Jewish, is difficult to find out, Wilkinson states.

After the defeat of the Jews in 70 CE and 135 CE, the Jewish population in Aelia (IslamicJerusalem) decreased to one-third and continued to decline until no Jews were left. Under Byzantine rule, Aelia (IslamicJerusalem) quickly became a Christian town. As for the wider Palestinian territory, the following figures, as presented by Wilkinson (2000) from Eusebius and Avi-Yonah, explain the policy of exclusion in Palestine during

the Byzantine era. The researcher argues that although some may think these numbers are exaggerated, it shows the drop of Jewish residents and the destruction of worship houses. According to Eusebius of Caesarea, out of 287 villages in 337 CE, 11 of them are Jewish villages, 6 are Samaritan villages and 3 are Christian villages. In addition, 260 churches, 85 Jewish synagogues and 11 Samaritan synagogues were excavated from 356 religious buildings that existed during that period.

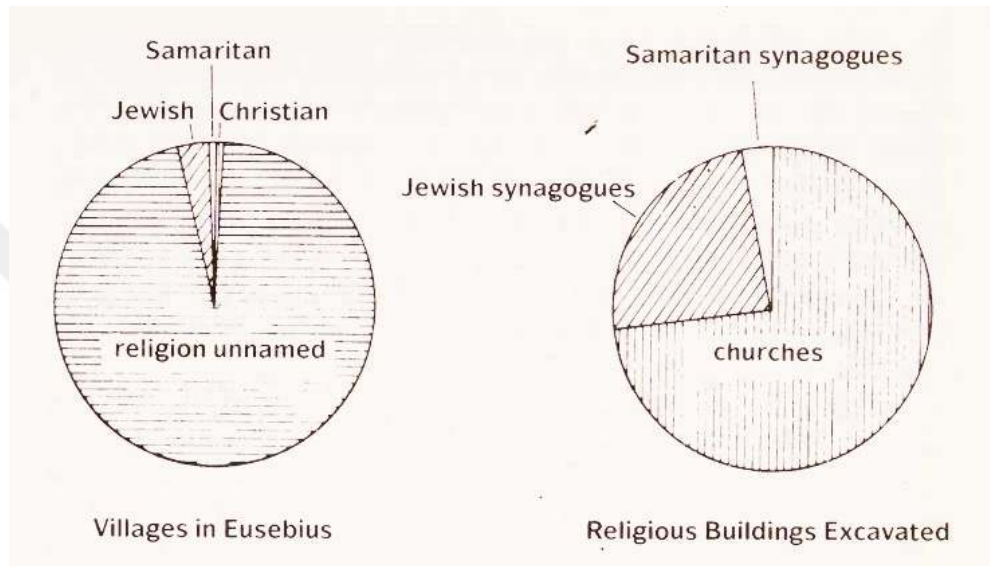


Figure 12. Eusebius' Count of Religious Villages in Palestine and Totals of Religious Buildings Excavated in Palestine (Wilkinson, 2000)

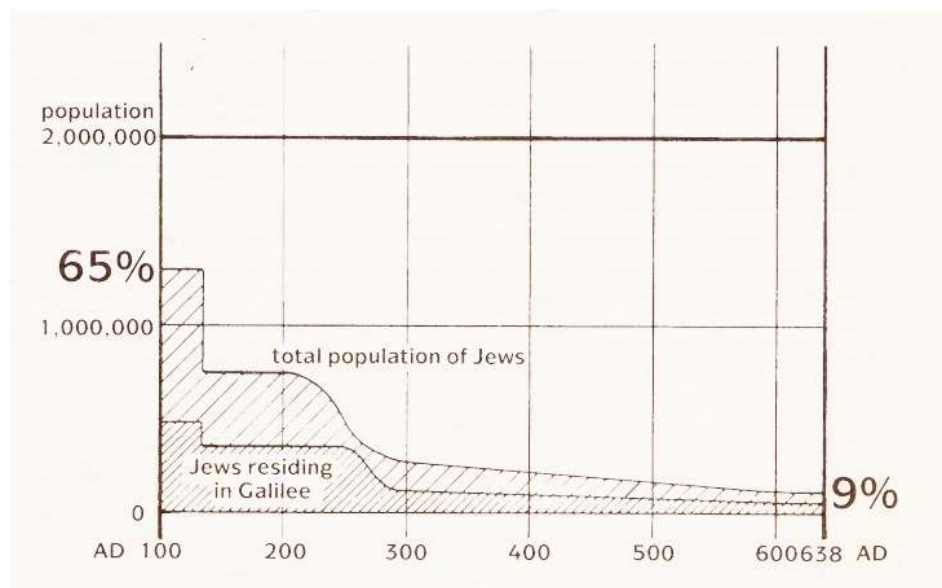


Figure 13. Diagram of Avi-Yonah's Estimation of Jewish Residents in Palestine during the Byzantine Era (Wilkinson, 2000)

Revel-Neher (1992) describes the situation of Islamic Jerusalem during the Byzantines,

“Emperor Hadrian forbade the Jews either to live in Palestine or to visit their country immediately after the fall of Betar. Aelia Capitolina was built in the ruins of Jerusalem in 135. Again, Jews were barred from living or passing through Jerusalem. But the difference was that on the 9th Ave, the anniversary of the destruction of the temple, the Jews were allowed to remain in Jerusalem for the first time, lamenting the ruined lands.”

The short era of Persian rule (614 - 628 CE) that interrupted the long period of the Byzantine in Islamic Jerusalem was also filled with exclusion. Wilkinson (2000, p. 102) states that,

“When [Islamic] Jerusalem was besieged by the Persians, forty days later many of the populace were massacred. Many of the prisoners were brought to Mamilla's pool and taken as slaves or killed there, and 33,877 of those were recorded killed. In addition, prisoners were taken from their capital Ctesiphon to bring the remnant of the Cross from the Holy Sepulchre.”

Thus, Muslim authority became Islamic Jerusalem's most peaceful authority. It was also the longest time of sovereignty, lasting 12 centuries when the right to worship and to settle peacefully in Islamic Jerusalem was granted to all faiths and religious practices. Yet Umar Ibn al-Khattab's stance of non-exclusion did not come out of nowhere. According to Schick (2008, p. 48), the converting of church buildings into mosques is one aspect which did not happen beforehand. Early Muslims decided not to take over church buildings and adapt them to Muslim worship place. Instead, Muslims created different constructions for their mosques.

This decision required a brave enough initiator to break the common construction of society. This major turning point began in the period of Umar Ibn Al-Khattab after the first Muslim *Fatih*. The researcher argues that Umar Ibn Al-Khattab practiced the principles of Islam as exemplified by Prophet Muhammad in writing a document allowing the Jews to deal freely with their religion and wealth, along with mutual obligations between the Jews, the Anshars and the Muhajiruns in Madinah. In his book of Prophet Muhammad's biography, Ibn Hisham (2000) wrote this document in detail, including the following statement,

“Anyone of the Jews who follows us should have support and sympathy, and they shall not be oppressed, nor shall anyone be helped toward them” (p. 109). The Jews of Banu 'Awf are one community with the believers; each group has its own faith, allies, and people, except those who do injustice and inequality, hurting only themselves and their families. Anything prescribed for the Jews of Banu 'Awf applies to the Jews of Banu Sa'idah, the Jews of Banu Jusham, the Jews of Banu Al-Aws and the Jews of Banu Tha'labah, except those who do unjust and iniquity, thereby harming only themselves and their families. (p. 110).”

The researcher notes that Prophet Muhammad highly prioritised justice and equality, mentioning it twice in relation to the Jews. Prophet Muhammad also states that the Jews are one community with the Muslims. Thus, although the first Muslim *Fatih* marked the historical and monumental change of IslamicJerusalem, the foundation of the non-exclusion policy has always been the practice of Muslims. Armstrong (1997) argues that,

“Unlike the Jews and the Christians, Muslims were not trying to exclude others from the holiness of [Islamic]Jerusalem. Umar was careful to make sure the holy places of the Christians continue in their ownership. Umar also permitted the Jews, who had been strictly prohibited from permanently living in Jerusalem for over 500 years, to return to their holy city. It's now an open land for the first time in [Islamic]Jerusalem that embraces people to enter or stay in spite of their religious belief, ethnicity, or origin.”

The researcher agrees with Armstrong’s argument and her other statement,

“Just like how Makkah voluntarily opened its gates to the Muslim army without bloodshed in 630, Umar Ibn al-Khattab did the same with the *Fatih* of [Islamic]Jerusalem later on. Umar presided over the most peaceful and bloodless *Fatih* that the city had yet seen in its long and often tragic history.”

In fact, according to Yatiban (2005), this timeframe has constituted an essential pivotal moment in Muslim Arab East history and world history. Al-Waqidi (2005) describes how the decision of Umar to come to IslamicJerusalem personally was related to the pursuit of peace and security in IslamicJerusalem in the Muslim victory. In addition, Ali has been stated as saying that the Muslims are suffering much because of the cold, fighting, and lengthen camping. Thus, Ali said to Umar, “I feel that if you go to them, Allah may conquer the city at your hands. Thereafter there will be peace, security, and

victory for the Muslims.” Umar agreed to this reasoning and went to Islamicjerusalem with his companions immediately.

The arrival of Umar himself to complete the *Fatih* of this region and to give assurance to its inhabitants proves that the first Muslim *Fatih* of Islamicjerusalem was a very significant moment compared to the *Fatih* of other regions during Umar’s era. The researcher argues that one of the possible reasons why Umar decided to implement the *Fatih* of Islamicjerusalem is to ensure he accomplished the legacy from Prophet Muhammad and Abu Bakr who were the leaders of Muslim *ummah* before him. At the same time, Umar Ibn al-Khattab also wanted to ensure that the process of this *Fatih* was carried out using Islamic principles such as justice, lawfulness, and compassion towards others.

3.3 The Outcome of First *Fatih* of Islamicjerusalem: A Turning Point in History

The outcome of the first *Fatih* may be investigated at three levels of analysis: at individual level, society level, and international level. For the individual level, the details will be discussed in the following chapters, including the security, safety, and freedom of each individual from different backgrounds. For the society level, the next chapter will discuss whether the *Fatih* of Islamicjerusalem had successfully presented a new form of society never seen before. The researcher will attempt to analyze whether Islamicjerusalem became a multi-religious and multicultural society that allowed the inhabitants to follow different religions with the ruler’s religion. As Abu-Munshar (2016) argues, the first Muslim *Fatih* of Islamicjerusalem by Umar (637 CE/16 AH) is the beginning of a new chapter of the region’s history.

For example, Fatimatuzzahra (2005) presents evidence of this through her calculations of the population of Islamicjerusalem before and after Muslim rule. According to her research, after the first Muslim *Fatih* of Islamicjerusalem, new Muslim settlers came from various territories (from Yemen in South to Khurasan in north), resulting in a significant increase of Muslim inhabitants (20.000-30.000). However, the population of Christians increased even higher, to around 120.000-240.000 people. Fatimatuzzahra also highlights that Jews became new settlers in the Southern part of the city, near Pool of Siloam (after 500 years forbidden) with the first Jews that settled

immediately after the *Fatih* totaling up to 70 families. The summary of these numbers has presented in the following table:

Inhabitants' Religion	Origins/Location	Increase of Population
Islam	From various territories (from Yemen in South to Khurasan in north)	20.000-30.000
Christianity	Betlehem, Bethany, Bethel, Jaffa, Nazareth, Ascalon, Jericho, Nablus, Caesarea, Hebron	120.000-240.000
Judaism	New settlers in the Southern part of the city, near Pool of Siloam	70 families immediately after the <i>Fatih</i> , continued to increase

Table 5. The Increase of Population in Islamicjerusalem after the *Fatih*

Source: Fatimatuzzahra (2005)

In addition, besides being a turning point for Arab Muslim history, the Muslim *Fatih* of Islamicjerusalem is also a turning point to the history of this land. The process of the opening up of this region that was carried out in peace and in a just way confirms that this historical event is in fact a *Fatih*, not an occupation. For the international level, the researcher argues that the Muslim *Fatih* of Islamicjerusalem brought broader, positive changes to other nations. Specifically, this international analysis will use the aforementioned new geopolitical theory by El-Awaisi (2019), the Barakah Circle theory of Islamicjerusalem, as the framework. This theory explains that the outer circle of the Islamicjerusalem region will experience *Aman* if *Aman* is established in Islamicjerusalem.

At the time, the Arabian Peninsula was situated between two world powers: the Byzantines and the Sassanids. For Arab Muslims to survive in this international arena, unity was necessary. Thus, the main focus of Prophet Muhammad and Abu Bakr as the first Caliph was to make the Arab Muslims united as a Muslim state. Afterward, Umar Ibn al-Khattab as the second caliph started to expand Muslim territories confidently with this Muslim *ummah*. One of the most remarkable *Fatih* during Umar's rule was the *Fatih* of Islamicjerusalem. The previous Muslim armies that only consisted of the Arabs within the Arabian Peninsula now expanded and involved people from different races. The

concept of local Muslim *ummah* was transformed into an international society that changed the course of history.

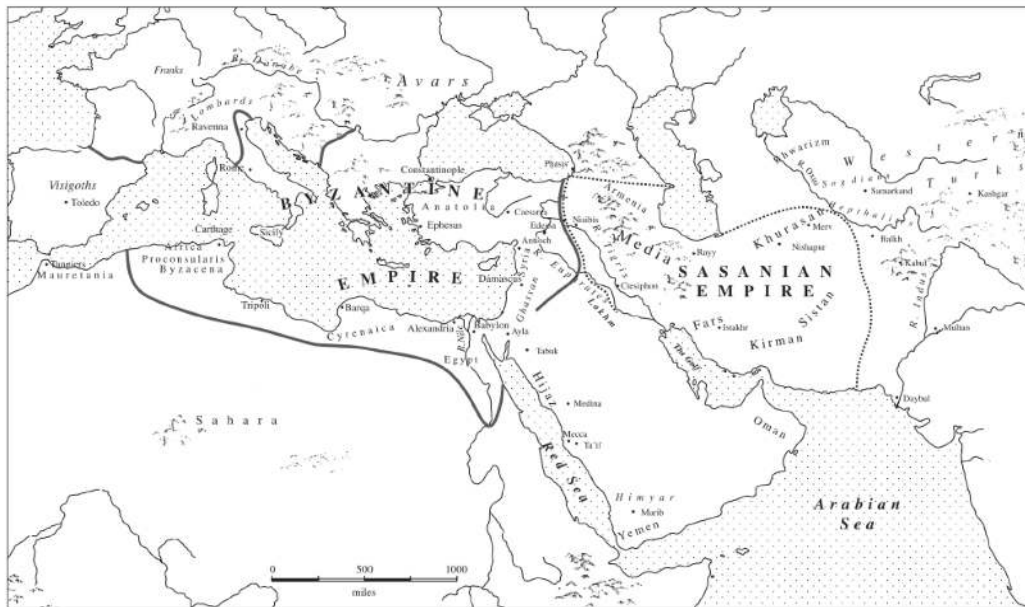
Since Islamic Jerusalem's first Muslim *Fatih* caused significant territorial damage to Byzantine, Muslim armies were then able to set the biggest pre-modern empire, with estimates of the scale of the Islamic caliphate at its peak at over 13 million square kilometers (Blankinship, 1994). Indeed, this demonstrates the radical changes for the Arab Muslims caused by the *Fatih*. This allowed the peaceful message of Islam to spread even more widely. Muslims had previously been limited to the Arabian Peninsula and neighboring Byzantine and Persian Empires. These empires had weakened and the Arab Muslim army promptly took over large areas which formerly belonged to the Byzantines and Persians and expanded even beyond these lands to the east and west (Alkhateeb, 2014).

The expansion of the Muslim Ummah concept is one of the most crucial outcomes of the *Fatih* of Islamic Jerusalem. Before the *Fatih* of Islamic Jerusalem, almost all Muslims were Arabs, and in the early years of the *Fatih*, the terms Arab and Muslim could be used interchangeably to describe the armies (Kennedy, 2007). However, as Kennedy points out, using these words interchangeably would later be misleading, along with a change in the course of history. Arabs have only led to the establishment of Muslim armies that have conquered North Africa, Spain and Central Asia. Religious identity has replaced ethnic identity as it has been identified as an Islamic army.

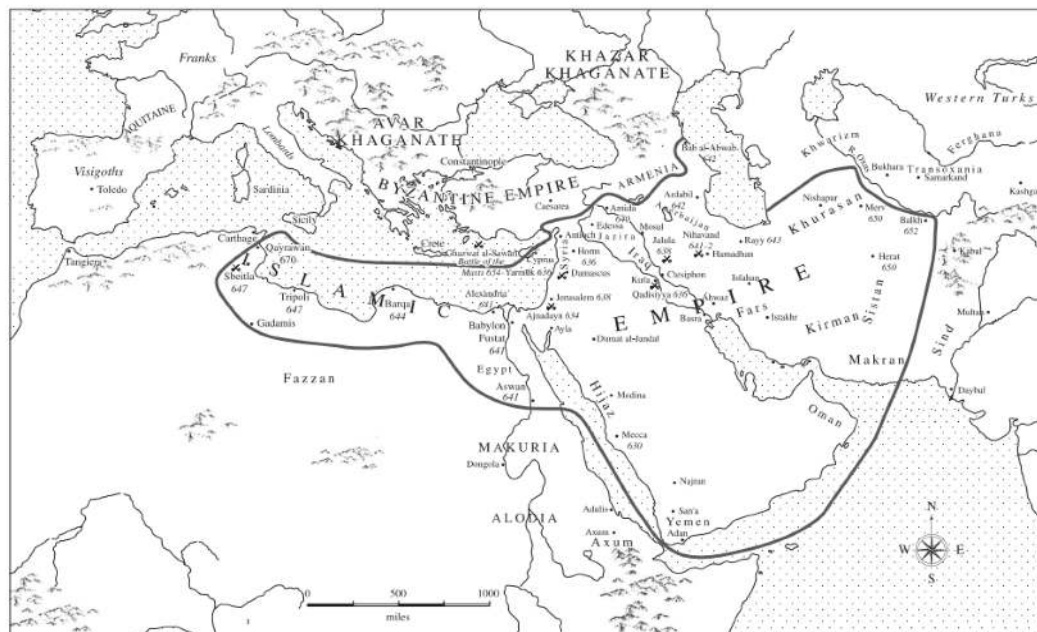
The Muslim *ummah* consisted of people from different races after Islam expanded beyond the Arabian Peninsula due to the domino effect of the *Fatih* of Islamic Jerusalem. For example, Kennedy (2007) was impressed by the transformation into a united Muslim society of the diverse populations of Syria who spoke Greek or Aramaic, of Iraq that spoke Persian or Aramaic, of Egypt that spoke Greek or Coptic, of Iran that spoke Pahlavi, and of North Africa that spoke Latin, Greek, or Berber. All of these lands, along with Spain, Portugal, Uzbekistan, Turkmenistan, and Southern Pakistan were ruled by Arabic-speaking leaders and were beginning to convert to the new religion. Thus, Kennedy (2007) could only conclude that the Arab *Fatih* had a major impact on human history and shaped the world today. At the same time, the researcher argues that these diverse languages indicate the process of a *Fatih* that did not force the culture and language of a

region to be changed. Instead, a *Fatih* will preserve and even treasure the culture of the population.

To comprehend the impact of this *Fatih* based on geographical perspective, one may investigate these maps by Hoyland (2015):



Map 4. Map of the World on the Eve of First Muslim *Fatih*. Source: Hoyland (2015)



Map 5. Map of the Arab Empire in 685 CE. Source: Hoyland (2015)

However, these conversions to Islam by the inhabitants of new Muslim territories were not based on compulsion. In fact, the *Fatih* liberated the inhabitants to implement their own religion. Al-Tel (2003) argues that Islamic Jerusalem's first Muslim *Fatih* liberated Christians, particularly those from the Aelia area, from the Byzantine's religious oppression. This can be seen evidently by Muslim ruler's policy to Christendom in the region of Aelia, they have not interacted with their internal religious issues. They also gave the freedom for every religious sect under Islamic rule. However, some of the major changes were evidently occurring among the Arabs as they realized the *Fatih* had become a reality and no resistance was expected anymore. So, they started to accept Islamic rule as a reality and felt that a new chapter had begun in the region's history.

In short, as al-Tel argues, the population of Syria has rejected and tried best to resist the Muslim *Fatih* even though they disagreed with their religious concerns, particularly with regard to the character of Christ. In every battle in the region, the Arabs of Syria had supported the Byzantine forces. However, after the Byzantines had been defeated, the Arab tribes in Syria started to change their attitudes towards Muslims. They start looking into the new phase, the Muslim rule, as a fact. Moreover, soon after the *Fatih*, a significant proportion of Arab tribes converted to Islam.

All of these internal and external changes that have taken place in the Islamic Jerusalem are related to the concept concept of sovereignty in Islam. According to Yatiban (2005), the Muslim concept of sovereignty encompasses sovereignty over the people and over the land. Umar Ibn al-Khattab, through his status as leader of the Muslim Ummah and as a political and military leader, proved himself to be the owner of sovereignty over the people. The Muslim *Fatih* of Islamic Jerusalem transferred the sovereignty of the land from Byzantine to Muslim, represented by Umar Ibn al-Khattab. Thus, Umar managed the people and the land through his sovereignty and inclusive vision. This inclusive vision is just as important as the ownership of sovereignty because, as El-Awaisi (2007) argues, sovereignty could result in dictatorship and exclusivity if there is no inclusive vision.

The effect of the *Fatih* of Islamic Jerusalem on the Arab Muslims and the perception of others towards them proves that this event is indeed a positive historical turning point. Nonetheless, the effect of the *Fatih* to the region and its inhabitants still

invites debates until today. For instance, Lassner (2017) claims that IslamicJerusalem was not regarded as a place of great religious importance by Umar Ibn al-Khattab. According to Lassner, Umar did not build a mosque from the ground up until the reign of Abd al-Malik or al-Walid in the late seventh or eighth century. Lassner is supported by Gabbar, another Orientalist scholar, who argues that Umar had no thought of making IslamicJerusalem a visual symbol of the new order.

The effect of the *Fatih* of IslamicJerusalem on the Arab Muslims and the perception of others towards them proves that this event is indeed a positive historical turning point. Nonetheless, the effect of the *Fatih* to the region and its inhabitants still invites debates until today. For instance, Lassner (2017) claims that IslamicJerusalem was not regarded as a place of great religious importance by Umar Ibn al-Khattab. According to Lassner, Umar did not build a mosque from the ground up until the reign of Abd al-Malik or al-Walid in the late seventh or eighth century. Lassner is supported by Gabbar, another Orientalist scholar, who argues that Umar had no thought of making IslamicJerusalem a visual symbol of the new order. Yet another claim regarding the *Fatih* of IslamicJerusalem is given by Kennedy (2007) who claims that the event of the Muslim conquest is a tale of cruelty and destruction. After the conquest, Kennedy states, the Arabs exploited the enormous resources that had fallen into their hands. Lassner's claim could be eliminated by describing the concept of a mosque in Islam that does not need a congregational building since it only needs *qiblah*, location, and border; also by explaining how Umar demarcated the area of mosque immediately after he conquered the city (Roslan, 2017; Ratrout, 2014). As for Kennedy's claim, Armstrong (2005) argues that "the Muslim *Fatih* was the most peaceful conquest and Muslims successfully established a system to let people live in harmony".

In addition, Avni (2011) states that some scholars claimed that the Muslim conquest caused the total collapse of large classical cities, turning them into small medieval towns. However, the facts contradict these claims. Avni concludes that the archaeological evidence does not support claims for the constant decline of IslamicJerusalem during the early Muslim period. Rather, it points to a clear pattern of continuity between the Byzantine and the early Muslim period, with a very slow and gradual change. Fatimatuzzahra (2005) argues that these gradual changes are part of the

transformation of Islamic Jerusalem by Umar Ibn al-Khattab. Umar did not change the way its inhabitants lived immediately - instead, he facilitated their traditions and cultures. For example, Umar still addressed the inhabitants of Islamic Jerusalem as the people of Aelia in his assurance of *Aman*. He used this terminology because it was the name that people of the region knew and understood. Furthermore, as argued by Fatimatuzzahra, the inhabitants of the region did not show any rejection towards Umar's decision and policy, thus indicating their satisfaction with Muslim rule. All these improvements in the society of Islamic Jerusalem made it clear that this event may be categorized as a *Fatih* because it presented a positive outcome.

For the Muslim *ummah*, the historical effect of the *Fatih* of Islamic Jerusalem was the broadening of the concept of the *ummah*. The Muslim *ummah* was not limited to the Arabs within the Arabian Peninsula anymore. It became an international religion that kept on expanding until it reached the whole world as one of the major religions with 1.6 billion adherents. Hence, based on all these historical facts, the Muslim *Fatih* of Islamic Jerusalem was indeed a radical turning point in history that changed Arab Muslims' history, Islamic Jerusalem history, and world history as well. The Islamic and international Muslim *ummah* nowadays might not be the same without this historical event that broke through the geopolitical shell that had confined the Muslims before the *Fatih*. Furthermore, all the positive transformations that occurred after Islamic Jerusalem under Muslim rule make this an event to be regarded as the most monumental *Fatih* in Muslim history. This is because it opened up whole new opportunities to spread the values of Islamic teaching and honor the virtues of Islamic Jerusalem that seemed to be nearly impossible during the earliest period of Islam and during the occupation of the Holy Land by the Byzantines and Sassanids. At the same time, this *Fatih* of Islamic Jerusalem becomes a symbol of hope for Muslims today to be united and to liberate the Holy Land in the future.

Conclusion

The first Muslim *Fatih* of Islamic Jerusalem has fulfilled the three criteria of a *Fatih*, of positive purpose, process, and outcome. Historical evidence shows that Prophet Muhammad, Abu Bakr, and Umar Ibn al-Khattab aimed to liberate Islamic Jerusalem as one of the most significant lands in Islam from its previous occupation, injustice,

oppression, destruction, and massacre. Prophet Muhammad, through his hadiths, stated that the liberation of Islamicjerusalem and its prosperity must be a vision for his companions and followers. Prophet Muhammad's strategic plan towards the liberation of Islamicjerusalem through sending a letter to Heraclius, Battle of Mu'tah, Battle of Tabuk, and mission of Usamah also indicates that he placed a high priority on this *Fatih*. During the process of the *Fatih*, Umar Ibn al-Khattab ensured that the *Fatih* was carried out using Islamic principles such as justice and high regard to human rights. He did not use exclusion, destruction, or a massacre policy that had been used by the Byzantines and Persians as the previous rulers of Islamicjerusalem. Hence, the first Muslim *Fatih* presented a positive outcome of the establishment of a multi-religious and multi-cultural society. The *Fatih* of Islamicjerusalem also unified the Muslim *ummah* and allowed Muslim to spread the peaceful message of Islam even further outside the Arabian Peninsula.

CHAPTER FOUR

THE IMPLEMENTATIONS OF *AMAN* MODEL:

VISION, POLICY, SYSTEM

As explained in the theoretical framework chapter, the researcher formulates the discussion of *Aman* model in two phases: its vision as the first step and its policy and system as the second step. However, since El-Awaisi presents the *Aman* model as a result of his extensive research on Umar's Assurance of *Aman*, the discussion of this chapter will start from this historical document. According to the researcher, it is crucial to comprehend the position of this assurance from a legal perspective. Furthermore, since some scholars, especially Orientalist scholars such as Levy-Rubin tend to mix up Umar's Assurance of *Aman* with the Pact of Umar (Shurut Umar) in their discussion, the researcher dedicates a specific chapter to clarifying this matter. Subsequently, this chapter will investigate and analyze the implementations of the *Aman* model's elements in Umar Ibn al-Khattab's vision, policy, and system in Islamicjerusalem.

4.1 Umar's Assurance of *Aman*: A Legal Document of Peaceful Coexistence and Mutual Respect

Among the reforms carried out by Umar Ibn al-Khattab was the assurance of Anam (peaceful coexistence and mutual respect) which has become a crucial milestone in Muslim history. It allowed him to synchronize diversity in Islamicjerusalem and to ensure Muslims did not harm the lives, property, religious sites, crosses, or lands of residents of Islamicjerusalem. Thus, a groundbreaking policy by Umar Ibn al-Khattab, namely The Assurance of *Aman*, becomes a basis of the peace resolution process in Islamicjerusalem. Aladdin (2016) argues that Umar's Assurance of *Aman* is also implemented by Salahuddin during the second *Fatih* of Islamicjerusalem. To completely comprehend the context of the Assurance of *Aman*, one could refer to El-Awaisi's translation (2012) from the al-Tabari version on the appendix A.

Assurance of *Aman* is only one of many achievements under Umar Ibn Al-Khattab's rule. Jabnoun (2012) argues that all achievements under Umar's rule were important to consider with some of the main achievements of the Umar period: the division of the nation into states or provinces, modern agencies such as the military, jails, the department in which complaints were investigated, an autonomous tax directorate, and an annual convention for Muslims in Hajj. In view of all the achievements of the Umar listed here, more detailed research is required to study the practice of Islamicjerusalem governance during the first Muslim *Fatih*. This applies in particular to the decisions of Umar Ibn al-Khattab or to factors which have influenced the sustainability of peace in the region.

Furthermore, this Assurance of *Aman* is a starting point to ensure that Umar's new policy and system will be well-established in the region. This relates to the fragile situation of a post-conflict area that is vulnerable to falling into a conflict-trap. This conflict trap usually occurs in a country which has once experienced conflict or civil war, and is significantly more likely to experience additional episodes of conflict (Walter, 2011). However, this conflict trap did not occur in Islamicjerusalem during Umar's era. This is due to the fact that the freedom of life, religions, and properties were protected, the inhabitants of Islamicjerusalem accepted Umar's system and lived in harmony as a multicultural society for a long time.

Indeed, this assurance transformed the interrelationship between different religious groups and cultural backgrounds in the region. As an example –, Christians were granted religious freedoms in their places of worship. This means that Caliph Umar treated with respect the rights of follower of other religions, and, unlike orientalist's claim, Umar did never pressure anybody to give up their faith since Umar's poli'y was based on the teaching of Islam. The Quran and Sunnah guided them to respect differences of culture, religion, or gender. However, these Islamic values were constructed into legal actions in a written document and completed with witnesses to ensure it could be applied and trusted by the inhabitants. Umar's initiative to turn his promise into a written legal document also made the changes in Islamicjerusalem long-lasting as it became a canonical document for future reference.

As stated by the text of Umar's Assurance of *Aman*, Umar put the protection of inhabitants' lives and rights as the priority of peaceful coexistence. The next step would be to implement mutual respect amongst a diverse society. This step clearly differentiates the treatment of previous rulers who perceived the winner of war as superior and the loser as inferior. Umar put an end to this war model and fulfilled an inclusive vision by arranging a social system that could instigate citizens' reciprocal appreciation. For instance, interfaith conflicts between the ruler and inhabitants were the common norm for societies in Islamic Jerusalem before the first Muslim *Fatih*. However, Umar Ibn al-Khattab challenged this tradition of war and exclusion caused by religious diversity. Umar, through the bloodless *Fatih*, applied an inclusive vision for the region through his remarkable legal document named as the Assurance of *Aman*. This assurance allowed everyone with different religions, races, and backgrounds to live in peaceful coexistence and mutual respect.

Umar's Assurance of *Aman* successfully presented a system that reshaped the relationship between people with various faiths in Islamic Jerusalem (El-Awaisi, 2012). Through his promise to protect the citizens' lives, religions, and properties, Umar proved that Islamic Jerusalem could be the center of peaceful coexistence for people with diverse faith despite the previous bloody history of this region. He also rearranged social settings by expelling criminals and ensuring that everyone could participate in developing the region through financial contribution as *Jizyah*. This rights protection and social arrangement allowed everyone in Islamic Jerusalem to live in harmony and to respect each other.

Fatimatuzzahra (2005) concluded that Islamic Jerusalem's inhabitants were satisfied with all kinds of changes initiated by Muslims, including political, social, and religious changes, as indicated by the lack of resistance from the citizens. Through the values set out in the Assurance of *Aman*, Umar successfully implemented the Muslim concept of change aimed to instill *rahmah* (mercy) for all nations, in accordance with the Quran 21:107. Hence, Umar's Assurance of *Aman* should be the practical and philosophical reference in turning interfaith conflict into peaceful coexistence. Furthermore, history in Islamic Jerusalem has proven that Muslim rulers were the only

ones who implemented this inclusive spirit in the region and would always revive it in all times and places.

4.2 Umar's Assurance of *Aman* or Pact of Umar: A Clarification

Umar's Assurance of *Aman* as explained above is the source of the *Aman* model which was founded by El-Awaisi. Notwithstanding the discussion of Umar's Assurance of *Aman* as one of the most significant decisions by Umar Ibn al-Khattab to maintain *Aman* in the multicultural society, another dispute arises from the issue of Shurut Umar (The Pact of Umar). This text is exploited by Orientalist scholars as their foundation to confront Islam's peaceful image. Among these Orientalists, a particular scholar named Levy-Rubin specifically focuses on Shurut Umar in her writings. In Levy-Rubin's article titled "Shurut Umar and its Alternatives: The Legal Debate on The Status of the *Dhimmis*," she claims that Umar Ibn al-Khattab applied a pact (*shurut*) that discriminated non-Muslims (*dhimmis*) after the Muslim conquest of a city. Such discrimination included the restriction of *dhimmi* to live permanently where the Muslims are the majority. She also said that Umar put numerous restrictions for Christians such as to hide the cross, not to build churches, and even not to ring a bell (Levy-Rubin, 2005). To avoid misperception, these remarkable differences between Umar's Assurance of *Aman* and Pact of Umar need to be clarified before further investigation of the *Aman* model.

Notwithstanding Levy-Rubin's extended argument on the Pact of Umar, a Muslim scholar named Maher Abu-Munshar rejected the validity of this text. Abu-Munshar (2007) argues that this text does not qualify as a historical document attributed to Umar Ibn al-Khattab. According to Abu-Munshar, this controversial treaty called The Pact of Umar is unfamiliar to the teaching of Islam and did not conform to the sort of treaties that Muslims used to issue. Essentially, he relates this to the main problem regarding the Pact of Umar or Shurut Umar - its authenticity. In historical research methodology, to critically analyze a historical document, external criticism and internal criticism are required. El-Awaisi (2012b) uses this methodology in investigating the Orthodox version of Umar's Assurance of *Aman* and concludes that the document was modified and forged in 1953. Abu-Munshar argues that during the 17th century, a similar case also occurred when several documents were forged using Umar Ibn al-Khattab, Sultan Salim, and other Muslim leaders' names. Hence, it is well-known that a careful examination is needed in

analyzing a historical text. He combines historical research methodology with Islamic juristic methodology and audits the *Isnad*, scrutinizes the text, and assesses the attribution of the text towards Umar Ibn al-Khattab. Al-Jawziyah (2003) also notes that the four *Isnads* regarding Shurut Umar contain some uncertainty: the first chain from Abdullah Ibn Ahmad Ibn Hanbal did not describe the location of the city, and it includes the name of Ismail Ibn Ayyash who is a *Shaduq* (below the level of *Tsiqah*/trustworthy) narrator. Although Ibn Qayyim states that the *Isnad* of Shurut Umar is adequate, he notes that all other narratives such as Al-Khalal, Ibn Taymiyyah, and Al-Baihaqi also contain problems with their *Isnads*.

Furthermore, the text did not include the name of the city, indicating a shred of missing evidence to prove authenticity. This is especially bearing in mind some scholars' arguments that the Christians of Al-Sham proposed this pact, so that it would be unlikely for the inhabitants of the city to not ask to address the city name. Papaconstantinou (2013), in her review of Levy-Rubin's book, supports Levy-Rubin's claim that the Pact of Umar portrayed the norm in a society of conquerors and conquered. She even addresses the West's norm that prohibits the minarets and Eid sacrifice in Europe as a comparison with the conditions on Shurut Umar. This statement does not take into account the differences between the Islamic concept of conquest and mutual respect. According to Armstrong (1997), "Conquering Jerusalem [Islamicjerusalem] from the Byzantines in 638, Umar Ibn al-Khattab was true to this vision. Unlike Jews and Christians, Muslims did not seek to exempt anyone from Jerusalem's holiness. Umar made sure that Christians' holy places stayed within their possession."

Hence, from this examination of the *Isnad*, content, and attribution, the Pact of Umar does not reflect the attitude of Umar Ibn al-Khattab and therefore cannot be attached to him. In the same vein, considering the doubtful authenticity of the text, then Shurut Umar also cannot be attributed to Umar Ibn Abd al-Aziz as Levy-Rubin claims. Moreover, the attribution of Shurut Umar is not in line with other historical evidence such as the policy and system that Umar Ibn al-Khattab applied in Islamicjerusalem. Umar's policy and system were accepted by the inhabitants of Islamicjerusalem, as indicated by the lack of resistance. Fatimatuzzahra (2005) concluded that Islamicjerusalem's inhabitants were satisfied with all kinds of changes initiated by the Muslims, including

political, social, and religious changes. Among the changes that Umar Ibn al-Khattab implemented in Islamic Jerusalem was the Assurance of *Aman*, which became a fundamental landmark in the region's history. It assures that the lives, possessions, churches, crosses, buildings, or land of the inhabitants of Islamic Jerusalem will not be taken over or destroyed by Muslims. Umar's Assurance of *Aman* also shows the differences in Islamic Jerusalem's situation based on the application of exclusion policy. According to Roslan (2008), before Muslim rule, all the rulers of Islamic Jerusalem applied the exclusion policy. For instance, Jews were not allowed to settle in Islamic Jerusalem during the Byzantine period. The Jews were also reportedly poorly treated by the Byzantines. However, when Muslims conquered Islamic Jerusalem, this region became an open land where people, regardless of religion, race or background were able to enter or settle.

These historical facts demonstrate that it is Umar's Assurance of *Aman* that is the authentic document reflecting the teaching of Islam in its respect of peaceful co-existence among different religions. It proves that the history of Islamic Jerusalem in the early Muslim era is peaceful without any discrimination and applies to all humankind. It would be illogical if the Pact of Umar, which contained various restrictions toward other religions' activities and conflicts with Umar's Assurance of *Aman*, is attributed to the same person. It would also be unacceptable that Umar Ibn al-Khattab would apply something that opposes the Islamic principle of mutual respect.

Additionally, the misunderstanding of Islamic principles regarding inter-religious mutual respect caused Levy-Rubin to fail in grasping the concept of *Dhimmi* and *Jizyah*. For example, Levy-Rubin (2005, 2011) claims that in order to obtain the protection of lives, properties, and prayer houses, a *dhimmi* should pay *jizyah*, provide hospitalities, and other services to Muslims. Levy-Rubin also states that Umar Ibn al-Khattab applied numerous restrictions towards non-Muslims such as the prohibition on building new churches, showing crosses except for one day in a year, and sounding the *naqus* or bell. Truthfully, all of Levy-Rubin's journals and books are attempts to show that Islam is intolerance and full of hatred towards other religions.

However, Abu-Munshar (2012) argues that Levy-Rubin's interpretation is inaccurate. According to Abu-Munshar, to counter these negative impressions of *Dhimma*

and *Jizyah*, it is essential to clarify the meaning of these terms. The term '*Dhimma*' literally means 'pledge and guarantee'. It was the contract for protection that was made with non-Muslims when they agreed to live within the Muslim state and to pay *Jizyah*. As for the word *Jizyah*, it is derived from the verb *Jaza*, meaning 'he renders [something] as satisfaction or compensation [in lieu of something else]'. It is beyond doubt that Islam would never impose *Jizyah* as a punishment or compensation from non-Muslims for their lack of belief in God, as proven by the exemption for the poor, children, female, slaves, monks, and hermit. It is no more than an economic arrangement for a group of citizens to the state.

Furthermore, Abu-Munshar rejects Levy-Rubin's claim that Shurut Umar is the canonical document that influenced the attitude of Muslim towards Dhimmis. Instead, Abu-Munshar demonstrates that it is Umar's Assurance of *Aman* in Islamicjerusalem that is the canonical document which inspired other Muslim rulers such as Salah al-Din when he conquered Islamicjerusalem. Salah al-Din refused to destroy the church of the Holy Sepulchre and followed the principles of Umar's Assurance of *Aman*. Abu-Munshar (2010) also argues that Umar's Assurance of *Aman* has the same values as the Prophet Muhammad's decision in the Constitution of Madinah (*Sahifat al-Madinah*) since both documents include religious injunctions and principles that inspired the attitude of Muslim towards non-Muslim communities. Thus, without a single doubt, it proves that the Pact of Umar is not a canonical text nor a presentation of Islamic principle. Umar's Assurance of *Aman* with its historical evidence is the actual canonical text which successfully established peace and security for all inhabitants in Islamicjerusalem for centuries.

4.3 The Vision in Umar's Assurance of *Aman*

4.3.1 Implementations of Mutual Respect

As discussed above, mutual respect comes from the mindset that every human being is worthy of our respect. If an individual shows respect, others will reciprocate the attitude. The foundation of this lies in Umar's Assurance of *Aman* in addressing the rights of Islamicjerusalem's inhabitants before mentioning any other details. This reflects the

distinct character of a Muslim *Fatih* as opposed to an occupation. Under occupation, the inhabitants have no rights under the oppression.

As a result of Umar's demonstration of respect to Islamic Jerusalem society, Sophronius reciprocates respect for Umar by trusting Umar with the Christians' holiest shrine. Sophronius entrusted Umar with the keys of the Church of the Holy Sepulchre. Sophronius believed that the inter-Christian disputes would also disappear if the key was in the hands of a respected person. Later on, Umar passed the keys to one of his companions, Abd Allah Ibn Nasaibah (Abu-Munshar, 2007).

It is worth noting that, although in general this mutual respect did not exist during the Persian and Byzantine occupation due to the harsh relationship between the ruler and the inhabitants, Heraclius still showed respect to Prophet Muhammad's message. When receiving Prophet Muhammad's letter, Heraclius asked several questions to Abu Sufyan to affirm the validity of the last prophet based on his knowledge from the bible. Abu Sufyan's name at the time was Sakhr ibn Harb, he was not a Muslim during his meeting with Heraclius. He retold this story after he embraced Islam. Afterward, Heraclius even considered following Prophet Muhammad's invitation to Islam (as narrated in Al-Bukhari). Even though Heraclius did not follow Islamic practice at the end, the example shows that the credibility of a person could lead to the inspiring of respect in another person's heart (Bukhari, vol. 1, book 1, hadith 6).

Moreover, the embedded images of Prophet Muhammad and Umar Ibn al-Khattab in always proving their promises to other parties led to even greater respect for them. For instance, as reported by Ibn Khaldun, Heraclius had at first previously promised security for the Jews. However, he then terminated his promise due to his urge for revenge on the Jews. It contrasts with Umar Ibn al-Khattab's assurance where he truly carried out all of the statements addressed to the inhabitants.

4.3.2 Preserving of Human Dignity and Belonging

One of the social arrangements made by Umar Ibn al-Khattab through the Assurance of *Aman* is to expel the robbers and the occupiers that refer to Byzantine armed forces. Again, this is a contemporary tactic in peacebuilding called disarmament and demobilization. Zeeuw (2001) argues that disarming or demobilizing former armies will

make a major contribution to avoidance of war at the outset of the peace building process, as they are likely to disrupt the peace process in the future. Indeed, implementations of mutual respect would be difficult to accomplish if criminals still live among the inhabitants. Nevertheless, the Byzantine civilians or visitors, the inhabitants of Islamic Jerusalem, *Ahl al-Ard* or the refugees are all given the freedom to either remain or leave the region (El-Awaisi, 2018). This arrangement shows that Umar ensures the preservation of human dignity, even the dignity of the occupiers by only expelling them instead of slaughtering them like the previous rulers of Islamic Jerusalem.

In this matter, the previous rulers of Islamic Jerusalem even took or destroyed the most significant symbol of their enemies such as the True Cross or places of worship. For instance, as recorded in *Chronicon Paschale*, the Persians slew many thousands of clerics, monks, and virgin nuns. The Lord's tomb was burnt and the far-flung temples of God, along with, in short, all other precious things were destroyed. The venerated wood of the Cross was taken by the Persians, and the Patriarch Zacharias also became a prisoner (Sarris, 2011, p. 156). In comparison, during Umar Ibn Al-Khattab's time, all the crosses and churches were protected. Umar also did no harm to Patriarch Sophronius and let him perform the usual religious activities.

Thus, the Orientalists' view that portray the Muslim *Fatih* as a violent and destructive conquest has been proven wrong as many sites revealed the continuity of their functionality until centuries later (Walmsley, 2007). These facts were uncovered through excavation projects in the mid-twentieth century, thus indicating that the arrival of Islam in the region was archaeologically invisible. The term archaeologically invisible means that no mass destruction was traced in the buildings and properties in Islamic Jerusalem during the Muslim *Fatih*. Umar as a Muslim ruler displayed the act of preserving human dignity and belonging.

4.3.3 Fostering Diversity and Plurality

Fostering diversity and plurality by accepting and managing these is important in a multicultural society. As Abu Shammalah (2019) argues, one of the reasons why the conditions of Islamic Jerusalem at the end of Fatimid Caliphate worsened was due to the dispute between the Fatimids, the Seljuks, and among the Seljuks themselves.

Nonetheless, even this political diversity was nurtured in a positive way by Umar Ibn al-Khattab by allowing non-Muslims to participate in political posts. Some of them also held high posts in many public offices under Muslim rule (Roslan, 2018, p. 328). It is the opposite of the claim of Busse (1986) in stating that Muslims attempted to change the character of Islamic Jerusalem through Islamization of the region. According to Busse, Muslims tried to Islamize the region through three stages: intervening Christians in their religious celebration, building a mosque in the “Jewish temple”, and identifying the “temple” in Islamic Jerusalem as Al-Aqsa Mosque in Quran 17:1. The researcher argues that there was no Jewish temple in the initial phase, thus, the Al-Aqsa Mosque were not built at the top of other building. Al-Ratrout (2013) proved this in term of architecture and archeology, as well as the statement in the Quran 3:96 and hadith which states that Ka’bah is the first house of worship and Al-Aqsa Mosque is the second. The building of these two houses of worship was 40 years apart.

Moreover, the researcher rejects the claim of Busse by contrasting it to other historical manuscripts recorded by Penn (2015). According to Penn,

“In a period of just over thirty years, many Syriac Christians experienced no fewer than four changes of governance: Byzantine to Persian to Byzantine to Arab. Islam generally did not proselytize non-Arabs; conversion rates among non-Arabs remained low; local governing structure were left almost completely intact; and even the poll tax seems to have been more a gradual expansion of previous revenue structures rather than a radically new burden.”

This implies that the diversity and plurality in Islamic Jerusalem covered all aspects, including religions, culture, and language.

4.3.4 No Compulsion in Religion

During the first Muslim *Fatih*, Christians and Jews were granted the right to worship in their churches and synagogues. In fact, Penn (2015) highlights that even Syriac Christians historical manuscripts, such as letters from Catholicus Isho’yahb III, mention that Muslims honored and aided the church. This means that Caliph Umar respected the rights of the followers of other religions. Besides this, in contrast to the Orientalists’ claims, Umar never forced anyone to abandon their faith since Umar based his policy on treating others on the teaching of Islam as stated in Quran 49:13 and 2: 256 as proven by

the fact that until the late eighth century, the Christians in Islamic Jerusalem did not convert en masse to Islam. Catholicus Isho'yahb III himself as the head of East Syrian Church wrote in his letter that he opted to keep his bishops in line than in Islam (Penn, 2015). The researcher argues that this word choice indicates that Christians were free to choose and practice their faith.

Christian communities also continued to cater to their religious needs by restoring their religious buildings and erecting other religious buildings whenever necessary (Di Segni in Walmsey, 2007, pp. 120-121). These Islamic values were constructed into legal actions in a written document and completed with witnesses to ensure it could be applied and trusted by the inhabitants. Umar's initiative to turn his promise into a written legal document also ensured that the changes in Islamic Jerusalem would be long-lasting as it became a canonical document for future reference.

Umar changed the previous policy during the Byzantine era when the inhabitants were forced to convert to the same religion as the ruler. For instance, in 628, with the return of Byzantine rule in Palestine, the Byzantine victory was accompanied by a wave of persecution of the Jews throughout the Christian world. Both Christian and Muslim sources speak of Heraclius' edict of apostasy, intended to force all Jews in his kingdom to convert to Christianity. This edict evidently suited the policy of centralization and religious unity which Heraclius was resolutely trying to achieve now that he was crowned with the laurels of victory (Gil, 1997, p. 8). Heraclius even ordered the forced baptism of all Jews whom he referred to as "the faithless" within the empire (Sarris, 2011).

4.3.5 Acknowledgement, Recognition, and Appreciation of Others

To acknowledge, recognize, and appreciate others with different backgrounds and religions is difficult to instigate in a region with such a violent history as Islamic Jerusalem. For instance, when the Persians took the Holy City in 614 CE, the Christians were savagely massacred. The Jews were said to have bought Christians and slain them like sheep. Then, when the Christians ruled the city, they also massacred the Jews (Khalid El-Awaisi, 2019). The analogy of human beings being treated by others as sheep indicates the absence of this element of the *Aman* model.

However, Umar Ibn al-Khattab sincerely acknowledged, recognized, and appreciated other humans even when he held the highest position. In the researcher's view, acknowledging and appreciating others is more difficult to do when someone has the upper hand or position. However, Umar treated others with the same attitude. For example, after the *Fatih*, Umar Ibn al-Khattab saw the situation of Al-Aqsa Mosque as having turned into rubble. Umar cleaned the site himself using his robe to carry rubble (Al-Tabari, 1992). If Umar had seen the others as worthless subordinates, he could have punished them for what they did and instructed them to clean the site. Yet, because of Umar's action, the others immediately helped Umar. According to Sa'id Ibn Bitriq on Gil (1997), Sophronius also helped Umar clear away the debris. It exhibits that the cycle of revenge could come to an end if people acknowledge and appreciate each other. More importantly, this principle must be demonstrated by the leaders first, which is exactly what Umar and Sophronius did.

In the larger scale, as argued by Al-Shallabi (2017) in his book titled Biography of Umar, through providing Assurance of *Aman*, Umar let non-Muslims witness the beauty and novelty of Islamic values. Non-Muslims would see the truth that they never experienced before as they were being recognized and appreciated by Muslims. That being said, while the Christians in Islamic Jerusalem did not convert en masse to Islam by force, many non-Muslims choose to convert into Muslims because of the treatment they received. According to Al-Shallabi, this commonly happens in most countries which came under Muslim rule.

4.3.6 Respecting and Valuing of Other People's Rights

The element of *Aman* model of respecting and valuing other people's rights can be shown in another point that Al-Shallabi (2017) highlights, citing Jundi in his book *Al-Islam wa Harakatuh at-Tarikh*, that Umar Ibn al-Khattab and Muslim forces placed a high regard on their morals and attitude towards others. According to Jundi, it is the total opposite of the Byzantine army who destroyed the villages and farming land when they occupied a territory. The Byzantines even burned villages and never paid any compensation for what they did. They killed and persecuted the inhabitants without mercy.

The attitude and morals of Umar Ibn al-Khattab and Muslim forces are based on Islamic values, in which human blood is sacred in all cases and cannot be spilled without justification. It is not permissible to oppress women, children, old people, the sick or the wounded. The hungry must be fed, the naked clothed, and the wounded treated medically. The life, property, and honor of a *dhimmi* (non-Muslim citizen) are to be respected and protected exactly as that of a Muslim citizen. All of these rights were stated in Umar's Assurance of *Aman* and also in Umar's later policy. For example, the assurance states that he granted safety for the inhabitants' lives and possessions, their churches and crosses, and even their harvest. Umar had practiced what is now written in The Universal Declaration of Human Rights such that 'All human beings are born free and equal in dignity and rights'. One such proof of this is when Umar said to 'Amr Ibn al-Ash when 'Amr's son used his position to act unjustly towards an Egyptian commoner, "Since when did you enslave people who were born free from their mothers?" (Tanthawi, 1983, p. 145).

Moreover, according to Jaribah ibn Ahmad Al-Haritsi in his book Economic Fiqh of Umar Ibn al-Khattab (2017, p. 468, 473), Umar respected the rights of Tamim Al-Dari because Tamim received land in IslamicJerusalem from Prophet Muhammad as endowment (*waqf*). After the first Muslim *Fatih* of IslamicJerusalem, Tamim Al-Dari came to Umar and gave him a letter. This letter contained the statement of Prophet Muhammad when he endowed several villages and lands in Hebron, IslamicJerusalem to Tamim Ibn Aws Al-Dari. Umar immediately gave the land to Tamim and said, "You don't have the right to sell this land." Furthermore, according to Al-Haritsi (2017), Umar helped Tamim to cultivate this land to be a productive land and dedicated one third of it for *Ibn al-Sabil* (a needy traveler), one third for development, and one third for its inhabitants. In the researcher's viewpoint, Umar succeeded in respecting Tamim Al-Dari's rights and enhancing the economic value of his land leading to a more prosperous society. This was because Umar also recognized that *Ibn al-Sabil* and inhabitants also have the right to be supported financially.

4.3.7 Acceptance of Others

Armstrong (1997) argues that unlike the Jews and Christians, Muslims did not attempt to exclude others from Jerusalem's holiness. Umar was careful to ensure that the

Christians' holy places remained in their possession. Umar even invited the Jews, who had been forbidden to reside permanently in Jerusalem for over 500 years, to return to their holy city. For the first time in Islamic Jerusalem, it became an open land that welcomes people to enter or settle, without regard to their religion, race, or background.

One of the decisions indicating that Umar accepted non-Muslims as part of the multicultural society in Islamic Jerusalem is the *Jizyah* tax. An Orientalist, Levy-Rubin (2011), claims that in order to obtain the protection of lives, properties, and prayer houses, a non-Muslim should pay *Jizyah* and other services to Muslims. However, Abu-Munshar (2012) argues that Levy-Rubin's interpretation is inaccurate. According to him, it is beyond doubt that Islam would never impose *Jizyah* as a punishment or compensation from non-Muslims for their lack of belief in God, as proven by the exemption for the poor, children, females, slaves, monks, and hermits. It is no more than an economic arrangement for a group of citizens to the state.

Furthermore, El-Awaisi (2018b) argues that *Jizyah* was a way to encourage a sense of belonging and to commit them to the state because *Jizyah* will enable the society to contribute to the prosperity of the region, thus establishing a society based on mutual respect. Umar's concept corresponds with the modern concept of participatory acts as a priority in peacebuilding strategy, with one of the ways to achieve this as being through crowdsourcing or crowdfunding (Donais, 2014). Allowing others to participate in the development of a society means accepting them into society. It demonstrates the futuristic vision of Umar by solving a local problem that is also applicable internationally. Additionally, this also rejects the claim of Orientalists who said that non-Muslims were treated as second-class citizens under Muslim rule. It would be impossible for second-class citizens to contribute equally to the region's development and prosperity.

4.4 Umar's Policy and System in Establishing *Aman* in Islamic Jerusalem

4.4.1 Protection of Rights, Lives, and Properties

El-Awaisi (2012a) argues that among the early events during this visit, which emphasized his keenness to protect non-Muslim holy places, was Umar's refusal to pray either in the Church of the Holy Sepulchre or its atrium when he was visiting the place and was invited to do so by Patriarch Sophronious. Abu Munshar (2007) quoting

Eutychius, Sa'id Ibn al-Batriq, reconstructed the recording of the conversation between Umar and Patriarch. Umar's justification for his refusal was: "If I worshipped in the Church, you could then lose it and fallen out of your power; for following my death the Muslims might take it away from you, stating collectively that 'Umar worshipped here.'"

According to this account, it seems that Umar was not satisfied that his verbal explanation might be enough to convince the Muslims following his death not to change the church into a mosque. Umar wrote Sophronious a decree which read, "Muslims shall not pray on the stairs, unless they are one person at a time. But there, they shall not meet for a congregational prayer announced by the call to prayer." (Abu Munshar, 2007). The written decree indicates Umar's earnestness in guaranteeing the rights, lives, and properties of the inhabitants. This is because written documents have higher significance in legal terms that will be continued to be applied even after Umar has passed away.

Umar's approach is notably different from the previous ruler of the region. Under the rule of the Romans and Byzantines, Islamicjerusalem experienced destruction several times. For instance, when Titus and his army arrived in Islamicjerusalem in 70 CE, he completely destroyed the Temple and gave orders that the rest of it and the whole city be leveled with the ground. As described by Wilkinson (2000, p. 86), the only thing that Titus spared was the wall at the west of the city, to give protection to the Tenth Legion whom he left behind as the garrison, and the three towers at the north of the palace: Phasaël, Mariamme, and Hippicus. The Jews had been thoroughly defeated, and it would take sixty more years before they could gather enough strength to make their final stand against Rome.

4.4.2 Freedom of Belief, Practicing Religion, and Place

Walmsley (2007, p. 123) states that a good number of synagogues such as Khirbat Susiyah, located 60 kilometers south of the city of Islamicjerusalem, continued to function until the eighth or ninth century. Hence, the archaeological evidence from synagogues and churches has consistently shown that the change from a Byzantine Christian to a Muslim ruling authority in Syria-Palestine (including Islamicjerusalem) had little negative impact on Jewish and Christian religious life, either in the short or the medium term. Furthermore, according to Walmsley (2007), recent archaeological and

architectural studies have indicated that Jewish and Christian communities in IslamicJerusalem managed to adapt positively to the circumstances after the *Fatih*. This means that Umar Ibn al-Khattab granted freedom of belief and freedom of practicing religion throughout his leadership.

Indeed, Umar has shown a notable difference with the policy of the Persian and Byzantine era where people could get killed when they refused to follow the same religion of the ruler's faith. A Jewish historian, Moshe Gil (1997) quoted the description by Antiochus Eustratios whose name is dwindled to Strategios, a monk captured by the Persians in [Islamic]Jerusalem,

“Christians were murdered due to their refusal to accept Judaism. He also accuses the Jews of destroying the churches. The same decree was also done by the Byzantine rulers who executed the Jews or forced them to be Christians.”

However, in contrast, as Gil (1997) stated, Umar allowed the inhabitants of IslamicJerusalem to travel or reside anywhere,

“During the more than four hundred years of Muslim rule, the Jewish population continued to exist. As to the conquest [*Fatih*] itself, it marked an important turning point in the annals of the city of Jerusalem and the history of the Jewish population in Palestine, the return of the Jews to Jerusalem and the establishment of a Jewish quarter within its confines.”

4.4.3 Security for the Inhabitants of IslamicJerusalem

The elements of security in the *Aman* model consists of four sub-elements; freedom of movement, support, citizenship, and no interference in their lives. However, the researcher argues that in order to provide these sub-elements, security itself must be guaranteed. A secured region will present a conducive environment that allows people to move freely inside and outside regions, benefit from offered support and citizenship, and eventually become content in their unrestricted way of life. The freedom to live and act based on one's own culture, habits, religion, language is the ultimate result of *Aman* in a multicultural society.

In an effort to provide this security, Yatiban and Fatimatuzzahra (2012) found that Muslim sovereigns employed two major strategies to secure the region and its population from any attack outside the territory as well as preventing any kind of internal

aggressions. The first practical step was to send the *Jund Filastin* army and establish military stations of IslamicJerusalem. Umar Ibn al-Khattab appointed Alqama Ibn Hakim in Al-Ramlah (Ludd/Lydda) and Alqama Ibn Mujazziz in Jerusalem (the City of IslamicJerusalem) as commanders in each station (Al-Tabari, 1992). In addition, Yatiban and Fatimatuzzahra concluded that the Muslims also employed *al-ribāt* (watch-post) systems in several significant military garrisons, which seemed to be effective in facing outside enemies. Since the Byzantines as their main rivals during that period had a strong naval army, Muslims had strategically emphasized the security of vulnerable spots along the coastal area. Therefore, they initiated the establishment of more military garrisons along that area such as in Caesarea, Arsuf, Jaffa, and Ascalon.

These steps to ensure security within the region confirm Umar's understanding of the substance of security to establish *Aman*. Umar prevented potential threats of conflict that might arise from any attack or aggression. Thus, apart from the land reform and ownership system that Umar established such as the individual ownership system, collective land-ownership system, crown lands and state landlordism, private landlordism, and peasant-proprietorship (Ismail, 2010), Umar made the decision to not divide gained land through *Fatih* to the soldiers. According to Al-Shallabi (2017), amongst the reasons why Umar Ibn al-Khattab did not divide land after the *Fatih* including IslamicJerusalem is related to internal security matters. It would stop the possibility of internal separation and war between society. At the same time, it would provide fixed income sources for the nation and society, and also provide primary needs for future generations. This income source would support military expenses to protect the nation from attacks originating outside, especially in such a significant region as IslamicJerusalem.

As a result of Umar's system and policy that guaranteed the safety of IslamicJerusalem region and its inhabitants, there are numerous aforementioned historical records that show the freedom of movement by people traveling from and to IslamicJerusalem. In terms of the aspect of support, Al-Sha'b in Al-Tel (2003) notes that "Umar Ibn al-Khattab implement the register system (*Diwan*) after the *Fatih* and after the *kharaj* (taxes) were gathered. Umar had taken this step, i.e. the register (*Diwan*) and the taxation system to allow Umar to manage salaries ('*Ata*') and *Rizq* (food and clothing)

would be distributed to every Muslim after the *Fatih*” (Al-Tel, 2003). This social security system is important to support peaceful coexistence and mutual respect. This is because economic inequality and deprivation might be a greater hindrance to peace in multiculturalism than diversity itself (Letki in Yaqin, 2018). Hence, better economic equality reduces the causes of conflict arising from the unequal distribution of resources.

Furthermore, in accordance with the aspect of citizenship and no interference in their lives, as quoted by Abu-Munshar (2006), Yusuf al-Shammas al-Mukhallisi, a Lebanese Christian monk who wrote on how Muslims treated Christians at that time stated that, “Except in paying the *Jizyah*, the Muslim conquerors have not interfered with anything; they kept everything as it was before.” The researcher argues that this statement highlights both the citizenship and no interference aspects since *Jizyah* is considered as a participatory act from a citizen to also receive rights as a citizen.

Conclusion

Among the changes that Umar Ibn al-Khattab implemented in Islamic Jerusalem was the Assurance of *Aman*, which became a fundamental landmark in the region’s history. This legal document assures that the lives, possessions, churches, crosses, buildings, or land of the inhabitants of Islamic Jerusalem will not be taken over or destroyed by Muslims. This assurance became the inspiration for El-Awaisi as the founder to develop the *Aman* model, including such elements as implementing mutual respect, preserving human dignity and belongings, fostering diversity and plurality, and applying the “no compulsion in religion” teaching. These principles led to the protection of rights, lives, and property, as well as protection of freedom and security.

Hence, it could be concluded that this assurance reshaped the relations between the people of different religions and cultures in the region. This assurance also represented the basic understanding of the Muslim concept of sovereignty and emphasized the role of the highest authority. It shows the differences of Islamic Jerusalem’s situation based on the previous application of the exclusion policy where before the Muslim rule, all rulers of Islamic Jerusalem had applied the exclusion policy. For instance, Jews were not allowed to settle in the city of Islamic Jerusalem during the Roman and Byzantine period. The Jews also were reportedly treated badly by the Roman and Byzantines. However, when

Muslims conquered Islamicjerusalem, this region became an open land where people, regardless of religion, race, or background were able to enter or settle.

In short, amid the history of Islamicjerusalem as the Holy City for three major religions contains layers of conflicts, expulsions, and persecutions; Umar Ibn al-Khattab achieved the remarkable accomplishment of resolving this conflict. Umar implemented the Muslim model of conflict resolution, conflict management, and conflict prevention. During the first Muslim *Fatih*, Umar Ibn al-Khattab established a new system that allowed all inhabitants of the region to live in harmony despite their religions, races, and backgrounds. Islamic principles ensures the spirit of inclusivity in multi-faith and multicultural society, and the history of Islamicjerusalem during Muslim *Fatih* has proven this. Muslim rulers were the only ones who implemented *Aman* (peaceful coexistence and mutual respect) in the region and who would revive it in all times and places.

CHAPTER FIVE

THE IMPLEMENTATIONS OF *AMAN* THEORY:

ELEMENTS AND PREREQUISITES

The historical background in the previous chapter has clarified that the first liberation of Islamic Jerusalem by a Muslim ruler is indeed a *Fatih* and not an occupation as proven by its positive purpose, process, and outcome. More importantly, the fifth chapter also proved that Umar Ibn al-Khattab had applied all of the vision, policy, and system in *Aman* model. Therefore, this chapter will scrutinize and analyze the first Muslim *Fatih* based on the elements of *Aman* Theory. The foundation of *Aman* theory as derived from Islamic principles will be embedded in all the elements. Sequentially, this chapter will also examine the prerequisite of *Aman* theory and whether or not Umar Ibn al-Khattab has implemented it.

The following discussion will also include the comparison between Umar Ibn al-Khattab's decision during his Caliphate related to Islamic Jerusalem and the practice of Persian and Byzantine towards the inhabitants of the region. The researcher uses this comparative approach to shed light on why each of the elements in *Aman* theory matters in Umar Ibn al-Khattab's conflict resolution. The main sources of Persian and Byzantine history used in this research include the Chronicon Paschale in the 7th century, the Chronicle of Theophanes Confessor, and the account of Antiochus Strategos. As Omar (2019) argues, these sources are considered reliable and important sources since they lived through and witnessed the events of the 7th until 9th century.

5.1 Concept of *Adil* (Justice)

In discussing the comparisons between pre-*Fatih* and post-*Fatih* situation in Islamic Jerusalem, the researcher would like to affirm that this will not involve discussion of the principle based on religions other than Islam. For instance, the Christianity value regarding justice as cited by Haldon (1999, p. 13) stated that,

“Since God has put in our hands the imperial authority, we believe that there is nothing higher or greater that we can do than to govern in judgement and justice, and that thus we may be crowned by His almighty hand with victory over our enemies (which is a thing more precious and honourable than the diadem which we wear) and thus there may be peace.”

This passage, taken from the introduction to the *Ecloga* of the emperors Leo III and Constantine V, issued in 741, sums up the key elements in the East Roman attitude to warfare, which was seen as undesirable but at the same time justified in order to maintain order and achieve peace. However, as Haldon (1999) argues, the evidence for eastern Roman or Byzantine attitudes to warfare and fighting contains a number of ambiguities and paradoxes. These injustices are revealed in the chronological situation during the Byzantine period in Islamic Jerusalem that Revel-Neher (1992) compiled from each of the most prominent leaders of the Empire, such as forbade circumcision, study of Torah, or conversion to other religion which could be referred on the appendix B.

The Islamic concept of *Adil* (justice) became the main value of Umar Ibn al-Khattab during his leadership era. Umar could not stand the oppression and injustice in Islamic Jerusalem as carried out by Byzantine and previous occupiers of the region. The researcher argues that the *Fatih* of Islamic Jerusalem by Umar Ibn al-Khattab, which Armstrong (1996) states as a bloodless conquest, was the most important point in establishing *Aman* in the area. The inhabitants witnessed that the process of *Fatih* was performed justly, was accomplished in order to terminate injustice by Byzantine occupation, and was practiced to establish justice for all people regardless of their background.

In relation to the *Aman* theory, even though El-Awaisi argues that the elements of *Aman* theory (concept of *Adil* or justice, methodology of *Tadafu* or counteraction, constructive argumentation methodology, principle of non-exclusion, and preserving human dignity) cannot be separated, the author argues that the concept of *Adil* (justice) is the first step amongst these elements. The intention of implementing justice is made the priority in establishing *Aman*, even before the Muslim ruler had sovereignty over the area of conflict. Furthermore, action undertaken in gaining sovereignty or leadership should

be carried out in justice for a Muslim ruler to be able to instigate the other elements of *Aman* theory.

The researcher argues that after the process of *Fatih*, Islamic Jerusalem became a fragile post-conflict area. Umar Ibn al-Khattab granted assurance of *Aman* to guarantee that justice will continue to exist in the region. This legal document includes the words “to everyone without exception” in the first sentence after the opening of the assurance that highlights the basis of Islamic decree of justice. Afterward, Umar stated the new justice policy that would be implemented, such as the *Jizyah* tax to make an equal contribution towards the region’s development, the rights to harvest the inhabitants’ crops, and implement justice law to the robbers and occupiers (Abu Munshar, 2007). Umar decided to expel robbers and occupiers because as the Quran states, Muslims should defend themselves against those who fought Muslims because of their faith and evict them (El-Awaisi, 2012).

Most importantly, Umar Ibn al-Khattab established the justice system as a priority after the *Fatih*. Umar Ibn al-Khattab appointed Ubada Ibn al-Samit as a judge in Islamic Jerusalem and established other institutions right after the liberation (Al-Tel, 2003). Umar Ibn al-Khattab followed Prophet Muhammad’s steps in establishing a justice system as a priority after a *Fatih*. For instance, after *Fathu Makkah*, Prophet Muhammad appointed ‘Uthab Ibn Asid as a judge in Makkah (Al-Mawardi in Jamal, 2010). During Khulafa al-Rashidun’s time, Umar Ibn al-Khattab himself was also appointed as a judge by Abu Bakr (Al-Zuhayli, 1995).

After presenting a justice system in Islamic Jerusalem by guaranteeing the right, safety, and security of the population through his Assurance of *Aman* and by appointing a judge, the next challenge for the Muslim ruler after the *Fatih* is to establish *Aman* in a multicultural and multi-religion society. This challenge is associated with the concept of Islamic Jerusalem as an inclusive region for all humankind. Therefore, the researcher will explore the historical records of the implementations of justice during Umar Ibn al-Khattab’s rule towards diverse categories of humans in terms of religion, race or ethnicity, gender, age, socioeconomic status, and physical ability.

The first category of diversity in a multicultural society is religion. Umar Ibn al-Khattab presented a system that protects every follower of every religion including Christianity and Judaism to perform their religious activities. Armstrong (2005) states that “no killing, no destruction of property, no burning of rival religious symbol, no expulsions or expropriations, and no attempt to force the inhabitants to embrace Islam” during Umar’s rule. Additionally, even Nestorian and Monophysite Christians welcomed the Muslims and found Islam preferable to the Byzantines due to the fact that Muslims did not inquire about the profession of faith nor did they persecute anybody because of his profession, as the Greeks had done (Armstrong, 2005).

Fatimatuzzahra (2005) listed some of the tribes and ethnicities that resided in Islamic Jerusalem after the *Fatih*. During Muslim rule, Arabs and non-Arabs were living as citizens in the region and receiving equal rights. Among the tribes who resided in Islamic Jerusalem were branches from Ghassan, Amila, Lakhm, Judham, Kinanah, and Kinda. Moreover, Ibn Sa’d mentioned Uways Ibn Amir al-Qarni from a Yemeni tribe who also lived in Islamic Jerusalem during Umar’s rule. It proves that Umar also applied justice to all races and ethnicities as taught by Islamic principles.

In terms of justice for gender, age, socio-economy, and physical diversity, Umar demonstrated it through his *Jizyah* regulation. Ibn Qayyim al-Jawziyah (2003) states that Umar highlighted that *Jizyah* must not overburden or overcharge someone who cannot afford it. For example, “no *jizyah* is levied on a boy, a woman, or a mentally-retarded [intellectual disable] person. No *jizyah* is charged on a poor person who cannot afford it. No *jizyah* is imposed on the elderly, aged, blind, or a sick person (who cannot be cured), even if they were well off.” All of these facts indicate Umar Ibn Al-Khattab’s accomplishment in establishing the concept of *Adil* (justice) as one of *Aman* theory’s crucial elements in Islamic Jerusalem during his rule.

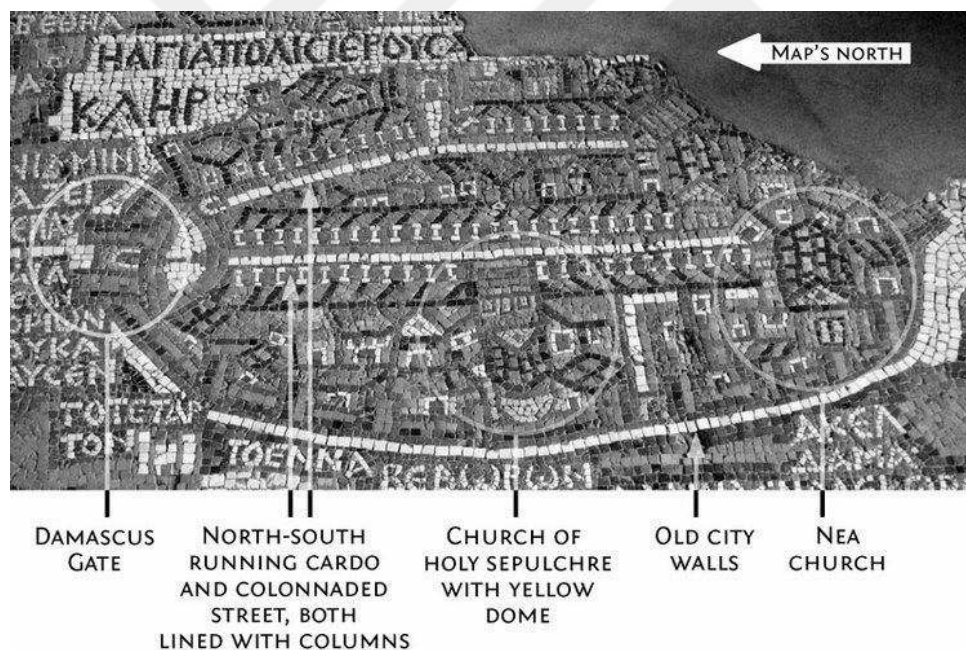
5.2 Methodology of *Tadafu* (Counteraction)

The main problem that perpetuated conflict in Islamic Jerusalem during Byzantine and Persian rule is repayment of the same attitude they received from the other. For instance, as mentioned by Revel-Neher (2012), one Byzantine leader described the Jews in his writings as “*feralis*” (savage), and an “abominable (*nefaria*) people”; Judaism was

a "disgrace and an infamy" (*flagitium, turpitude*), and he spoke of Jews assembled in "gatherings of blasphemers" (*sacrilegi coetus*). Furthermore, Revel-Neher (2012) added that,

“By about 423, it seems that the destruction of a synagogue meant that the site was appropriated for the benefit of the Christians, who consecrated it and used it for the building of a church, in order to prevent any reconstruction of a synagogue.”

As a result, the Jews took revenge when they later ruled Islamic Jerusalem. Some of the churches in Islamic Jerusalem, including those in the Madaba Map were destroyed by the Persians in 614 CE when they conquered the region. Previously, the Madaba map of the walled city in Islamic Jerusalem, presented below, shows that the region was full of Christian religious institutions, as many churches, convents, and hospices were erected in the middle of the sixth century (Abu-Assab, 2012).



Map 6. Part of the Madaba Map. Source: Alchetron.com (2020)

However, in 614 CE, some of these churches were destroyed when the Persians besieged the city. The Persians destroyed the church of Saint Stephen, the church of Gethsemane, the church of Holy Sepulchre, and the church of the Holy Sion (Schick & Kafafi, 2007). In 628 CE, Heraclius succeeded in returning Islamic Jerusalem to Byzantine

rule and once again excluded all the Jews of the Persian. The cycle of conflict that seemed to be never ending was finally solved by Umar Ibn al-Khattab through the methodology of *Tadafu*.

As Abu-Assab (2012) highlights, Umar Ibn al-Khattab uses *Daf* (the root word of *Tadafu*), which according to Al-Qurtubi means driving back oppression by justice through his Assurance of *Aman*. From the beginning of the *Fatih*, Umar did not instruct Muslims to take revenge on the occupier and oppressor of the region. Instead, he assured the safety of the churches, the properties, and the lives of the inhabitants (Al-Tabari, 1997). Umar also expelled the occupier and robber and prevented further conflicts that might arise if the criminal as a source of conflict had stayed there. Nonetheless, Umar Ibn al-Khattab ended the war model and cycle of revenge that has been implemented for centuries in Islamicjerusalem where the new ruler would massacre and exclude all the previous inhabitants that have different religions or backgrounds, including women, children, and elderly.

For instance, as cited by Penn (2015, p. 7), a decade after the first Muslim *Fatih* of Islamicjerusalem, Syriac Christians maintained a positive relationship with Muslims. Penn wrote that “Syriac Christians ate with Muslims, married Muslims, bequeathed estates to Muslim heirs, taught Muslim children, and were soldiers in Muslim armies.” Therefore, Umar counteracted the previous conflict in Islamicjerusalem’s society by giving the opportunity to Muslims and other religions’ followers to interact and help each other.

Other examples of the *Tadafu* method that Umar Ibn al-Khattab applied were assuring the safety of religious buildings and citizenship status for non-Muslims. Moix (2006), in his writing on the relation between religion, conflict and conflict resolution claims that religion has been used to launch crusades, to oppress and conquer, and to justify violence and war. However, Moix states that religion also has an undeniable claim to a significant role in helping communities resolve differences, in advancing international human rights, in overcoming great injustices, and in encouraging peaceful management of conflicts. In this matter, Umar Ibn al-Khattab resolved the previous conflict and prevented further conflict by ensuring that all followers of different religions

have the same right to practice their faiths, and at the same time, he used religious principles and guidelines in Islam to manage conflict.

5.3 Constructive Argumentation Methodology

This methodology had been the practice of Umar Ibn al-Khattab even before he came to Islamic Jerusalem. As part of the *Fatih* of Islamic Jerusalem, and upon receiving the request from Amr Ibn Al-Ash as the commander of the on-going siege towards the city of Islamic Jerusalem (the walled city), Umar first discussed the matter with his companions as mentioned in Al-Tabari:

“It was said that the reason for Umar's coming to Syria was the following: Abu `Ubaydah besieged [Islamic] Jerusalem. Its people asked him to conclude peace with them on the conditions of the Syrian cities and asked that Umar Ibn al-Khattab be responsible for the treaty. Abu `Ubaydah wrote to Umar about it, and Umar made the journey from Madinah.” (Al-Tabari, 1997, p. 190-191)

After the discussion, Ali Ibn Abi Thalib agreed and even advised Umar Ibn al-Khattab:

“Ali advised Umar: “The people have asked you. Their request is a great victory for the Muslims. The Muslims have greatly suffered from the cold weather, fighting and the long siege. In my opinion, if you travel to them, Allah will enable you to conquer this city. Whenever you reach them there will be security, health, goodness and victory for both yourself and the Muslims”.” (Al-Waqidi, 2005)

Immediately after Islamic Jerusalem became under Umar Ibn Al-Khattab's rule, Umar presented the same manner of constructive argumentation methodology. When Patriarch Sophronius invited Umar to perform prayer inside the Holy Sepulchre church, Umar answered with a logical argumentation. According to Umar, the future Muslim generation might turn the church into a mosque if Umar prayed there to follow his path (Al-Tel, 2003, p. 8; Armstrong, 1997, p. 14; Haleem & Ramsbotham, 1998, p. 5). The author argues that Umar's method of delivering constructive argumentation is an effective way to honor the Patriarch's invitation and prevent possible interfaith conflict in the future.

One other potential problem that might appear from this methodology is the inability of society to follow Umar's characteristics of arguing in a constructive approach. Consequently, to fertilize the culture of constructive argumentation in society, education

is necessary. Umar Ibn al-Khattab proved this by appointing Salama Ibn Qayys as an Imam (leader of prayer) and Ubada Ibn al-Samit as a teacher in IslamicJerusalem as soon as the region was liberated (Al-Maqdisi and Ibn Al-Athir in Al-Tel, 2012). The researcher argues that Umar understood the importance of systematic and comprehensive education in religion, science, and social aspects for inhabitants through these appointments.

Other evidence showing that Muslims implemented constructive argumentation methodology can be shown through the chronicle of the head of East Syrian Church, Catholicos Isho'yahb III who referred to Muslims in a couple of his extant letters. He stated in his letter that Muslims and Muslim rule are a particularly good example of political expediency (Penn, 2015). The researcher argues that the historical accounts of Syriac Christians are essential because they are among the first to encounter Muslims and Muslim rule after the first Muslim *Fatih*. In addition, Umar Ibn al-Khattab allowed the Arab Christians of Banu Taghlib who preferred to pay zakat in double amounts compared to Muslims rather than pay Jizyah (Al-Qaradawi, 2002). In the researcher's point of view, the flexibility of Umar's decisions regarding the multiculturalism society is vital in managing a post-conflict region, especially since Banu Taghlib's request did not clash with Islamic principles or law.

On the other hand, the researcher found it interesting that before Muslims came to IslamicJerusalem, none of the main sources related to the Persian and Byzantine history such as in Theophanes, Paschale, or Strategos chronicles mentioned examples related to positive interaction or dialogue between different religions. In the chronicle of Theophanes, it was even mentioned that the emperor at that time competed with his previous emperor on how many people from other religions that they could persecute. Yet, Theophanes (2006, p. 476) recorded,

“(642/3 CE) In this year Oumaros [Umar Ibn al-Khattab] began to build the “temple” [initial building of Al-Aqsa Mosque] at [Islamic]Jerusalem, but the building would continue to fall. When he inquired after the cause of this, the Jews answers, 'If you do not remove the cross that is above the church on the Mount of Olives, the structure will not stand.' That's why the cross was removed from there, and thus their building was compacted.”

The researcher argues that even the Christian chronicles portrayed that constructive argumentation was part of the daily life of Muslims, Christians, and Jews

under Muslim rule in Islamic Jerusalem. Otherwise, it would be impossible for inhabitants whose religion is different from the ruler to utter their opinions. Indeed, Umar Ibn al-Khattab had exemplified the application of constructive argumentation methodology in the *Aman* theory.

5.4 Inclusion: Principle of Non-Exclusion

The history of Islamic Jerusalem before the first Muslim *Fatih* is filled with revenge from one ruler to another that includes destruction, massacre, and exclusion. During the rule of Hadrian, the city of Islamic Jerusalem became Aelia Capitolina, where Jews were not allowed to live in the region after 135 CE. The Byzantine's decree stated, "It is forbidden to all circumcised persons to enter and to stay within the territory of Aelia Capitolina. Any person contravening this prohibition shall be put to death" (Wilkinson, 2000, p. 88). Constantine's policy was the same as Hadrian's towards the Jews. As Wilkinson cites,

"They were not allowed to live in Jerusalem, but they made a pilgrimage to the western wall of the "temple", and once a year on 'the ninth of Ab' they were allowed into the "temple" site to lament its destruction."

Furthermore, as reported by Ibn Khaldun, during the era of Heraclius, the Jews' safety was guaranteed at the beginning. Subsequently, Heraclius discovered from the bishops and monks that there had been destruction of churches and that slaughter had been carried out by the Jews. He then decreed that the Jews should be killed; no one was saved except for those who hid or escaped to the mountains and deserts (Gil, 1997). As stated by Theophanes (1997, p. 459),

"On entering Jerusalem, the emperor reinstated the patriarch Zacharias and restored the venerable and life-giving Cross to its proper place. After giving many thanks to God, he drove the Jews out of the Holy City and ordered that they should not have the right to come within three miles of the Holy City."

Nevertheless, Umar Ibn al-Khattab practiced the opposite of previous rulers of Islamic Jerusalem. Umar Ibn al-Khattab changed the course of history by allowing people from different religions and backgrounds to live in Islamic Jerusalem peacefully. This inclusive vision corresponds with the core Muslim teachings that reject the notion of the supremacy of one person or race over others. He respected the previous inhabitants even

though they were not believers of Islam. He even permitted the Jews to reside in the region after they were excluded from Islamic Jerusalem during the era of Byzantine Emperor Hadrian. As Gil (1996) narrates, Daniel al-Qumisi wrote of the dramatic impact of the Muslim conquest [*Fatih*] on Jerusalem. He states that before the arrival of Umar Ibn al-Khattab, the Jews could only see a glimpse of their “temple” from afar. After the *Fatih*, Umar brought the Jews to Islamic Jerusalem and provided them with a place, and many of them settled down there. Since then, Jews from all over the world have come to pray and study in Islamic Jerusalem. This account depicts how Umar started a history of interfaith *Aman* in the Islamic Jerusalem.

El-Awaisi (2007, p. 74-75) argues that one of the examples showing that Umar Ibn al-Khattab practiced the principle of non-exclusion in Islamic Jerusalem may be seen from the account of Al-Ya’qubi and Al-Waqidi. El-Awaisi quoted Hani Abu Al-Rub as mentioning early Muslim sources from Al-Ya’qubi that pointed out indirectly within his writings that there was an agreement with the Jews. According to this account, al-Waqidi stated that “twenty Jewish individuals from *Bayt al-Maqdis* headed by Joseph Ibn Nun visited Umar in *al-Jabiya* where they requested an assurance of safety [*Aman*]. He (Umar) granted them an assurance of safety in return for paying the *Jizya* tax.” As translated by El-Awaisi (2005), this assurance contains the below text,

“You are granted safety for your lives, possessions, and churches unless you cause public harm or protect who cause public harm. Any one of you who causes public harm or protects who causes public harm then he will not be under the covenant of God.”

One of the examples of multicultural society during Muslim rule during the early period of Muslims, along with the takeover of the Persian Empire and Byzantine Empire, is when Islam had spread into most of the Middle East (West Asia). A significant number of Jews, Christians, and Zoroastrians also converted to Islam. Thus, during Khulafa al-Rasyidin’s leadership, new communities with their various cultural patterns were developed and managed (Abdurrahman, 2017). It contradicts the common Western belief that Islam is “a religion of the sword”. Muslim rulers allowed Christians, Jews and Hindus to keep their faith because the Quran forbids conversion by force. The millions of Hindus, Zoroastrians, and Syrian and Coptic Christians who converted to Islam in the eighth, ninth, and tenth centuries did so freely because their Muslim conquerors governed more justly than any ruler they had known before (Weston in Vehapi, 2013). Abu-Munshar

(2007) also explains how Umar Ibn al-Khattab used Quran and Sunnah as his frame of reference towards dealing with IslamicJerusalem's people, including such values as recognizing others, allowing diversity and pluralism, and providing a peaceful life based on mutual respect.

As for the sentence in the above version of Umar's Assurance of *Aman* stating that no Jews should reside with them in Aelia, research by El-Awaisi (2007) concluded that it is an addition and not included in the authentic text, as it might have been added for political or religious reasons. It is in accordance with Saif ibn Umar as cited by Duri (1990, p. 107) that some details such as no Jews should reside with them in Aelia are out of step with the trend of the types of Sulh at the time, and could only reflect later trends. Duri also mentions Ibn Jawzi who argues that the document does not mention the Jews.

Umar's actions were based on the Quran 60:8-9 as explained in the theoretical framework. This means that because the Jews and Christians who resided in IslamicJerusalem during the first Muslim *Fatih* were not fighting the Muslims because of the faith, did not expel Muslims or help to expel Muslims, they have the same citizenship rights. As for the occupiers and robbers, Umar Ibn al-Khattab took the decisive policy of expelling them for the sake of establishing *Aman* in the region. The researcher argues that this element will suffice as the implied prerequisite of *Aman* theory that states *Aman* (peaceful coexistence and mutual respect) will not be established under occupation. Because all occupations will implement exclusion policy sooner or later as part of their action. This is also the most significant differentiation between a *Fatih* and an occupation since a *Fatih* will not exclude anyone on the basis of a different faith.

5.5 Preserving Human Dignity

In order to investigate the application of this element, one can compare the differences of Persian or Byzantine's treatment with Muslims' treatment towards the inhabitants during their rule in IslamicJerusalem. According to Christian sources, the Persians sacked the [Islamic]Jerusalem city with great slaughter and deported many of its inhabitants in 614 CE (Cameron, 1993). For three days, they [the Persians] put to the swords and slew all the populace of the city. And they stayed within the city for 21 days,

then they came out ... and burnt the city with fire. As Antiochus Strategos' Chronicle (1910) states,

“When the Persians withdrew, they began to search for all the dead that had fallen at the hands of the Persians in the city and in its environs, in all the alleys and public places. Others were massacred as they hid under the holy table, and were offered victims to Christ. The total number of all was 66,509 souls...”

In another source, it was claimed that some seventeen thousand civilians were slaughtered, and a further thirty-five thousand led away in captivity, as too were the remains of the True Cross, which was first trampled on before being carried off to Ctesiphon [the capital city of Persia] as a trophy of war (Sarris, 2011, p. 116). On 21 March 630, the Emperor Heraclius then made a counter-attack and restored the True Cross to Islamicjerusalem. According to the Chronicler Fredegarius, as well as Muslim writers, Heraclius, by his own reading of the stars, believed that circumcised people would destroy his kingdom. As Heraclius was convinced that this portrait referred to the Jews, he then issued decrees against them, unaware that the Muslims shared the same tradition of having sons circumcised (Gil, 1997).

On the contrary, Umar Ibn al-Khattab carried the *Fatih* of Islamicjerusalem without any slaughter, massacre, or even discrimination towards the inhabitants. Even though the inhabitants had different backgrounds and religions, Umar presented an assurance of *Aman* to all people without exception. Moreover, Umar allowed people to be empowered and flourish through their own occupation and culture such as trading and farming. This rejects the Orientalists' claims that non-Muslims were treated as second-class citizens or as the subject of 'Muslim occupation'. One of the questionable statements recorded in the manuscript of Chronicle of Thomas the Priest (Penn, 2015, p. 28; Palmer, 1993, p. 6) states that:

“In the year 945 (634 C.E.), there was a battle between the Romans and the Arabs of Muhammad in Palestine, twelve miles east of Gaza. The Romans fled. They abandoned the patrician Bryrden, and the Arabs killed him. About four thousand poor villagers from Palestine — Christians, Jews, Samaritans — were killed, and the Arabs destroyed the whole region. In the year 947 (635/636 C.E.), the Arabs invaded all Syria and went down to Persia and conquered it. They ascended the mountain of Mardin, and the Arabs killed many monks in Qedar and Bnata.”

However, the researcher argues that this claim does not match with the facts, since the number of Christians and Jews increased after the “Arabs” ruled the Palestine and Syria area, including the IslamicJerusalem region (Linder, 1996). The claim which states that the Arabs destroyed the whole region is also impossible to prove because archeological findings show that no buildings and religious sites were destroyed during and after the first Muslim *Fatih* of IslamicJerusalem (Walmsley, 2007).

5.6 *Aman* Could Not Exist Under Occupation: The Prerequisite of *Aman* Theory

The prerequisite of *Aman* Theory as argued by El-Awaisi is that *Aman* Theory could not work under occupation. El-Awaisi also presents a hypothesis that the criteria in differentiating a *Fatih* and an occupation are its purpose, process, and outcome. Based on the researcher's examination in the previous chapter, the first Muslim liberation of IslamicJerusalem led by Umar Ibn al-Khattab fulfill all three measures of a *Fatih*. In the researcher's perspective, even Prophet Muhammad recognized this prerequisite as implied in several hadiths such as the aforementioned hadith of when Arqam intended to go to IslamicJerusalem but Prophet Muhammad prevented him because of the on-going occupation. In another hadith reported by Imam Ahmad, Al-Tabarani, and Abu Dawud, Maymunah Bint Sa'd asked Prophet Muhammad about IslamicJerusalem and the Prophet explains the virtues of praying there. However, as the situation at the time prohibited one to visit and pray there, Prophet Muhammad encouraged his companions to send oil to Al-Aqsa Mosque. The researcher argues that Prophet Muhammad taught his companions to be patient and provided alternatives for praying in Al-Aqsa Mosque while it was still under occupation. Even Prophet Muhammad himself never set his foot to IslamicJerusalem throughout his prophethood except when he undertook the miraculous journey during which Allah took him to the Holy Land during *Isra Mi'raj*.

It is also worth mentioning that this hadith from Maymunah Bint Sa'd is the only hadith that draws a parallel between performing prayer (*salah*) and welfare of a mosque. According to Patel (2006), no other similar recommendation has been made for any of the other mosques. Thus, the researcher supports El-Awaisi's hypothesis that *Aman* could not exist under occupation. Even though Prophet Muhammad successfully established all elements in *Aman* theory such as justice, *Tadafu*, constructive argumentation methodology, inclusive vision, and preserving human dignity in Makkah and Madinah

during his life, he still planned to liberate Islamicjerusalem first to be able to apply the other elements of *Aman* theory in the Holy Land.

Furthermore, the researcher proposes that another prerequisite is needed to establish *Aman*, that is, an actor who has both sovereignty and inclusive vision. As discussed above, Yatiban (2005) affirms the importance of sovereignty for Muslim rule, however, El-Awaisi (2007) argues that inclusive vision must come before sovereignty. For instance, even though the rulers of Persian and Byzantine have power or authority over the land, *Aman* could not be established without inclusive vision. Furthermore, during the era of Prophet Muhammad and Abu Bakr, their inclusive vision could not be implemented in Islamicjerusalem because Muslims had not yet obtained sovereignty over the land. Both the inclusive vision and sovereignty came into Muslims' hands during Umar Ibn al-Khattab's period. Hence, to implement the elements of *Aman* theory, these are the steps that should be performed: end the occupation through knowledge preparation, political preparation, and military preparation; preserve human dignity throughout the process of *Fatih*; implement inclusive vision; establish a justice system; then exercise the two methodologies of conflict resolution in the form of *Tadafu* and constructive argumentation. These steps are based on the practice of Umar Ibn al-Khattab during his leadership to resolve and prevent conflict.

Conclusion

Umar's policy during the first Muslim *Fatih* inspired El-Awaisi as the founder for the Muslim contribution towards global *Aman* (peaceful coexistence and mutual respect), which is presented as the *Aman* theory, a theoretical framework in establishing *Aman* in a multicultural society. The components of the *Aman* theory are the concept of *Adil* (justice), *Tadafu* (counteraction) methodology, the principle of non-exclusion, constructive argumentation methodology, and preserving human dignity.

This research found that the *Fatih* of Islamicjerusalem by Umar (637 CE/16 AH) was indeed successful in establishing the *Aman* theory. The implementations of each component of the theory marked the beginning of a new and distinguished phase of the region's history. Christians and Jews were granted the rights to worship in their churches and synagogues. This means that Caliph Umar respected the rights of the followers of

other religions. Umar's new policy and system were accepted by the inhabitants of Islamic Jerusalem. Islamic Jerusalem's inhabitants were satisfied with all kinds of changes initiated by Muslims, including political, social, and religious changes. This is likely due to the implementations of the Muslim concept of change aimed at instilling *rahmah* (mercy) for all nations, as in the Quran 21:107, "We sent thee not, but as the mercy for all nations." Therefore, Umar's policies were designed to be beneficial to all the people in the region, regardless of their religion, color, and race.

Furthermore, although further research is required to ensure the steps needed in applying the *Aman* theory, the researcher argues that during the Umar Ibn al-Khattab era, the inclusive vision is the first element of the theory that must be possessed. Afterward, the concept of justice must be implemented, including the elimination of any injustice left from previous situations. Following that, both methods of conflict resolution in the form of the methodology of *Tadafu* and constructive argumentation should be performed. As for preserving human dignity, it must appear throughout all steps.

CONCLUSION

This research's main contribution is related to the current situation of the world that is full of conflict, war, and occupation. Notably, it is to fill the gap in peace and conflict resolution research, which has been dominated by the Western perspective. The necessities are particularly for Muslim communities who tried to apply an outsider's perspective to resolving problems despite different cultures, characteristics, and challenges. Therefore, a new dimension to conflict prevention and resolution is urgently required, primarily provided by a non-Western perspective.

This research focused on testing the implementations of a non-Western perspective of resolving the conflict in IslamicJerusalem during Umar Ibn al-Khattab. It is due to the limited studies which specifically elaborate in detail the era of Umar Ibn al-Khattab. Even the founder of the Aman theory and model had only investigated the implementations of this theory during Umar Ibn al-Khattab and Salahuddin al-Ayyubi period in brief.

The chosen location is due to the researcher's concern that resolving the conflict in IslamicJerusalem should be a priority. Due to its significance as a holy region for three Semitic religions (Judaism, Christianity, and Islam), IslamicJerusalem has had a history of conflict, exclusion, human rights violations, and occupation for years. The present conflict began at the end of the Ottoman period when the collaboration between the Zionist movement and the British occupation led to Israel's establishment. Since then, the rights of Muslims in IslamicJerusalem have been denied as the Israeli authorities apply exclusion policies towards non-Jewish people, demolish their houses, and confiscate their land. In other words, the history of IslamicJerusalem is full of destruction, oppression, and massacre. For instance, the exclusion policy that has been implemented by Israeli authorities is similar to the Byzantines' approach in ruling IslamicJerusalem in the first century CE. However, Umar Ibn al-Khattab changed the exclusion practice into an inclusive or coexistence policy with the first Muslim *Fatih*.

El-Awaisi founded a newly developed theory and model named as *Aman* (peaceful coexistence and mutual respect) as an answer to this need; it represents a Muslim vision to establish *Aman* in a multicultural and multi-religious society. Nevertheless, this theory

and model still require further investigation regarding the application in a crucial historical period. Dedicated research on the theory and model as applied to a region with a history as full of conflict as Islamicjerusalem (Bayt al-Maqdis/Beytulmakdis) would reflect the applicability of the theory. The first Muslim *Fatih* led by Umar Ibn al-Khattab marked the historical and monumental change of Islamicjerusalem. Therefore, it is important to examine whether Umar Ibn al-Khattab had successfully established *Aman* in the region as a multicultural society.

Specifically, this research investigated the implementations of the components of *Aman* theory and model in the crucial historic period of the first Muslim *Fatih* of Islamicjerusalem. The researcher analyzed the factors, steps, and prerequisites in establishing *Aman* in Islamicjerusalem as a multicultural region based on the *Aman* theory and model; and to explore Umar Ibn Al-Khattab's vision, system, and policy in establishing *Aman* (peaceful coexistence and mutual respect) in Islamicjerusalem. This research analyzed the *Aman* theory and model in a crucial period. At the same time, this research has promoted a Muslim theory and model that can be an alternative approach for Muslim nations that presently emphasize the Western concept of conflict resolution.

The theoretical and practical analysis of *Aman* theory and model in this research discussed the vision, system, and policy of the establishment of *Aman* during the first Muslim ruler's era. The study was conducted using a qualitative approach to analyze the applicability of *Aman* theory and model in a significant place and prominent period: Islamicjerusalem in Umar Ibn al-Khattab's era. The basic analytical approach, rather than the practical approach, was chosen based on the consideration that the researcher aims to develop knowledge in the theory.

In this research, it was demonstrated that the classical conflict resolution frameworks that sprouted in Western society after the Cold War influenced the perspective towards this field of inquiry for the following decades. Thus, this literature review focused on the development of conflict resolution from generation to generation and discussed two of the most prominent conflict resolution models by Galtung and Ramsbotham-Woodhouse. Furthermore, the researcher in this literature review also investigated the past and present conflict resolution frameworks offered for the conflict in Islamicjerusalem.

Furthermore, the importance of IslamicJerusalem for Muslims highlighted the urgency of this research. Besides being mentioned in various Quranic verses, such as the land of Barakah and Holy Land, IslamicJerusalem is also referred to by Prophet Muhammad as Bayt al-Maqdis in his hadith. One of the most significant events related to IslamicJerusalem in Islam is the night journey and ascension (Isra Mi'raj) and the change of qiblah/direction of prayer. Thus, Muslims will continue to have in high regard the virtues of this region, especially given the fact that the first qiblah for Prophet Muhammad is IslamicJerusalem, and that the Muslim practice of praying five times a day relates closely with IslamicJerusalem.

Additionally, the researcher explained the concept and elements of IslamicJerusalem as a term and as a region simultaneously. These elements include its geographical boundaries, inhabitants, and inclusive vision. Since these boundaries and vision are closely related to the Islamic perspective, the researcher also presents the connection and significance of IslamicJerusalem from a Muslim point of view. It contains the significance of IslamicJerusalem, as mentioned in the Quran and hadith as the primary and historical sources.

The researcher also scrutinized the theoretical framework of the proposed conflict resolution framework based on Islamic sources and historical documents, namely the *Aman* theory and model. The researcher aims to engage each of the elements from the theory and model, including the foundation and prerequisites that are embedded in the concept. The *Aman* theory and model, founded by El-Awaisi, consists of broad dimensions and specific elements. Thus, the researcher has analyzed each of the theoretical frameworks' components, including the foundation and prerequisites. The researcher argues that a particular explanation is needed in each diagram of the *Aman* theory and model. For instance, the researcher added the title "Muslim concept of diversity" for the first diagram of the *Aman* theory and "IslamicJerusalem as the land of Amal (hope)" for the second diagram. As for the *Aman* model diagram, the researcher added the title "the vision, policy, and system" for the related components. Explanations from an Islamic perspective and scholars' arguments are added to each element's discussion to comprehend this framework. The researcher included the development of this theory and model from her discussion with El-Awaisi during lectures and consultations. The researcher highlighted that this latest development of the *Aman* theory

and model, unpublished by El-Awaisi, has become the strength and novelty aspect of this thesis. Indeed, the latest evolution of the theory in this research has contributed to the urgently required solution to conflict, occupation, violence, and war in the world.

The researcher has investigated the hypothesis that the first Muslim *Fatih* of IslamicJerusalem is not an occupation based on three criteria: positive purpose, process, and outcome. Since these criteria have not been published in any other writing, including by El-Awaisi, the researcher attempted to analyze them in depth. Furthermore, this research highlighted the crucial requisite in comprehending that the *Fatih* of IslamicJerusalem was a long process planned by Prophet Muhammad, Abu Bakr, and Umar Ibn Al-Khattab. The researcher concluded that the first Muslim *Fatih* of IslamicJerusalem had fulfilled the three criteria of a *Fatih*: positive purpose, process, and outcome. Historical evidence proves that Prophet Muhammad, Abu Bakr, and Umar Ibn Al-Khattab aimed to liberate IslamicJerusalem, one of the most significant pieces of land in Islam, from the previous occupation, oppression, destruction, and massacre. Through his hadiths, Prophet Muhammad stated that the liberation of IslamicJerusalem and its prosperity must be a vision for his companions and followers. Prophet Muhammad's strategic plan for the liberation of IslamicJerusalem, such as sending a letter to Heraclius, the Battle of Mu'tah, the Battle of Tabuk, and the mission of Usamah, indicates that this *Fatih* was a high priority for him.

During the *Fatih* process, Umar Ibn Al-Khattab ensured that the *Fatih* was carried out using Islamic principles, such as justice and high regard for human rights. He did not use the exclusion, destruction, and massacre policy used by the Byzantines and Persians as previous rulers of IslamicJerusalem. Hence, the first Muslim *Fatih* produced a positive outcome, for example, through the establishment of a multi-religious and multicultural society. The *Fatih* of IslamicJerusalem also united the Muslim ummah and enabled Muslims to spread the peaceful message of Islam even further outside the Arabian Peninsula.

This research investigated the vision, policy, and system in the *Aman* model that Umar Ibn Al-Khattab established as part of his conflict resolution effort. Since El-Awaisi presents the *Aman* model as a result of his extensive research on Umar's Assurance of *Aman*, this historical document has been elaborated extensively. According to the researcher, it is crucial to comprehend the position of this assurance from a legal

perspective. Subsequently, this research has investigated and analyzed the successful implementations of the *Aman* model in Umar Ibn Al-Khattab's vision, policy, and system in Islamic Jerusalem.

Among the changes that Umar Ibn Al-Khattab implemented in Islamic Jerusalem was the Assurance of *Aman*, which became a significant landmark in the region's history. This legal document assures the inhabitants of Islamic Jerusalem that their lives, possessions, churches, crosses, buildings, or land will not be taken over or destroyed by Muslims. This assurance inspired El-Awaisi as the founder to develop the *Aman* model, which includes implementing mutual respect, preserving human dignity and belongings, fostering diversity and plurality, and applying the "no compulsion in religion" teaching. These principles led to the protection of rights, lives, property, freedom, and security.

Hence, it could be concluded that this assurance reshaped the relations between the people of different religions and cultures in the region. This assurance also represented the basic understanding of the Muslim concept of sovereignty and emphasized the highest authority's role. It shows the differences of Islamic Jerusalem's situation based on the previous application of the exclusion policy because, before Muslim rule, all the rulers of Islamic Jerusalem applied the exclusion policy. For instance, Jews were not allowed to settle in Islamic Jerusalem during the Byzantine period. The Byzantines also reportedly mistreated the Jews. However, when Muslims conquered Islamic Jerusalem, the region became an open land where people, regardless of religion, race, or background, could enter or settle. Even though the history of Islamic Jerusalem, as the holy city of three major religions, contains layers of conflicts, expulsions, and persecutions, Umar Ibn Al-Khattab has accomplished the resolution of that conflict. Umar implemented the Muslim model of conflict resolution, conflict management, and conflict prevention. During the first Muslim *Fatih*, Umar Ibn Al-Khattab established a new system that allowed all the region inhabitants to live in harmony, regardless of their religions, races, and backgrounds. Islamic principles ensure the spirit of inclusivity in a multi-faith and multicultural society—indeed, the history of Islamic Jerusalem during the Muslim *Fatih* proved this. Muslim rulers were the only ones who implemented the *Aman* (peaceful coexistence and mutual respect) in the region and would revive it in all times and places.

For the fulfillment of the *Aman* theory's elements and prerequisites, the researcher also incorporated a comparison of the Persian, Byzantine, and Umar Ibn Al-Khattab's decisions towards Islamic Jerusalem's population. This is, according to the researcher, one of the strengths of this research as the comparison approach between these periods was limited. As a result, it was definite that the attitude of Umar Ibn Al-Khattab during his Caliphate and Persian and Byzantine practices towards the inhabitants of the region were very distinct. The researcher used this comparative approach to shed light on why each of the elements in the *Aman* theory matter in Umar Ibn Al-Khattab's conflict resolution. The main sources of Persian and Byzantine history used in this research included the *Chronicon Paschale* in the 7th century, *The Chronicle of Theophanes Confessor*, and the account of Antiochus Strategos. These sources are considered reliable and important sources since they lived through and witnessed the events from the 7th to the 9th century.

Umar's policy during the first Muslim *Fatih* inspired El-Awaisi to develop a Muslim contribution towards global *Aman* (peaceful coexistence and mutual respect), which has been presented as the *Aman* theory. The components of the *Aman* theory are the concept of *Adil* (justice), *Tadafu* (counteraction) methodology, the principle of non-exclusion, constructive argumentation methodology, and the preservation of human dignity. This research found that the *Fatih* of Islamic Jerusalem by Umar (637 CE/16 AH) is indeed successful in establishing the *Aman* theory. The implementations of each component of the theory marked the beginning of a new and distinguished phase of the region's history. The Christians and Jews were granted the right to worship in their churches and synagogues. This meant that Caliph Umar respected the rights of the followers of other religions. The inhabitants of Islamic Jerusalem accepted Umar's new policy and system. Islamic Jerusalem's inhabitants were satisfied with all kinds of changes initiated by Muslims, including political, social, and religious changes.

Furthermore, although further research is required to ensure the steps needed in applying the *Aman* theory, the researcher concluded that during Umar Ibn Al-Khattab's era, the inclusive vision is the first element of the theory to be possessed. Afterward, the concept of justice must be implemented, including the elimination of any injustice left from previous situations. Following that, both methods of conflict resolution—the methodology of *Tadafu* and the constructive argumentation methodology—should be performed. As for preserving human dignity, it must appear throughout all steps.

Despite the historical research of *Aman* theory and model that proved the success of Umar Ibn al-Khattab in establishing *Aman* in Islamicjerusalem, there are several remarks that the researcher pointed out regarding the theory and model. The first suggestion is the explanation of each diagram to make the theory and model easier to understand. The researcher recommended additional subtitles such as ‘The Foundation of *Aman* Theory and Model’, ‘The Vision of *Aman* Model’, and ‘The Policy and System of *Aman* Model’. The second suggestion is to add another prerequisite or condition for *Aman* theory. The researcher argues that an actor of *Aman* who understands the inclusive vision and has sovereignty is needed to establish *Aman*.

As for the *Aman* model, further research or discussion should include all aspects of multiculturalism or diversity such as religion, ethnicity, age, gender, physical ability, socioeconomic status, and even political views. Up to now, the current discussion of this model still focuses on the multi-religious aspect of society. The examination of other multicultural features expanded the spectrum of applicability of the *Aman* model, especially since this diversity was well-protected in Islamicjerusalem during the first Muslim *Fatih*. Moreover, future research to investigate the applicability of *Aman* theory and model is required to develop the field of conflict resolution in its attempts to solve the problems of the world.

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APPENDIX A

Umar's Assurance of Aman in Al-Tabari Version (Translated by El-Awaisi)

Source: El-Awaisi, 2012

“In the name of God, the Most Merciful, the Most Compassionate. This is the assurance of *Aman* which the worshipper of God (the second Caliph) Umar (Ibn al-Khattab), the Commander of the Faithful, ‘Ata has granted to the people of Aelia.

He has granted them an assurance of *Aman* for their lives and possessions, their churches and crosses; the sick and the healthy (to everyone without exception); and for the rest of its religious communities. Their churches will not be inhabited (taken over) nor destroyed (by Muslims). Neither they, nor the land on which they stand, nor their cross, nor their possessions will be encroached upon or partly seized. The people will not be compelled *Yukrahuna* in religion, nor any one of them be maltreated *Yudarruna*. {No Jews should reside with them in Aelia}

The people of Aelia must pay the Jizya tax like Ahl al-Mada’in the people of the (other) regions/cities. They must expel the Byzantines and the robbers. As for those (the first Byzantine group) who must leave (Aelia), their lives and possessions shall be safeguarded until they reach their place of *Aman* and as for those (the second Byzantine group) who (choose to) remain, they will be safeguarded. They will have to pay the tax like the people of Aelia. Those people of Aelia who would like to leave with the Byzantines, take their possessions and abandon their churches and crosses will be safeguarded until they reach their place of *Aman*.

Whosoever was in Aelia from the people of the land (Ahl al-Ard) (e.g., refugees from the villages who sought refuge in Aelia) before the murder of fulan (name of a person) may remain in Aelia if they wish, but they must pay the tax like the people of Aelia. Those who wish may go with the Byzantines and those who wish may return to their families. Nothing will be taken from them until their harvest has been reaped.

The contents of this assurance are under the covenant of God, are the responsibilities of His Prophet, of the Caliphs and of the Faithful if (the people of Aelia) pay the tax according to their obligations.

The persons who attest to it are Khalid Ibn al-Walid, Amr Ibn al-Aas, Abd al-Rahman Ibn Awf and Mu'awiyah Ibn Abi Sufyan. This assurance of safety was written and prepared in the year 15 (AH).”



APPENDIX B

Byzantine Policy Towards Other Religion in Islamic Jerusalem

Source: Revel-Neher (1992)

1. Hadrian of the Byzantine forbade the performance of essential commandments: the circumcision, the study of the Torah and even the appointment of rabbis. We know that the Jews circumvented the imperial decrees: from the second half of the second century, there is evidence of pilgrimage to Jerusalem. It appears, however, that no Jewish community was allowed to reside in Jerusalem before the Arab conquest.
2. Constantine's personal attitude to the Jews was also concerned. In this report, his writings are revealing. They are full of pejorative expressions: "Lawless Jews, impure through their crimes;" "Let us have nothing in common with the perjured Jews;" "The impure, who were justly stricken with blindness."
3. Constantius II, the son of Constantine, who ruled from 337 to 361, added considerably to the anti-Jewish legislation of the fledgling Christian empire. In 339, he proclaimed three laws which were preserved in the Code of Theodosius: marriages between Jews and Christians were forbidden (a statute which raised few protests, since it was in agreement with Jewish legislation prohibiting mixed marriages); any Jew attacking a convert to Christianity in any way whatsoever, by stoning or any other means, was to be punished by death; and, finally, Jews were no longer permitted to have Christian or Gentile slaves. We know that Jewish law clearly limited the condition of slavery to a period of seven years, after which the slave, if he so desired, was freed-a strange innovation in the ancient world, so entirely based on slave labor; and yet a Jew, if he had a Christian slave, now had his possessions confiscated, and if he converted a pagan or a Christian slave to Judaism, he was punished by death.

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